



universität  
wien

# MASTER THESIS

Titel der Master Thesis / Title of the Master's Thesis

**“Geopolitical Challenges and Opportunities – Which Role does Austria play in the Phenomenon of Human Trafficking for Sexual Exploitation in Europe?”**

verfasst von / submitted by

**Mag.iur. Brigitte Lager**

angestrebter akademischer Grad / in partial fulfilment of the requirements for the degree of  
**Master of Advanced International Studies (M.A.I.S.)**

Wien 2021 / Vienna 2021

Studienkennzahl lt. Studienblatt  
Postgraduate programme code as it appears  
on the student record sheet:

**A 992 940**

Universitätslehrgang lt. Studienblatt  
Postgraduate programme as it appears on  
the  
student record sheet:

**Internationale Studien / International Studies**

Betreut von / Supervisor:

**Professor Werner Neudeck**



**diplomatische  
akademie wien**

Vienna School of International Studies  
École des Hautes Études Internationales de Vienne

## **ACKNOWLEDGEMENTS**

I would like to express my sincere gratitude to the Diplomatic Academy of Vienna for giving me the chance to reframe my career path and to all professors who challenged me to further broaden my mind.

In particular, I would like to thank my supervisor, Professor Werner Neudeck, for guiding me through the thesis process and convincing me that economics is nothing to be afraid of.

I am extremely thankful for my secondary advisor Professor Walter Kemp. Thank you for your patience and motivation while guiding me with your incredible knowledge through the process of writing this thesis.

Furthermore, I would like to thank my interview partners Caroline Sander, Director of Advocacy and Research at the NGO Herzwerk and Brigadier Gerald Tatzgern, Head of the Joint Operational Office for Combating Human Trafficking and Human Smuggling at the Austrian Criminal Intelligence Service, for their time and enthusiasm to share their enormous expertise in my interviews and for their dedication to combat this atrocious crime.

I would like to express my deepest gratitude and love to my parents. Thank you for your unconditional love and support to reach my goals. Thank you for always being my safe haven. Without you, this would not have been possible.

Last but not least, I would like to thank my best friend Stephanie for being my biggest supporter and my harshest critic for the past 12 years. I sincerely appreciate your support in realizing my dreams.

## **PLEDGE OF HONESTY**

On my honour as a student of the Diplomatische Akademie Wien, I submit this work in good faith and pledge that I have neither given nor received unauthorized assistance on it.

A handwritten signature in blue ink, appearing to read 'Brigitte L. Lager', with a stylized flourish at the end.

Brigitte Lore Lager

Vienna, June 11<sup>th</sup>, 2021

# ABSTRACT

Human trafficking is a form of slavery with severe impacts on international security, society, the economy, and the victims involved. Human trafficking for sexual exploitation constitutes the predominant form of human trafficking worldwide. This thesis analyzes the phenomenon of human trafficking for sexual exploitation in Europe. It focuses on the role of Austria, given its geopolitical position at the junction between Western and Eastern Europe. The first chapter constitutes the legal classification of human trafficking by outlining the most important legal documents at the global, European, and domestic level. This chapter further highlights the legal distinction between human trafficking and migrant smuggling. The next chapter aims to give the reader a better understanding of the crime of human trafficking for sexual exploitation by describing victims' and offenders' profiles, outlining the modus operandi of traffickers, analyzing the link between migration and human trafficking, as well as the impact of the Covid19 pandemic. The following chapter addresses human trafficking from an economic perspective by examining the economic market of human trafficking for an individual trafficker. The chapter thereafter emphasizes ways to combat human trafficking by following the so-called "4P" framework. This chapter outlines measures to prevent human trafficking, protect the victims, prosecute offenders, and promote cooperation among all stakeholders as established by the international community and implemented in domestic law. Finally, this further contains an overview of the empirical findings from the expert interviews conducted for this thesis.

**Key words:** human trafficking, human trafficking for sexual exploitation, Europe, Austria, economics of human trafficking, prevention, protection, prosecution, international cooperation

Menschenhandel ist eine Form von Sklaverei mit schwerwiegenden Auswirkungen auf die internationale Sicherheit, die Gesellschaft, die Wirtschaft und auf die einzelnen Opfer. Die weltweit dominierende Form dieses Verbrechens ist der Menschenhandel zur sexuellen Ausbeutung. Diese Arbeit behandelt den Menschenhandel zur sexuellen Ausbeutung in Europa und analysiert welche Rolle Österreich dabei durch die besondere geopolitische Lage an der Schnittstelle zwischen West- und Osteuropa

einnimmt. Das erste Kapitel enthält die rechtliche Einstufung des Verbrechens und gibt einen Überblick über die wichtigsten rechtlichen Bestimmungen auf globaler, europäischer und nationaler Ebene. Es enthält zudem eine rechtliche Unterscheidung zwischen Menschenhandel und Schlepperei. Das nächste Kapitel dient dazu, dem Leser ein besseres Verständnis über das Verbrechen des Menschenhandels zur sexuellen Ausbeutung an sich zu vermitteln. Es beinhaltet Informationen über Opferprofile, Täterprofile und deren modus operandi, sowie über den Zusammenhang zwischen Migration und Menschenhandel als auch über die Auswirkungen der Covid19 Pandemie. Das darauffolgende Kapitel beleuchtet den Menschenhandel aus ökonomischer Sicht und enthält eine wirtschaftliche Analyse des Marktes für Menschenhandel wie er sich für den einzelnen Menschenhändler darstellt. Kapitel 4 beleuchtet den Kampf gegen den Menschenhandel anhand des sogenannten „4P“ Leitfadens. Dieses Kapitel behandelt die internationalen Maßnahmen zur Prävention, Strafverfolgung, Opferschutz und internationale Zusammenarbeit sowie deren Durchführung auf nationaler Ebene. Abschließend enthält dieses Kapitel auch die empirischen Ergebnisse der im Zuge dieser Arbeit durchgeführten Experteninterviews.

**Schlagwörter:** Menschenhandel, Menschenhandel zur sexuellen Ausbeutung, Europa, Österreich, Marktanalyse, Prävention, Opferschutz, Strafverfolgung, internationale Zusammenarbeit

# TABLE OF CONTENTS

LIST OF ABBREVIATIONS AND ACRONYMS .....	1
INTRODUCTION .....	3
METHODOLOGY .....	6
Qualitative Research .....	6
Expert Interviews .....	6
1. Legal Classification and Conceptual Differentiation .....	8
1.1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime .....	8
1.2. The Distinction between Human Trafficking and Migrant Smuggling.....	10
1.3. Council of Europe Convention on Action against Trafficking in Human Beings	12
1.4. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.....	13
1.5. Domestic Law – Austrian Criminal Code .....	14
1.5.1. Article 104a Trafficking in Human Beings .....	14
1.5.2. Article 217 Cross-border Trade in Prostitution .....	16
2. Human Trafficking for Sexual Exploitation.....	18
2.1. Who are the Victims? Who are the Offenders? .....	19
2.1.1. Victims’ profiles.....	19
2.1.2. Offenders’ profiles .....	22
2.2. Modus Operandi.....	24
2.2.1. The Lover-boy Method.....	26
2.2.2. Juju Practice .....	27
2.2.1. Human Trafficking in Cyberspace .....	28
2.3. The Link between Human Trafficking and Migration.....	31
2.4. The Impact of the Covid-19 Pandemic .....	34
3. Economics of Trafficking in Human Beings .....	38
3.1. The Human Trafficking Market .....	39
3.1.1. Supply in the Short Run .....	40
3.1.2. Supply in the Long Run.....	42
3.1.3. Interrupting the Human Trafficking Market.....	43
4. Combating Human Trafficking for Sexual Exploitation - Indicators and Findings	45
4.1. The “4P” framework.....	45
4.1.1. Prevention of Human Trafficking.....	47
4.1.1.1. Prevention measures in Austria.....	49

4.1.1.2. Empirical Findings .....	50
4.1.2. Protection and Support of Victims of Human Trafficking .....	51
4.1.2.1. Victim Protection and Support in Austria .....	54
4.1.2.2. Empirical Findings .....	56
4.1.3. Prosecution and Conviction of Offenders.....	58
4.1.3.1. Prosecution and Conviction in Austria .....	59
4.1.3.2. . Empirical Findings .....	61
4.1.4. Partnerships and Cooperation .....	62
4.1.4.1. Partnerships and Cooperation of the Austrian State .....	64
4.1.4.2. Empirical Findings .....	67
5. Conclusion.....	69
BIBLIOGRAPHY .....	73

## LIST OF ABBREVIATIONS AND ACRONYMS

BGBI	Bundesgesetzblatt (Federal Law Gazette)
BK	Bundeskriminalamt (Federal Criminal Intelligence Service)
BMI	Bundesministerium für Inneres (Federal Ministry of the Interior)
CETS	Council of Europe Treaty Series
COVID-19	Coronavirus disease 2019
CEPOL	European Union Agency for Law Enforcement Training
ECPAT-Austria	Ending the Sexual Exploitation of Children -Austria
EMPACT	European Multidisciplinary Platform Against Criminal Threats
EU	European Union
EUR	Euro
Eurojust	European Union Agency for Criminal Justice Cooperation
Europol	European Union Agency for Law Enforcement Cooperation
GDP	Gross domestic product
GMG	Global Migration Group
GRETA	Group of Experts on Action Against Trafficking in Human Beings
ICAT	Inter-Agency Cooperation Group against Trafficking in Persons
JOO	Joint Operational Office for Combating Human Trafficking and Human Smuggling
LEFÖ/IBF	Intervention Center for Trafficked Women



NGO	Non-Governmental Organization
OSCE	Organization for Security and Co-operation in Europe
SHERLOC	Sharing Electronic Resources and Laws on Crime
SPG	Sicherheitspolizeigesetz (Austrian Security Police Act)
StGB	Strafgesetzbuch (Austrian Criminal Code)
StPO	Strafprozessordnung (Austrian Code of Criminal Proceedings)
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
USD	US Dollar

## INTRODUCTION

*“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”<sup>1</sup>*

*“The Defendant was part of a Bulgarian criminal organization, which dominated the open street prostitution in Vienna to a considerable extent. He was primarily responsible for the “buying and selling” of prostitutes within the criminal group. (...) he bought Victim 1 from her former pimp paying a fee of 600- 700 Euro; when she tried to escape with a man she had a relationship with, the Defendant threatened her that he would kill her son and set fire to her house in Bulgaria if she did not return to him to work as a prostitute. (...) During a visit to another member of the criminal organization, the Defendant expressed the wish to sleep with one of “his” prostitutes, Victim 8. When she refused, she was beaten by both men until she gave up resistance and had sexual intercourse with the Defendant. (...) Subsequently, the Defendant received a call by Victim 8’s pimp, who asked him to threaten Victim 8, since she was refusing to continue to work as a prostitute. During this phone call (which was recorded by the investigators), the Defendant threatened to strangle her with a wire.”<sup>2</sup>*

Trafficking in human beings is the modern form of slavery of the 21<sup>st</sup> century, with human beings being treated like a commodity.<sup>3</sup> It is a crime against humanity that needs to be put at the center of international and national attention. This thesis aims to give insights into the dynamics of human trafficking in Europe and in particular in Austria and raise readers’ awareness with regard to this issue.

The hypothesis of this thesis is that Austria represents - due to its geopolitical position in the middle of Europe and the junction between Southern and Western Europe - a

---

<sup>1</sup> UN General Assembly, *Universal Declaration of Human Rights*, December 10, 1948, 217 A (III).

<sup>2</sup> “14 HV 11/14g”, Databases, Case Law Database, SHERLOC Sharing Electronic Resources and Laws on Crime, available at [https://sherloc.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/aut/2014/41\\_hv\\_1114g.html](https://sherloc.unodc.org/cld/case-law-doc/traffickingpersonscrimetype/aut/2014/41_hv_1114g.html).

<sup>3</sup> Council of Europe, *Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings*, May 16, 2005, CETS 197, 1; Ana Isabel Pérez Cepeda and Demelsa Benito Sánchez, *Trafficking in Human Beings: A Comparative Study on the International Legal Documents*, (Zutphen: Europa Publishing, 2014), 3.

hub for human trafficking for sexual exploitation in Europe. Hence, the aim of this thesis is to answer the following research question:

Is Austria a hub for human trafficking for sexual exploitation in Europe?

- a) In the context of criminal activities.
- b) In the context of efforts in combating human trafficking for sexual exploitation.

The inspiration for this thesis came during the author's law studies, when she had the possibility to attend a presentation about human trafficking in Austria held by Brigadier Gerald Tatzgern. He is the Head of the Joint Operational Office for Combating Human Trafficking and Human Smuggling at the Austrian Criminal Intelligence Service. One of the most significant points mentioned by him, was that most Austrian people are not aware of the fact that human trafficking, in particular human trafficking for sexual exploitation, is occurring on a regular basis in Austria. Ever since attending this presentation, the author developed a genuine interest in that topic and in the ways how to combat this issue.

While studying at the Vienna School of International Studies, the author had the opportunity to focus on International Security and the challenges that we, as an international community, are facing; one of these challenges is human trafficking.

Human trafficking is a world-wide crime. Nearly every country in the world is involved by being either a country of origin, transit, or destination of victims of human trafficking.<sup>4</sup> Over the recent years, human trafficking activities have increased. This could indicate a positive or negative development in that field. It can be explained by an actual increase in humans being trafficked or/and by the improvement of law enforcement to detect victims and offenders.<sup>5</sup> Looking closer at the data for Europe, there has been an increase in intra – EU trafficking.<sup>6</sup>

---

<sup>4</sup> UNODC, *Legislative Guide: For the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, (Vienna: UNODC, 2020), 9; UNODC, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, (Vienna: UNODC, 2010), 3.

<sup>5</sup> UNODC, *Global Report on Trafficking in Persons 2018*, (Vienna: UNODC, 2018), 7; UNODC, *Legislative Guide*, 9; Gerald Tatzgern, interview by Brigitte Lager, Vienna, April 23, 2021.

<sup>6</sup> UNODC, *Global Report 2018*, 53.

For the offenders, human trafficking is a lucrative source of income.<sup>7</sup> Determining the annually overall profit gained through human trafficking is challenging. Nevertheless, in 2015, it was estimated that the annual profit derived from human trafficking for sexual exploitation within the EU and developed economies accounts for EUR 23.5 billion.<sup>8</sup> After trafficking of weapons and drugs, trafficking in human beings represents the third-largest illicit activity worldwide.<sup>9</sup>

Human trafficking appears in different forms, like for instance, trafficking for forced labor and services or illegal trade of vital organs.<sup>10</sup> This thesis will focus on the most detected form in Europe and Austria: human trafficking for sexual exploitation and forced prostitution.<sup>11</sup>

---

<sup>7</sup> Council of Europe, *Explanatory Report*, 1.

<sup>8</sup> Europol, *The THB Financial Business Model: Assessing the Current State of Knowledge*, (The Hague: Europol, July 2015), 5.

<sup>9</sup> Council of Europe, *Explanatory Report*, 1.

<sup>10</sup> UNODC, *Global Report 2018*, 29; Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 7.

<sup>11</sup> UNODC, *Global Report 2018*, 51; Bundesministerium für Inneres, Bundeskriminalamt, *Lagebericht Schlepperei und Menschenhandel 2020*, (Vienna: Bundesministerium für Inneres, Bundeskriminalamt, 2021), 28; Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 7.

# METHODOLOGY

## Qualitative Research

International Organizations like the UNODC, OSCE or Europol, to name only a few, national authorities like the Austrian Criminal Intelligence Service, as well as several NGOs have already collected an extensive amount of data on human trafficking. The empirical part of this thesis focuses on human trafficking in Europe, particularly in Austria. Hence, a qualitative research method is applied in conducting, analyzing, and interpreting the data.

The author analyzed the literature and the data collected by the institutions and organizations mentioned above in order to answer the research question and put them in context with the data conducted, analyzed and interpreted by the author.

## Expert Interviews

Since this thesis aims to gain deeper insights into the complex phenomenon of human trafficking in context with the geopolitical position of Austria, the author decided to conduct interviews with experts. The author was planning to hold interviews with two or three interview partners. One who can provide expertise and knowledge at the national level, like for example an expert from the Austrian Federal Ministry of the Interior, one expert from the private sector, for instance from an NGO which operates in that field, and one expert who has expertise at the European level.

The author reached out via E-Mail to Brigadier Gerald Tatzgern. Since Brigadier Tatzgern is responsible for tackling human trafficking within Austria and for the international police cooperation of Austrian authorities, he has expertise at the national, at the European, and at the international level.<sup>12</sup>

The author decided not to reach out to LEFÖ/IBF Intervention Center for Trafficked Women because LEFÖ/IBF acts on behalf of the Federal Chancellery and the Federal

---

<sup>12</sup> Tatzgern, interview.

Ministry of the Interiors and is therefore associated with state authorities.<sup>13</sup> The author decided to choose an NGO that is not associated with the Austrian state in order to get deeper insights into the civil society's point of view on the human trafficking situation in Austria. Hence, she reached out via E-Mail to the Vienna based NGO "Herzwerk". This organization supports people in prostitution as well as victims of forced prostitution and human trafficking.<sup>14</sup> The spokesperson of Herzwerk suggested conducting the interview with three employees of Herzwerk, to get insights in all areas of their organization. After sending the questionnaire to Herzwerk, they suggested to conduct the interview only with Caroline Sander, who is the Director of Advocacy and Research, as with her expertise and years of working in the field, she was considered the greatest source of information for this thesis.

On April 22, 2021 the author interviewed Caroline Sander via Zoom, and on April 23, 2021 Brigadier Gerald Tatzgern in person in his office at the JOO in Vienna. Both interviews were held, transcribed, and analyzed in accordance with the ethic and scientific standards.<sup>15</sup>

---

<sup>13</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich: Trafficking in Human Beings Austria 2015*, (Vienna: Criminal Intelligence Service, October 2016), 10.

<sup>14</sup> Caroline Sander, interview by Brigitte Lager, Vienna, April 22, 2021.

<sup>15</sup> Sabina Misoch, *Qualitative Interviews*, 2. Auflage (Berlin/Boston: Walter de Gruyter GmbH, 2019); Jochen Gläser, Grit Laudel, *Experteninterviews und qualitative Inhaltsanalyse*, 3. Auflage (Wiesbaden: VS Verlag für Sozialwissenschaften, 2009); Tatzgern, interview; Sander, interview.

# 1. Legal Classification and Conceptual Differentiation

There are numerous legal documents and instruments at the international, European, and domestic levels to install a legal framework and, as a further consequence, combat human trafficking.<sup>16</sup> In order to define and conceptualize the phenomenon of human trafficking, the author decided to analyze the following documents in more detail.

## 1.1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

147 out of 190 parties have signed the United Nations Convention against Transnational Organized Crime and the Protocols Thereto. This constitutes the most comprehensive international legal framework to combat human trafficking.<sup>17</sup> The convention and its protocols were adopted in 2000 in Palermo, Italy. Hence, they are also known as the “Palermo Convention” or the “Palermo Protocols”.<sup>18</sup> Along with the Convention against Transnational Organized Crime, three protocols were adopted by the international community in order to emphasize the issues of migrant smuggling, human trafficking, and the manufacturing and trafficking in firearms.<sup>19</sup>

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime also known as the “Trafficking in Persons Protocol” entered into force on 25. December 2003.<sup>20</sup>

---

<sup>16</sup> Council of Europe, *Explanatory Report*, 2-3.

<sup>17</sup> “Chapter XVIII Penal Matters: 12. United Nations Convention against Transnational Organized Crime”, Depository: Status of Treaties, United Nations Treaty Collection, last modified April 28, 2021, [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12&chapter=18&clang=en#top](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=en#top); UNODC, *A Comprehensive Strategy to Combat Trafficking in*

*Persons and Smuggling of Migrants*, (Vienna: UNODC, February 29, 2012), 15.

<sup>18</sup> UNODC, *Legislative Guide*, 9-10.

<sup>19</sup> UN General Assembly, *United Nations Convention against Transnational Organized Crime*: resolution / adopted by the General Assembly, January 8, 2001, A/RES/55/25.

<sup>20</sup> UNODC, *Legislative Guide*, 9-10.

Article 2 of the Trafficking in Persons Protocol defines its purpose as preventing and combating human trafficking, protecting and assisting the victims of human trafficking, and promoting cooperation among State Parties.<sup>21</sup>

Article 3 of the Trafficking in Persons Protocol includes a definition of human trafficking that all State Parties designate.<sup>22</sup> According to Article 3 paragraph (a), trafficking in persons is defined as:

*“(...) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;”<sup>23</sup>*

Trafficking in persons, therefore, can be broken down into three constituent elements, which are divided into two material elements and one mental element. The first material element is an act by the offender, as recruitment or transportation. The second element are the means of how the act is carried out, like, for instance, with the use of force or fraud. Lastly, as the mental element, the offender has to commit these two material elements with the intention to exploit the victim.<sup>24</sup>

Subparagraph (b) further states that consent given by the victim of human trafficking to the intended exploitation is irrelevant whenever the trafficker has used any means that are outlined in subparagraph (a).<sup>25</sup> The following subparagraphs emphasize the

---

<sup>21</sup>UN General Assembly, *United Nations Convention against Transnational Organized Crime*: resolution / adopted by the General Assembly, January 8, 2001, A/RES/55/25, Annex II (*Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*), Article 2.

<sup>22</sup> UNODC, *Legislative Guide*, 28.

<sup>23</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto*, Annex II, Article 3 subparagraph (a).

<sup>24</sup> UNODC, *Anti-human trafficking manual for criminal justice practitioners: Modul 1: Definitions of trafficking in persons and smuggling of migrants*, (Vienna: UNODC, 2009), 2, 4-6.

<sup>25</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto*, Annex II, Article 3 subparagraph (b).



situation whenever there is a child a victim of human trafficking.<sup>26</sup> In this case, the trafficker does not need to use any means outlined in subparagraph (a). Any case of recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation is classified as human trafficking.<sup>27</sup> A child is defined as any person under the age of 18.<sup>28</sup>

## 1.2. The Distinction between Human Trafficking and Migrant Smuggling

Although, in practice, cases of human trafficking and migrant smuggling might overlap, and both crimes show similar elements, legally, there is a clear distinction between them.<sup>29</sup> Both crimes are defined in the protocols complementing the Palermo Convention. Hence, migrant smuggling is defined in Article 3 (a) of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime as:

*“(...) the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident;”<sup>30</sup>*

Migrant smuggling and trafficking in human beings differ in four factors:<sup>31</sup>

- a) Consent: While people who want to be smuggled consent to the smuggling, victims of human trafficking have either never consented, or their consent has

---

<sup>26</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto, Annex II*, Article 3 subparagraph (c), (d).

<sup>27</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto, Annex II*, Article 3 subparagraph (c), (d); UNODC, *Legislative Guide*, 27.

<sup>28</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto, Annex II*, Article 3 subparagraph (c), (d).

<sup>29</sup> UNODC, *Legislative Guide*, 13; UNODC, *An Introduction to Human Trafficking: Vulnerability, Impact and Action*, (Vienna: UNODC, 2008), 81; BMI, BK, *Lagebericht 2020*, 7; UNODC, *A Comprehensive Strategy*, 7.

<sup>30</sup> UN General Assembly, *United Nations Convention against Transnational Organized Crime: resolution / adopted by the General Assembly, January 8, 2001, A/RES/55/25, Annex III (Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime)*, Article 3, subparagraph (a).

<sup>31</sup> UNODC, *An Introduction to Human Trafficking*, 81.

become irrelevant in accordance with Article 3 (b) Trafficking in Persons Protocol due to the means used by the trafficker.<sup>32</sup>

- b) Element of exploitation: Exploitation of the victim is the mental element of human trafficking, as it is considered the crime's purpose.<sup>33</sup> By contrast, migrant smuggling is about transferring a person from one country to another without the intent to exploit that person.<sup>34</sup>
- c) Realization of profits: Whereas a smuggler gains profit by transferring people from one country to another, a trafficker does so by exploiting the victim.<sup>35</sup>
- d) Transnationality: Transnationality is a condition for migrant smuggling. The smuggler has to transfer a person from one country to another to commit the crime of smuggling. By contrast, this is not a necessary element for human trafficking. It is also a case of human trafficking when the victim is moved within a country.<sup>36</sup>

As already mentioned, in practice, the lines between human trafficking and migrant smuggling are often blurred and can cause difficulties with the identification of such cases.<sup>37</sup> For instance, a person who has been smuggled ends up as a victim of human trafficking because he or she is forced into prostitution by the offender.<sup>38</sup>

---

<sup>32</sup> UNODC, *An Introduction to Human Trafficking*, 81; UNODC, *Anti-human trafficking manual: Modul 1*, 12.

<sup>33</sup> UNODC, *Anti-human trafficking manual: Modul 2*.

<sup>34</sup> UNODC, *Anti-human trafficking manual: Modul*, 13; Council of Europe, *Explanatory Report*, 2.

<sup>35</sup> UNODC, *An Introduction to Human Trafficking*, 81; UNODC, *Anti-human trafficking manual: Modul 1*, 13.

<sup>36</sup> UNODC, *An Introduction to Human Trafficking*, 81; UNODC, *Anti-human trafficking manual: Modul 1*, 12; Council of Europe, *Explanatory Report*, 2.

<sup>37</sup> UNODC, *Legislative Guide*, 13; UNODC, *An Introduction to Human Trafficking: Vulnerability, Impact and Action*, (Vienna: UNODC, 2008), 81; BMI, BK, *Lagebericht 2020*, 7; UNODC, *A Comprehensive Strategy*, 7.

<sup>38</sup> UNODC, *Anti-human trafficking manual: Modul 1*, 12.

### 1.3. Council of Europe Convention on Action against Trafficking in Human Beings

The Council of Europe Convention on Action against Trafficking in Human Beings was adopted by the Member States on May 16, 2005.<sup>39</sup> It is a legally binding treaty among the Member States, and it goes beyond the minimum standards on which the international community agreed upon in the United Nations Convention against Transnational Organized Crime and its protocols.<sup>40</sup> In the preamble of the Council of Europe Convention on Action against Trafficking in Human Beings, hereafter the Anti-Trafficking Convention, it is stated that human trafficking has to be considered as a human rights violation.<sup>41</sup> It further refers to the Palermo Convention and the Trafficking in Persons Protocol by stating that the Anti-Trafficking Convention aims to *“improving the protection which they afford and developing the standards established by them”*.<sup>42</sup> Hence, the purpose of this convention is described as the one of the United Nations Convention as preventing and combating human trafficking, protecting the victims of trafficking, and promoting international cooperation.<sup>43</sup> Article 2 further states that the convention is applicable to all cases of human trafficking, disregarding whether it occurred domestically or transnationally or whether it was committed by an organized criminal group or an individual.<sup>44</sup>

Article 4 of the Anti-Trafficking Convention defines trafficking in humans exactly like it is defined in Article 3 of the United Nations Trafficking in Persons Protocol.<sup>45</sup> Additionally, it explicitly defines victims of human trafficking as *“any natural person who is subject to trafficking in human beings as defined in this article”*.<sup>46</sup> This highlights the

---

<sup>39</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, CETS No. 197, 16 May 2005.

<sup>40</sup> Council of Europe, *Explanatory Report*, 6.

<sup>41</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*.

<sup>42</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Preamble.

<sup>43</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 1.

<sup>44</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 2; UNODC, *Legislative Guide*, 25.

<sup>45</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 4.

<sup>46</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 4.

focus on the assistance and protection of the victims of human trafficking.<sup>47</sup> Article 3 underlines the victim-centered approach by including a non-discrimination principle which states that no victim should be discriminated due to any ground.<sup>48</sup>

Moreover, the convention established GRETA, the Group of Experts on Action Against Trafficking in Human Beings, an independent monitoring body that ensures the effective implementation of the convention's objectives by the Member State.<sup>49</sup>

#### 1.4. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

On April 5, 2011, the Member States of the European Union adopted the Directive 2011/36/EU, which refers to the United Nations Palermo Convention and its protocols and to the Anti-Trafficking Convention.<sup>50</sup> Hence, the prevention of human trafficking, the protection of its victims, and the promotion of international cooperation can also be considered the core fields of the so-called "Anti-trafficking Directive".<sup>51</sup>

Article 2 of the Anti-Trafficking Directive defines human trafficking like it is defined in the United Nations Trafficking in Persons Protocol and in the Council of Europe Convention.<sup>52</sup> Additionally, it includes "*the exchange or transfer of control over a person*" as a form of conduct, "*exploitation of criminal activities*" as a new form of exploitation and forced begging as a form of labor exploitation.<sup>53</sup>

---

<sup>47</sup> Council of Europe, *Explanatory Report*, 10.

<sup>48</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 3.

<sup>49</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 36; Council of Europe, *Explanatory Report*, 7, 10.

<sup>50</sup> European Union: Council of the European Union, *Directive 2011/36/EU of the European Parliament and the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA*, 15 April 2011, OJ L. 101/1-101/11; 15.04.2011, 2011/36/EU; European Commission, *Report from the Commission to the European Parliament and the Council: Third report on the progress made in the fight against trafficking in human beings (2020) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*, (Brussels: European Commission, October 20, 2020), 1; Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 13.

<sup>51</sup> European Union, *Directive 2011/36/EU*.

<sup>52</sup> European Union, *Directive 2011/36/EU*, Article 2.

<sup>53</sup> European Union, *Directive 2011/36/EU*, Article 2.

Furthermore, the victim-centered approach that was already established in the Council of Europe Anti-Trafficking Convention is also promulgated in the Anti-trafficking Directive.<sup>54</sup> In order to prevent secondary victimization, for instance, both documents contain a non-punishment provision for victims of human trafficking that states that victims shall not be punished for “*their involvement in criminal activities which they have been compelled to commit as a direct consequence of being subject of any acts referred to in Article 2.*”<sup>55</sup>

Lastly, the Anti-trafficking Directive established numerous additional measures regarding the investigation and prosecution of human trafficking.<sup>56</sup> Unlike the United Nations Convention and the Council of Europe Convention, the Anti-Trafficking Directive contains, for instance, a maximum penalty for human trafficking, which is binding for all Member States’ legislations.<sup>57</sup> According to Article 4, human trafficking offenses should be punished with a maximum penalty of at least five years of imprisonment and at least ten years for aggravated cases.<sup>58</sup>

## 1.5. Domestic Law – Austrian Criminal Code

### 1.5.1. Article 104a Trafficking in Human Beings

At the domestic level, human trafficking is defined and criminalized in the Austrian Criminal Code.<sup>59</sup> Article 104a Austrian Criminal Code was amended in 2013 and reads now as follows:

*“(1) A person who recruits, harbours, otherwise receives, transports or offers or transfer to another person an adult using dishonest means (paragraph 2) against this person with the deliberate intention of the person’s exploitation*

---

<sup>54</sup> European Union, *Directive 2011/36/EU*.

<sup>55</sup> European Union, *Directive 2011/36/EU*, Article 8; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 26; Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 22.

<sup>56</sup> Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 13.

<sup>57</sup> European Union, *Directive 2011/36/EU*, Article 4; Pérez Cepeda and Sánchez, *Trafficking in Human Beings*, 20.

<sup>58</sup> European Union, *Directive 2011/36/EU*, Article 4.

<sup>59</sup> Criminal Intelligence Service Austria, *Situation Report: Trafficking in Human Beings 2014*, (Vienna: Criminal Intelligence Service Austria, July 20, 2015), 7.

*(paragraph 3), is to be punished with a prison sentence of a minimum of six months up to five years.*

*(2) Dishonest means are the use of force or severe threats, deception about facts, abuse of authority, a position of vulnerability, insanity or defenselessness, intimidation and the receiving or giving of benefits for handing control over the person.*

*(3) Exploitation includes sexual exploitation, exploitation through organ transplantation, labour exploitation, exploitation of begging and exploitation to commit criminal activities.*

*(4) A person who commits the criminal act in the context of a criminal association, under the use of severe violence or in such a way that the life of the person is severely endangered deliberately or by gross negligence or in such a way that particularly serious harm is caused to the person, is to be punished with a prison sentence of a minimum of one year up to ten years.*

*(5) With a prison sentence of a minimum of one year up to ten years is also punished a person who recruits, harbours, or otherwise receives, transports or offers or transfers to another person a person under age with the deliberate intent of the person's exploitation.”<sup>60</sup>*

Therefore, the definition of human trafficking in the Austrian Criminal Code took on the general definition provided by the UN Trafficking in Persons Protocol.<sup>61</sup> With the Criminal Amendment Act 2013, the penalties for trafficking in human beings were increased to comply with the Anti-trafficking Directive provisions.<sup>62</sup>

Unlike the Anti-Trafficking Convention, the Austrian law does not define “victim of human trafficking”.<sup>63</sup> However, Article 65 of the Austrian Code of Criminal Procedure

---

<sup>60</sup> GRETA Group of Experts on Action against Trafficking in Human Beings, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Austria: Second evaluation round*, (Strasbourg: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA and Committee of the Parties, October 12, 2015), 36; BGBl, *Bundesgesetz vom 23. Jänner 1974 über die mit gerichtlicher Strafe bedrohten Handlungen* (Strafgesetzbuch – StGB) [Austria], January 23, 1974, Article 104a.

<sup>61</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto, Annex II*, Article 3 subparagraph (a).

<sup>62</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 7; GRETA *Report: Second evaluation round*, 8.

<sup>63</sup> GRETA Group of Experts on Action against Trafficking in Human Beings, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Austria: First evaluation round*, (Strasbourg: Secretariat of the Council of Europe Convention on Action

contains a general definition of a “victim”.<sup>64</sup> The following articles outline certain rights of victims such as the right to information, legal and psychological assistance, and compensation.<sup>65</sup>

The Austrian law does not foresee an explicit non-punishment provision as it is stated in the Anti-Trafficking Convention and the Anti-trafficking Directive.<sup>66</sup> According to an internal decree by the Federal Ministry of Justice, Article 10 of the Austrian Criminal Code is considered as the non-punishment provision’s implementation.<sup>67</sup> Article 10 Austrian Criminal Code describes an exculpating state of necessity that has to be applied to criminal offenses committed by a victim of human trafficking.<sup>68</sup>

### 1.5.2. Article 217 Cross-border Trade in Prostitution

Prostitution is defined as “*all sexual acts involving physical contact provided on a commercial basis and against payment*”.<sup>69</sup> According to Austrian law, prostitution is not illegal, but it has to follow the regulations and measures according to the national and provincial law.<sup>70</sup> This leads to different jurisdictions within Austria in this field. For instance, street prostitution is only legal in Vienna and only in certain areas, according to the Vienna Prostitution Act.<sup>71</sup>

Article 217 Austrian Criminal Code which was originally headed as “Trafficking in Human Beings” constitutes today the offence of cross-border trade in prostitution and is defined as follows:<sup>72</sup>

---

against Trafficking in Human Beings, GRETA and Committee of the Parties, Directorate General of Human Rights and Legal Affairs, September 15, 2011), 14.

<sup>64</sup> BGBl, *Kundmachung der Bundesregierung vom 9. Dezember 1975 über die Wiederverlautbarung der Strafprozeßordnung 1960 (Strafprozessordnung – StPO)* [Austria], December 9, 1975, Article 65.

<sup>65</sup> BGBl, *Strafprozessordnung*, Article 65- Article 70.

<sup>66</sup> GRETA Group of Experts on Action against Trafficking in Human Beings, *Evaluation Report Austria: Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings*, (Strasbourg: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA and Committee of the Parties, June 10, 2020), 34.

<sup>67</sup> GRETA, *Evaluation Report Austria*, 34; BGBl, *Strafprozessordnung*, Article 10.

<sup>68</sup> BGBl, *Strafprozessordnung*, Article 10.

<sup>69</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 18.

<sup>70</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 15.

<sup>71</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 15.

<sup>72</sup> GRETA, *Report: First evaluation round*, 30.

*“(1) A person who procures or recruits another person into prostitution, regardless of whether this person is already prostituting herself/himself, in a country different from the one she/he is a citizen or permanent resident of, is to be punished with a prison sentence of a minimum of six months up to five years. If a person commits this criminal act on a professional basis with the intention to gain regular profits from such criminal acts, he/she is to be punished with a prison sentence of a minimum of one year up to ten years.*

*(2) A person who, with the deliberate intention that another person prostitutes herself/himself in a country different from the one she/he is a citizen or permanent resident of, by deceiving the other person about this undertaking or using violence or severe threats, induces or forces the other person to move to another country, or brings such person to another country using force or exploiting the misapprehension of the other person about the real nature of the undertaking, is to be punished with a prison sentence of a minimum of one year up to ten years.”<sup>73</sup>*

Obviously, in practice, these two offenses often overlap. Regarding the relation between these two offenses, according to Austrian jurisdiction, Article 217 must be given priority whenever an offender has fulfilled all elements of Article 104a (1) and Article 217 (2), meaning that the offender will be punished only according to Article 217.<sup>74</sup> Contrary to this, whenever the elements of Article 104a (4) and Article 217 (2) or Article 104a (1) and Article 217 (1), or Article 104a (5) and Article 217 (1) or (2) are fulfilled, the offender has to be punished according to both Articles.<sup>75</sup>

---

<sup>73</sup> GRETA, *Report: First evaluation round*, 31.

<sup>74</sup> GRETA, *Evaluation Report Austria*, 29.

<sup>75</sup> GRETA, *Evaluation Report Austria*, 29.



## 2. Human Trafficking for Sexual Exploitation

Human trafficking for sexual exploitation constitutes the main form of human trafficking at the global, European, and national level.<sup>76</sup> In 2018, half of the victims of human trafficking worldwide were trafficked for sexual exploitation.<sup>77</sup> The numbers are very similar at the European level.<sup>78</sup> In 2018, 44 percent of the victims detected in Western and Southern Europe were sexually exploited.<sup>79</sup> According to the data published by the European Commission, between 2017 and 2018, 26 268 victims of human trafficking were registered in Europe.<sup>80</sup> This would indicate that more than 13 000 victims were trafficked for sexual exploitation in Europe within two years. Considering the fact that this figure only shows registered victims, meaning identified and presumed victims, the “real” number of sexually exploited people in Europe is significantly higher.<sup>81</sup> Law enforcement numbers also show the predominance of sexual exploitation: two-thirds of all suspects and more than half of all the prosecutions and convictions in 2016 in Europe fell under this category.<sup>82</sup>

A similar picture is shown at the domestic level. According to the situation report on human trafficking of the Austrian Criminal Intelligence Service in 2020, more than half of the human trafficking cases convicted in Austria constituted sexual exploitation.<sup>83</sup> The situation reports further show that there has been a decline in human trafficking for sexual exploitation and an increase of other exploitation forms in Austria.<sup>84</sup>

---

<sup>76</sup> UNODC, *Global Report on Trafficking in Persons 2020*, (Vienna: UNODC, 2020), 10, 133; BMI, BK, *Lagebericht 2020*, 28; European Commission, *Report Directive 2011/36/EU*, 3.

<sup>77</sup> UNODC, *Global Report 2020*, 10, 33.

<sup>78</sup> UNODC, *Global Report 2020*, 133.

<sup>79</sup> UNODC, *Global Report 2020*, 133.

<sup>80</sup> European Commission, *Data collection on trafficking in human beings in the EU*, (Luxembourg: Publications Office of the European Union, 2020), 10.

<sup>81</sup> Registered victims include victims identified by state authorities and presumed victims who contacted victim service providers but did not report to the police. European Commission, *Report Directive 2011/36/EU*, 3.

<sup>82</sup> European Commission, *Data collection on trafficking*, 39.

<sup>83</sup> BMI, BK, *Lagebericht 2020*, 28.

<sup>84</sup> 73 percent in 2015: Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11; 70 per cent in 2017: Bundeskriminalamt, *Lagebericht Menschenhandel und Grenzüberschreitender Prostitutionshandel 2017*, (Vienna: Bundeskriminalamt, 2017), 11; 60 percent in 2019: Bundesministerium Inneres, Bundeskriminalamt, *Lagebericht Schlepperei und Menschenhandel 2019*, (Vienna: Bundesministerium Inneres, Bundeskriminalamt, 2020), 24; UNODC, *Global Report 2020*, 133-134; GRETA, *Evaluation Report Austria*, 5.

However, one has to note that the data provided by the Austrian Criminal Intelligence Service refers to conviction rates.<sup>85</sup> The data collected by LEFÖ-IBF and MEN VIA, which includes identified and presumed victims shows a different picture. According to these numbers, sexual exploitation has increased from 66 percent in 2015 to 71 percent in 2018 among female victims, and from 10 percent to 16 percent among male victims.<sup>86</sup>

Additionally, forms of exploitation sometimes overlap.<sup>87</sup> A victim might be exploited at the same time, for instance, for forced labor, and sexual services, or the exploitation starts in one form, and then the victim ends up in forced prostitution.<sup>88</sup> According to the experience of Caroline Sander from Herzwirk, in the case of Chinese victims, it is not uncommon that they have a history of labor exploitation before they end up in prostitution.<sup>89</sup>

## 2.1. Who are the Victims? Who are the Offenders?

### 2.1.1. Victims' profiles

Without saying, children are one of the most vulnerable groups to fall victim to human traffickers.<sup>90</sup> Almost one out of four victims of human trafficking within the EU is a child.<sup>91</sup> For the purpose of this thesis, there will be no distinction made between adult and child victims.

---

<sup>85</sup> BMI, BK, *Lagebericht 2020*, 28.

<sup>86</sup> GRETA, *Reply from Austria to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties: Third evaluation round*, (Strasbourg: GRETA, reply submitted on April 1, 2019), 45.

<sup>87</sup> UNODC, *Global Report 2020*, 35.

<sup>88</sup> UNODC, *Global Report 2020*, 35.

<sup>89</sup> Sander, interview.

<sup>90</sup> OSCE Office of the Special Representative and Co-ordinator for Combatting Trafficking in Human Beings, *2018-2019 Report of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings: New Challenges and New Opportunities*, (Vienna: OSCE Office of the Special Representative and Co-ordinator for Combatting Trafficking in Human Beings, 2019), 32; European Commission, *Working together to address trafficking in human beings: Key concepts in a nutshell*, (Brussels: European Commission, December 4, 2018), 4.

<sup>91</sup> European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy on Combating Trafficking in Human Beings 2021-2025*, (Brussels: European Commission, April 14, 2021), 3.

Victims of human trafficking often suffer prolonged and repeated trauma.<sup>92</sup> During the whole process of human trafficking, they can be exposed to physical, sexual, and psychological violence and abuse, torture, humiliation, forced use of substances, and economic exploitation.<sup>93</sup> According to a study conducted by the European Commission, in 2016, 68 percent of all registered victims within the EU experienced physical violence, and 84 percent experienced threat or coercion.<sup>94</sup>

Human trafficking for sexual exploitation contains a strong gender imbalance. Since the EU started to collect data on human trafficking in 2008, most of the victims of human trafficking continue to be women and girls.<sup>95</sup> This is even more predominant human trafficking for sexual exploitation, with more than 90 percent female victims.<sup>96</sup>

The Austrian situation reports on human trafficking only provide data on the gender dimension for human trafficking as such, but not no particular data for human trafficking for sexual exploitation. Nevertheless, the data shows most of the detected victims of human trafficking in Austria are female. In 2019, 99 out of 119 and in 2020, 59 out of 89 reported victims in Austria were female.<sup>97</sup> Moreover, the fact that in 2019 and 2020, only 4 out of 75 victims of cross-border trade in prostitution were male, indicates that the gender dimension in human trafficking for sexual exploitation is very dominant in Austria as well.<sup>98</sup>

In regards to trafficking flows, the largest part of victims detected in Europe originate from European countries, above all Romania, Hungary, France, Bulgaria, and the Netherlands.<sup>99</sup> However, human trafficking in Europe is characterized by a wide range of countries of origin.<sup>100</sup> Between 2017 and 2018, victims of 125 countries have been

---

<sup>92</sup> UNODC, *An Introduction to Human Trafficking*, 9.

<sup>93</sup> UNODC, *An Introduction to Human Trafficking*, 9.

<sup>94</sup> European Commission, *Study on the economic, social and human costs of trafficking in human beings within the EU*, (Luxembourg: Publications Office of the European Union, 2020), 37-40.

<sup>95</sup> European Commission, *Report Directive 2011/36/EU*, 3.

<sup>96</sup> European Commission, *Report Directive 2011/36/EU*, 4.

<sup>97</sup> BMI, BK, *Lagebericht 2019*, 24; BMI, BK, *Lagebericht 2020*, 26.

<sup>98</sup> BMI, BK, *Lagebericht 2019*, 24; BMI, BK, *Lagebericht 2020*, 26.

<sup>99</sup> UNODC, *Global Report 2020*, 59; Criminal Intelligence Service Austria, *Situation Report 2014*, 10; European Commission, *Report Directive 2011/36/EU*, 3.

<sup>100</sup> Europol, *European Union Serious and Organised Crime Threat Assessment: A corrupting influence: The infiltration and undermining of Europe's economy and society by organised crime*, (The Hague: Europol, 2021), 71; UNODC, *Global Report 2020*, 61.

detected in Western and Southern Europe.<sup>101</sup> Nigeria, China, Morocco, India, and Ukraine constitute the main non-EU countries of origin at the European level.<sup>102</sup>

According to the data provided by the Austrian Criminal Intelligence Service, the ratio between victims of EU countries and non-EU countries remains roughly 50:50 over the recent years.<sup>103</sup> The main countries of origin since years have been Romania, Bulgaria, and Hungary. Nigeria, China, and Serbia constitute the main non-EU countries of origin.<sup>104</sup> The experts interviewed during the preparation for this thesis have confirmed above numbers and trends, more so as their daily work also includes victims who are not reflected in the official data.<sup>105</sup> In 2019, there was a unique disruption of this pattern, with Venezuela being the main non-EU country of origin.<sup>106</sup>

In contrast to the trend in Western and Southern Europe, with an increase in the detection of own nationals as victims of human trafficking for sexual exploitation, no Austrian victim has been detected in Austria within the last years.<sup>107</sup> Therefore, Austria can be considered a transit and a destination country for human trafficking, but no country of origin.<sup>108</sup> According to Brigadier Tatzgern, this is due to the high living standards in Austria and the close social networks of family members and friends, which creates a security net against human trafficking. However, Brigadier Tatzgern also expressed his concerns about young girls in Austria, often with a migration background, who might not have this safe social security net and might be more receptive to false promises from traffickers.<sup>109</sup>

Besides gender and age, social and economic factors in the victim's home countries play a crucial role in increasing their vulnerability to fall prey to traffickers.<sup>110</sup> In more collective societies in Eastern Europe it is the women's responsibility to support their

---

<sup>101</sup> UNODC, *Global Report 2020*, 61.

<sup>102</sup> European Commission, *Report Directive 2011/36/EU*, 3.

<sup>103</sup> BK, *Lagebericht 2017*, 8; BMI, BK, *Lagebericht 2019*, 23-24; BMI, BK, *Lagebericht 2020*, 26.

<sup>104</sup> BK, *Lagebericht 2017*, 8; BMI, BK, *Lagebericht 2019*, 23-24; BMI, BK, *Lagebericht 2020*, 26.

<sup>105</sup> Sander, interview; Tatzgern, interview.

<sup>106</sup> BMI, BK, *Lagebericht 2019*, 23.

<sup>107</sup> BK, *Lagebericht 2017*, 8; BMI, BK, *Lagebericht 2020*, 26; UNODC, *Global Report 2020*, 135.

<sup>108</sup> GRETA, *Evaluation Report Austria*, 5.

<sup>109</sup> Tatzgern, interview.

<sup>110</sup> Europol, *Situation Report: Trafficking in human beings in the EU*, (The Hague: Europol, February 2016), 10.

families.<sup>111</sup> The women usually make decisions based firstly on what is best for their families, rather than thinking about themselves. In order to earn more money to improve life for their families, they “sacrifice” themselves by agreeing to work as prostitutes which often leads to exploitation.<sup>112</sup> Furthermore, economic factors such as poverty, unemployment, or financial instability play a crucial role in increasing the chances of traffickers taking advantage of the victim’s willingness to take risks in order to earn money.<sup>113</sup>

### 2.1.2. Offenders’ profiles

Knowing the offender’s profile is essential to define the scope and impact of human trafficking.<sup>114</sup> The gender dimension of human trafficking is also visible on the perpetrator’s side. At the European and national level, almost two-thirds of the convicted offenders are male.<sup>115</sup>

Regarding the countries of origin of offenders, typically, they are not citizens of the country of conviction.<sup>116</sup> In 2018, about 64 percent of the perpetrators convicted in Western and Southern European countries were foreigners.<sup>117</sup> In Austria, the share of foreign offenders is even higher. In 2019, 88 out of 105, and in 2020 79 out of 90 convicted offenders were foreigners.<sup>118</sup> Most of them originating from the same countries as the victims: Romania, Bulgaria, Hungary, and Serbia, as well as China and Nigeria as non-EU countries.<sup>119</sup>

The offenders’ profiles vary from criminal organizations to opportunistic groups as well as individual traffickers.<sup>120</sup> Criminal groups are typically either highly structured

---

<sup>111</sup> Sander, interview.

<sup>112</sup> Sander, interview.

<sup>113</sup> GMG Global Migration Group, UNODC, *Fact-Sheet on the Impact of the Economic Crisis on Trafficking in Persons and Smuggling of Migrants*, (GMG, UNODC, May 2010), 1.

<sup>114</sup> UNODC, *Global Report 2020*, 40.

<sup>115</sup> UNODC, *Global Report 2020*, 136; BMI, BK, *Lagebericht 2020*, 25; European Commission, *Report Directive 2011/36/EU*, 11.

<sup>116</sup> UNODC, *Global Report 2020*, 135.

<sup>117</sup> UNODC, *Global Report 2020*, 135.

<sup>118</sup> BMI, BK, *Lagebericht 2019*, 22-23; BMI, BK, *Lagebericht 2020*, 25-26.

<sup>119</sup> BMI, BK, *Lagebericht 2019*, 22-23; BMI, BK, *Lagebericht 2020*, 25-26.

<sup>120</sup> UNODC, *Global Report 2020*, 12-13.

international networks or loosely connected groups.<sup>121</sup> Criminal organized groups tend to traffic on a large scale, meaning that they traffic high numbers of victims across wide distances and use more violent means.<sup>122</sup>

In some cases, several criminal groups work together, with one group being involved in recruiting victims in the country of origin and another group exploiting the victims in various destinations.<sup>123</sup> Some offenders work as agents between other traffickers to facilitate the purchases and sales of victims or to manage their distribution between organized groups.<sup>124</sup>

In contrast to organized criminal groups, opportunistic groups of traffickers do not cooperate systematically. They instead decide to work together given a specific opportunity to commit a single act of human trafficking.<sup>125</sup>

In general, individual traffickers work on their own, often being the intimate partner of the victim.<sup>126</sup> However, there are also recorded cases of other close relationships between offenders and victims, such as family ties. The victim trusts the offender and is, therefore, easier to target.<sup>127</sup>

Most of the offenders who are active in Europe operate in relatively small groups of 3 to 15 people who are part of a larger, relatively loose network of other groups and individuals.<sup>128</sup> These groups work independently but are connected with each other, often by family or ethnic ties.<sup>129</sup> Typically, the ethnic and cultural background of the offenders is the same as that of the victim, which facilitates the recruitment.<sup>130</sup> Herzwerk reported about a group of trafficked Rumanian women in Vienna who were

---

<sup>121</sup> Alexis Aronowitz, Gerda Theuermann and Elena Tyrykanova, *Analysing the business model of trafficking in human beings to better prevent the crime*, (Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, May 2010), 21.

<sup>122</sup> UNODC, *Global Report 2020*, 13.

<sup>123</sup> UNODC, *Global Report 2020*, 46.

<sup>124</sup> UNODC, *Global Report 2020*, 47.

<sup>125</sup> UNODC, *Global Report 2020*, 41.

<sup>126</sup> UNODC, *Global Report 2020*, 41, 44.

<sup>127</sup> UNODC, *Global Report 2020*, 44.

<sup>128</sup> Europol, *The THB Financial Business Model*, 5-6; Europol, *Situation Report*, 13.

<sup>129</sup> Europol, *The THB Financial Business Model*, 5-6; Europol, *Situation Report*, 14; Tatzgern, interview; Sander, interview.

<sup>130</sup> Europol, *Situation Report*, 10, 14; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 21; Tatzgern, interview; Sander, interview.

exploited by a criminal group consisting of the women husbands who were all related to each other .<sup>131</sup>

## 2.2. Modus Operandi

Being aware of the profile of offenders and their modus operandi is essential to elaborate a proper response to combat human trafficking.<sup>132</sup> As already mentioned, the array of offenders varies from organized criminal groups to individuals.<sup>133</sup> So do the methods and means of recruitment and exploitation of victims of human trafficking.<sup>134</sup> Varying from physical force to emotional abuse, humiliation, taking advantage of the immigration or socio-economic status, the age, education, or cultural believes of the victim to constant supervision and dept bondage.<sup>135</sup>

Generally, during the recruitment phase, the offenders typically use deception or take advantage of the victim's poor socio-economic situation, rather than using violence and force.<sup>136</sup> Typical methods of recruitment are, for example, pretenses of job advertisements with false promises about income opportunities and better life. Once the victim has arrived in the destination country, the offender pressures the victim, for instance, with the demand to pay off its debts for transportation or accommodation costs.<sup>137</sup> In 2016, the Austrian authorities, in cooperation with Europol, detected a Chinese criminal group which was accused of having trafficked around 300 women from China to Austria.<sup>138</sup> The victims were recruited by false promises about jobs as nannies or masseuses and trafficked to Austria using counterfeit documents. Once the victims arrived in Vienna, they were forced to work as prostitutes in so-called "sex studios" that the criminal group owned. After a while, the victims were distributed to

---

<sup>131</sup> Sander, interview.

<sup>132</sup> UNODC, *Global Report 2020*, 40.

<sup>133</sup> UNODC, *Global Report 2020*, 12-13.

<sup>134</sup> UNODC, *Global Report 2020*, 40.

<sup>135</sup> UNODC, *Evidential Issues in Trafficking in Persons Cases: Case Digest*, (Vienna: UNODC, 2017), 54-104.

<sup>136</sup> UNODC, *Global Report 2020*, 53; Criminal Intelligence Service Austria, *Situation Report 2014*, 11; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 19.

<sup>137</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11.

<sup>138</sup> Europol, *European Union Serious and Organised Crime Threat Assessment: Crime in the age of technology*, (The Hague: Europol, 2017), 52; Europol, "Crime gang accused of trafficking over 150 women into prostitution dismantled by Austria", News, Newsroom, Europol, November 17, 2016, available at: <https://www.europol.europa.eu/newsroom/news/crime-gang-accused-of-trafficking-over-150-women-prostitution-dismantled-austria>.

other brothels in Austria. The victims had to hand over all their earnings and experienced continuous surveillance and threats by the offenders.<sup>139</sup>

In other cases, traffickers reach out to victims via model agencies or addressing them directly, for instance, in nightclubs, often offering them jobs in sex services which the victims initially agree to. Once the victims start to work for the offender, it does not receive the former agreed-upon share of the profits or the traffickers withhold all the money.<sup>140</sup> Sometimes the victim is kept in sex work with violent means when if they do not want to work as a prostitute anymore.<sup>141</sup>

In contrast, violent and forceful means like coercion, bodily harm, and rape are typical tools to control the victims once they are already in exploitive situations or prevent them from fleeing or going to the police.<sup>142</sup> Furthermore, seizing the victims' documents or threatening them with reporting them to the migration police are common tools to control the victims during the exploitation phase.<sup>143</sup>

To avoid detection by law enforcement and maximize profits, traffickers regularly transfer their victims from one location to another.<sup>144</sup> Furthermore, this constant change in location makes it impossible for the victims to establish relationships or be informed about local social services.<sup>145</sup> In some cases, the victims are trafficked every two weeks to another city within Austria or Europe.<sup>146</sup> They often are unaware in which country they are in at the moment since they are just trafficked from one brothel to another.<sup>147</sup> Their above-mentioned ethnically connection allows the traffickers to easily

---

<sup>139</sup> Europol, *Crime in the age of technology*, 52; Europol, "Crime gang accused of trafficking over 150 women into prostitution dismantled by Austria".

<sup>140</sup> Europol, *A corrupting influence*, 71; Criminal Intelligence Service Austria, *Situation Report 2014*, 11, 14; Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11; "Ausbeutung von Menschen", *Öffentliche Sicherheit: Das Magazin des Innenministeriums*, Ausgabe 11/12 (2016), Bundesministerium für Inneres, 14.

<sup>141</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11, 14; Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11; BMI, "Ausbeutung von Menschen", 14.

<sup>142</sup> UNODC, *Global Report 2020*, 52-53; GRETA, *Evaluation Report Austria*, 30.

<sup>143</sup> UNODC, *Global Report 2020*, 53.

<sup>144</sup> Europol, "Fake Love: Devious men luring young women into prostitution busted in Spain and Romania", Newsroom, News, Europol, March 11, 2020, available at: <https://www.europol.europa.eu/newsroom/news/fake-love-devious-men-luring-young-women-prostitution-busted-in-spain-and-romania>; Europol, *Situation Report*, 23.

<sup>145</sup> Europol, *Situation Report*, 23.

<sup>146</sup> Sander, interview.

<sup>147</sup> Sander, interview.



connect with other groups from the same ethnicity in other countries to facilitate the distribution of victims.<sup>148</sup>

The interviewed experts also highlighted the importance of these groups.<sup>149</sup> These close connections among offenders and between offenders and victims make it easy for perpetrators to recruit victims and control them later on. They often do not need to use actual physical force to control the victim. Due to their connections in their home countries, they threaten the victims, for example, with a simple phone call, asking another member of the group to physically harm family members of the victim in its home country.<sup>150</sup>

### 2.2.1. The Lover-boy Method

A common recruitment method is the so-called “lover-boy method”.<sup>151</sup> Typically, the offender is in a relationship - or simulates one - with the often very young victim.<sup>152</sup> By emotionally manipulating the victims to the extent that they are not even aware of the exploitive situation they are in, the offender ensures that the victims will not report the offender to the police.<sup>153</sup> In some cases the perpetrator socially isolates the victims from their friends and family to be the only remaining social contact, making the victim emotionally dependent on the offender.<sup>154</sup> The trafficker then persuades the victims into providing sexual services to gain money to have a better life in the future together.<sup>155</sup>

In some cases, the victims are still under-age when a lover-boy recruits them.<sup>156</sup> As soon as the victims turns 18, the offender brings the victims to other European

---

<sup>148</sup> Europol, *Situation Report*, 14.

<sup>149</sup> Sander, interview; Tatzgern, interview.

<sup>150</sup> Sander, interview; Tatzgern, interview.

<sup>151</sup> UNODC, *Global Report 2020*, 44; Criminal Intelligence Service Austria, *Situation Report 2014*, 11; Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11.

<sup>152</sup> UNODC, *Global Report 2020*, 44; Criminal Intelligence Service Austria, *Situation Report 2014*, 11.

<sup>153</sup> UNODC, *Global Report 2020*, 44.

<sup>154</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11.

<sup>155</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 11; BMI, “Ausbeutung von Menschen”, 14; Tatzgern, interview.

<sup>156</sup> Tatzgern, interview.

countries for sex work, after having the victims already exploited as a minor in their home country.<sup>157</sup>

Once the victim realizes the situation, the offender uses violence and threat to force the victim to continue to work as a prostitute and prevent the victim from reporting to the police.<sup>158</sup> Hence, this relationship between offender and victim is very similar to domestic violence cases rather than cases of organized crime.<sup>159</sup> Although it seems like the lover-boy method is carried out by individual offenders at first glance, most of them are linked to criminal groups.<sup>160</sup>

### 2.2.2. Juju Practice

The so-called “juju practice” is a ritual in Nigeria based on the belief in juju voodoo.<sup>161</sup> Since there has been an increase of Nigerian victims of human trafficking in Austria from 6 percent in 2015 to 37 percent in 2018, understanding the juju practice is of significant importance.<sup>162</sup>

Typically, still back home in Nigeria, the victim must undergo a ritual with a voodoo priest. It has to swear the juju, an oath that bounds the victim to specific rules and obligations, such as paying off debts to the trafficker.<sup>163</sup> In case of disobedience, or a breach of the juju oath, the trafficker threatens the victim with a curse that will bring harm to the victim or family members.<sup>164</sup> In some cases, the victims have to provide certain items for the juju practice, such as hair, fingernails, or underwear. After the ritual, these items are packed in a so-called “voodoo package”. The victims believe that whoever is in possession of this package also has the power over them.<sup>165</sup> This is

---

<sup>157</sup> Tatzgern, interview.

<sup>158</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; UNODC, *Global Report 2020*, 44.

<sup>159</sup> UNODC, *Global Report 2020*, 44.

<sup>160</sup> Tatzgern, interview.

<sup>161</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; GRETA, *Evaluation Report Austria*, 29.

<sup>162</sup> GRETA, *Evaluation Report Austria*, 9.

<sup>163</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; GRETA, *Evaluation Report Austria*, 29; Monika Lemmerer, “Handel mit der „Ware Frau““, *Öffentliche Sicherheit: Das Magazin des Innenministeriums*, Ausgabe 9/10 (2014), 26.

<sup>164</sup> Criminal Intelligence Service Austria, *Situation Report 2014*, 11; Lemmerer, „Handel mit der „Ware Frau““, 26.

<sup>165</sup> Lemmerer, „Handel mit der „Ware Frau““, 26.

not only an issue of superstition. The victims genuinely fear the consequences of a breach of the juju oath.<sup>166</sup>

In contrast to the general gender dynamics in human trafficking for sexual exploitation, the perpetrator in the case of Nigerian victims is often a woman, the so-called “Madame”.<sup>167</sup> She was often a victim of sexual exploitation herself who made it up in the hierarchy to a watchdog and finally to a pimp herself.<sup>168</sup> Besides being responsible for distributing the money and threatening the victims, the madame is often involved in the recruitment phase in Nigeria.<sup>169</sup> The victims’ enormous fear of breaching the juju oath makes them easy to control. The offender does not even have to be at the same location as the victim. A simple reminder about the juju oath is often enough to threaten the victims.<sup>170</sup>

### 2.2.1. Human Trafficking in Cyberspace

With the ongoing digitalization of everyday life, traffickers adapt to these circumstances by altering their modus operandi and taking advantage of cyberspace’s new possibilities to expand their businesses.<sup>171</sup> The internet, being it on the surface or on the dark web, plays a crucial role in every stage of human trafficking for sexual exploitation.<sup>172</sup>

Austrian authorities also report the significant importance of the internet in human trafficking.<sup>173</sup> According to the Austrian situation report on human trafficking and cross-border prostitution trade in 2017, in 74 percent of all investigated cases in 2017, the offenders used the internet in different stages of committing the crime.<sup>174</sup> As a result

---

<sup>166</sup> Sander, interview.

<sup>167</sup> Lemmerer, „Handel mit der „Ware Frau““, 26-27, Europol, *Situation Report*, 17; Sander, interview.

<sup>168</sup> Lemmerer, „Handel mit der „Ware Frau““, 26-27.

<sup>169</sup> Lemmerer, „Handel mit der „Ware Frau““, 26-27; Europol, *Situation Report*, 17.

<sup>170</sup> Europol, “11 arrests and 16 victims safeguarded in operation against sexual exploitation of women”, News, Newsroom, Europol, February 1, 2018, available at: <https://www.europol.europa.eu/newsroom/news/11-arrests-and-16-victims-safeguarded-in-operation-against-sexual-exploitation-of-women>.

<sup>171</sup> UNODC, *Global Report 2020*, 119, 122; OSCE, *2018-2019 Report*, 20.

<sup>172</sup> Europol, *A corrupting influence*, 70; Europol, *The challenges of countering human trafficking in the digital era*, (The Hague: Europol, October 2020).

<sup>173</sup> GRETA, *Evaluation Report Austria*, 5; Tatzgern, interview.

<sup>174</sup> BK, *Lagebericht 2017*, 11.

of the Covid-19 pandemic, criminal activities in general and also human trafficking has moved even more into cyberspace than before.<sup>175</sup>

Offenders use the internet for recruitment by advertising false job offers to attract potential victims and for attracting customers by promoting sexual services online.<sup>176</sup> Regarding recruitment methods, the literature refers to two different forms of recruitment in cyberspace: so-called “hunting” strategies and “fishing” strategies.<sup>177</sup> Hunting methods are applied by traffickers to proactively reach out to new potential victims and customers on the internet.<sup>178</sup> On the other hand, fishing strategies are used to attract potential victims, for instance, via job advertisements so that the victim or the potential customer reaches out to the trafficker. With fishing strategies, offenders can target a large pool of potential victims and customers through very minimal effort.<sup>179</sup>

New platforms like social media offer traffickers the possibility to get easy access to personal information about potential victims and facilitate contacting them.<sup>180</sup> Moreover, they are able to search completely anonymously for new potential victims or customers by creating a fake profile on any social media platform without revealing their identity.<sup>181</sup> Usually, advertisements for false job opportunities were posted on free-standing web pages, but traffickers continue to increasingly use social media platforms to target especially young victims and even minors.<sup>182</sup>

Cyberspace is continuing to generate new forms of exploitation via webcams, sex chats, and live streams.<sup>183</sup> With these forms of exploitation, traffickers physically

---

<sup>175</sup> European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 11.

<sup>176</sup> UNODC, *Global Report 2020*, 119; GRETA, *Evaluation Report Austria*, 9; Europol, *Intelligence Notification: Trafficking in human beings and the internet*, (The Hague: Europol, October 2014), 1; Europol, *A corrupting influence*, 70.

<sup>177</sup> UNODC, *Global Report 2020*, 127-128.

<sup>178</sup> UNODC, *Global Report 2020*, 127-128; Europol, *Intelligence Notification*, 1.

<sup>179</sup> UNODC, *Global Report 2020*, 127-128; Europol, *Intelligence Notification*, 1.

<sup>180</sup> UNODC, *Global Report 2020*, 119; Europol, *The challenges of countering human trafficking in the digital era*; European Commission, *Study on comprehensive policy review of anti-trafficking projects funded by the European Commission: Home/2014/ISFP/PR/THBX/0052 Final report*, (Luxembourg: European Commission, September 23, 2016), 72.

<sup>181</sup> UNODC, *Global Report 2020*, 123.

<sup>182</sup> UNODC, *Global Report 2020*, 123.

<sup>183</sup> UNODC, *Global Report 2020*, 119; OSCE, *2018-2019 Report*, 20; Europol, *Intelligence Notification*, 1.

exploit a victim in one place while offering this content to a large pool of paying customers from all over the globe.<sup>184</sup>

Additionally, the internet serves as a platform for communication, money transfers and as a means to control the victims by monitoring and threatening them online.<sup>185</sup> Messaging services that use anonymized or encrypted communication, such as WhatsApp, constitute communication channels between traffickers with victims, potential customers, and other traffickers with a low risk of detection.<sup>186</sup> Moreover, the internet provides new opportunities to control the victim, such as digital surveillance or blackmailing the victim with exposing compromising sexual content.<sup>187</sup> Regarding the use of the internet for money transfer, there is an increase in Bitcoins, digital wallets, or other digital means of payment that are difficult to trace.<sup>188</sup>

As this subchapter shows, the internet creates numerous opportunities for offenders to exploit victims on a much larger scale while posing new challenges for the fight against human trafficking.<sup>189</sup> The vast amount of online platforms, webpages, and content poses a significant challenge for law enforcement to detect sexual exploitation.<sup>190</sup> Nevertheless, the internet also provides new opportunities for law enforcement, such as advanced computer-assisted data gathering and analysis techniques, and provides a public platform to raise awareness and engage the public in the fight against human trafficking.<sup>191</sup>

---

<sup>184</sup> UNODC, *Global Report 2020*, 122, 124.

<sup>185</sup> UNODC, *Global Report 2020*, 119,126; OSCE, *2018-2019 Report*, 20.

<sup>186</sup> UNODC, *Global Report 2020*, 127; GRETA, *Evaluation Report Austria*, 9; Europol, *The challenges of countering human trafficking in the digital era*.

<sup>187</sup> Europol, *Intelligence Notification*, 1-2; Europol, *The challenges of countering human trafficking in the digital era*; European Commission, *Study on comprehensive policy review*, 72.

<sup>188</sup> GRETA, *Evaluation Report Austria*, 9; Europol, *The challenges of countering human trafficking in the digital era*; Tatzgern, interview.

<sup>189</sup> Europol, *Intelligence Notification*, 1; Europol, *The challenges of countering human trafficking in the digital era*.

<sup>190</sup> Europol, *The challenges of countering human trafficking in the digital era*; Tatzgern, interview.

<sup>191</sup> Europol, *Intelligence Notification*, 2; Europol, *The challenges of countering human trafficking in the digital era*.

### 2.3. The Link between Human Trafficking and Migration

As already mentioned, the crimes of migrant smuggling and trafficking in human beings show several similarities, and in practice, they often overlap.<sup>192</sup> But not just from the legal perspectives, these two phenomena overlap. Various links can be drawn between migration and human trafficking.<sup>193</sup> Since the increase of migration to Europe since 2015, these linkages have become more visible.<sup>194</sup>

Human trafficking flows and migrant flows follow the same pattern: both move from lower income to wealthier regions, from South-Eastern Europe to Western Europe.<sup>195</sup>

The perception and promise of a better life, an important pull factor of migration, is also often used by traffickers to attract victims.<sup>196</sup> This was very visible in 2017, when the number of Venezuelan migrants, who fled poverty in their home country, increased dramatically in Europe.<sup>197</sup> Two years later, Venezuela was the leading non-EU country of origin of victims of human trafficking in Austria.<sup>198</sup>

Due to their vulnerable situation, migrants and asylum-seekers are considered as high-risk groups for falling victim to human trafficking.<sup>199</sup> This vulnerability is present during the migration journey, when migrants are sexually exploited.<sup>200</sup> But also after migrants have arrived in their destination country, they experience a lack of economic resources or traffickers threatening the victim with reporting them to migration authorities.<sup>201</sup> In other cases, victims have to pay off their debts for migration by working for the perpetrator under exploitative conditions.<sup>202</sup> There have been cases of Nigerian criminal groups offering “migration packages” for about 50 000 to 70 000 Nigerian

---

<sup>192</sup> BMI, BK, *Lagebericht 2020*, 7; UNODC, *A Comprehensive Strategy*, 7.

<sup>193</sup> European Commission, *Report Directive 2011/36/EU*, 8; Vernon Coaker, *Concerted action against human trafficking and the smuggling of migrants*, (Strasbourg: Council of Europe, Committee on Migration, Refugees and Displaced Persons, January 6, 2020), 12.

<sup>194</sup> European Commission, *Report Directive 2011/36/EU*, 8; Coaker, *Concerted action*, 12.

<sup>195</sup> UNODC, *Global Report 2016*, (Vienna: UNODC, December 2016), 57.

<sup>196</sup> UNODC, *Global Report 2016*, 57; Sander, interview.

<sup>197</sup> Coaker, *Concerted action*, 11.

<sup>198</sup> BMI, BK, *Lagebericht 2019*, 23.

<sup>199</sup> European Commission, *Report Directive 2011/36/EU*, 8.

<sup>200</sup> OSCE, *2018-2019 Report*, 35; Coaker, *Concerted action*, 11.

<sup>201</sup> Council of Europe, GRETA, *10<sup>th</sup> General Report on GRETA's Activities: covering the period of 1 January to 31 December 2020*, (Strasbourg: Council of Europe, GRETA, April 2021), 60.

<sup>202</sup> UNODC, *Global Report 2016*, 60.

naira, which roughly accounts for EUR 250. Once the victims arrive in Europe, the traffickers convert the migration fee into 50 000 to 70 000 Euros. This debt then has to be paid off by providing sexual services.<sup>203</sup>

According to the International Centre for Migration Policy Developments, the number of victims of human trafficking from conflict areas in Syria and the Middle East has increased over the recent years.<sup>204</sup> According to the data provided by Austrian authorities, this has not been evident in the case of Austria.<sup>205</sup> Likewise, the interviewed experts confirmed that although they expected an increase of victims from the MENA region in the course of the “refugee crisis” in 2015 and the closure of the Balkan route in 2016, surprisingly, neither of them observed such a trend.<sup>206</sup>

With the rapid increase in migration flows in Europe in 2015, the number of unaccompanied minors rose significantly. Between 2015 and 2020, more than 225 000 unaccompanied minors applied for asylum in the EU, more than 16 000 thereof in Austria.<sup>207</sup> A study of an international NGO in Italy indicated that many of these minors fell victims to human trafficking.<sup>208</sup> In contrast, both interviewed experts mentioned that there has been no significant increase in unaccompanied minors as victims of human trafficking in Austria.<sup>209</sup>

Moreover, a large influx of migrants brings along the challenge of identifying victims of human trafficking among large flows of migrants.<sup>210</sup> GRETA emphasized the importance of a proactive approach to victim detection amongst migration flows.<sup>211</sup>

---

<sup>203</sup> UNODC, *Global Report 2016*, 60.

<sup>204</sup> UNODC, *Global Report 2016*, 61.

<sup>205</sup> BMI, BK, *Lagebericht 2019*, 22-23; BMI, BK, *Lagebericht 2020*, 25-26.

<sup>206</sup> Tatzgern, interview; Sander, interview.

<sup>207</sup> Eurostat, “Asylum applicants considered to be unaccompanied minors by citizenship, age and sex – annual data (rounded), Data Browser, Eurostat, last update April 22, 2021, available at: [https://ec.europa.eu/eurostat/databrowser/view/migr\\_asyunaa/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/migr_asyunaa/default/table?lang=en).

<sup>208</sup> UNODC, *Global Report 2016*, 61; Save the Children, *Child victims of trafficking and exploitation: Who they are, where they come from and who is taking profit of them*, (Rome: Save the children, September 2016).

<sup>209</sup> Tatzgern, interview; Sander, interview.

<sup>210</sup> OSCE, *2018-2019 Report*, 19; European Commission, *Report Directive 2011/36/EU*, 8; Sander, interview.

<sup>211</sup> Council of Europe, GRETA, *10<sup>th</sup> General Report*, 37.

Therefore, the Austrian authorities, together with several NGOs, have offered special training on human trafficking and on identifying victims of human trafficking for officials, legal counselors, and social workers working in the asylum procedures as well as to law enforcement officers and medical staff from police detention centers.<sup>212</sup> The latest National Action Plan on Combating Human Trafficking emphasizes the fact that migrants, and in particular unaccompanied minors, constitute a high-risk group for human trafficking.<sup>213</sup>

The Austrian authorities do not collect statistical data on how many victims of human trafficking have been identified during asylum procedures.<sup>214</sup> However, conclusions about comparable numbers can be drawn from findings of the Swiss authorities, which detected 289 presumed victims of human trafficking amongst asylum seekers between 2014 and 2017.<sup>215</sup> Moreover, the International Organization for Migration conducted a survey between December 2015 and March 2016, showing that more than 7 percent of the 2 385 reported people experienced exploitative circumstances during their migration journey.<sup>216</sup>

According to civil society organizations, migration and the accompanying increase of vulnerability to falling victim to human traffickers are not sufficiently recognized by state authorities.<sup>217</sup> As stated by some experts and a growing number of international organizations, immigration restrictions and the often impossibility of legal ways of migration create a lucrative market for traffickers and are reasons why people fall victim to human trafficking.<sup>218</sup> Consequently, creating legal avenues of migration in the sense that countries can influence migration flows would prevent human trafficking in the medium and long term.<sup>219</sup> Providing more legal ways of migration as a successful mean

---

<sup>212</sup> GRETA, *Evaluation Report Austria*, 50; Bundesministerium für Inneres, *Sicherheitsbericht 2019 Kriminalität: Vorbeugung und Bekämpfung*, (Vienna: Bundesministerium für Inneres, 2020), 53.

<sup>213</sup> Task Force Menschenhandel, *Nationaler Aktionsplan zur Bekämpfung des Menschenhandels*, (Vienna: Task Force Menschenhandel, 2018), 5.

<sup>214</sup> GRETA, *Reply from Austria*, 47.

<sup>215</sup> Council of Europe, GRETA, *10<sup>th</sup> General Report*, 39; GRETA, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Switzerland: Second Evaluation Round*, (Strasbourg: GRETA, October 9, 2019), 30.

<sup>216</sup> UNODC, *Global Report 2016*, 61, 63; International Organization for Migration, *Mixed Migration Flows in the Mediterranean and Beyond: Findings: Counter-Trafficking Survey*, (IOM, March 17, 2016).

<sup>217</sup> European Commission, *Report Directive 2011/36/EU*, 9.

<sup>218</sup> Andreas Schloenhardt, "Trafficking in Persons in an Era of Growing Irregular Migration", *SIAC-Journal - Journal for Police Science and Practice* (International Edition Vol. 7), September 2017, 9.

<sup>219</sup> Schloenhardt, "Trafficking in Persons in an Era of Growing Irregular Migration", 9-10.



to prevent human trafficking, was also mentioned during the expert interviews for this thesis.<sup>220</sup>

## 2.4. The Impact of the Covid-19 Pandemic

At the time of writing, the Covid-19 pandemic is still affecting all aspects of society. It is estimated that the economic crisis caused by the pandemic will constitute one of the most severe recessions since 150 years.<sup>221</sup> Measures to combat the virus such as lockdowns, curfews, border closings, and social contacts restrictions accelerate the economic downturn by increasing unemployment rates and poverty.<sup>222</sup> While it is impossible to measure the full extent of the impact of the pandemic yet, some trends in criminal activities and the illicit economy are already visible.<sup>223</sup>

The pandemic and its socio-economic implications hit those who already have been the most vulnerable to sexual exploitation the most.<sup>224</sup> The situation for people who have already experienced poverty or financial instability before the pandemic is likely to further worsen.<sup>225</sup> Data from previous economic crisis like the great financial crisis in 2008 indicate that there has been an increase in victims of human trafficking coming from countries which were affected the most by the economic recession and took longer to recover.<sup>226</sup> This was very visible in the case of Bulgaria and Hungary.<sup>227</sup> Data shows a correlation between persistent high unemployment rates after the great financial crisis and an increase of Bulgarian and Hungarian victims of human trafficking.<sup>228</sup> Until today, Bulgaria and Hungary constitute one of the main countries of

---

<sup>220</sup> Sander, interview.

<sup>221</sup> Livia Wagner and Thi Hong, *Aggravating Circumstances: How coronavirus impacts human trafficking*, (Geneva: Global Initiative Against Transnational Organized Crime, May 2020), 2.

<sup>222</sup> Wagner and Hong, *Aggravating Circumstances*, 2; UNODC, *Impact of the Covid-19 pandemic on trafficking in persons: Preliminary findings and messaging based on rapid stocktaking*, (Vienna: UNDOC), 1.

<sup>223</sup> European Commission, *Report Directive 2011/36/EU*, 1.

<sup>224</sup> Wagner and Hong, *Aggravating Circumstances*, 4; UNODC, *Global Report 2020*, 73; UNODC, *Impact of the Covid-19 pandemic*, 1.

<sup>225</sup> Wagner and Hong, *Aggravating Circumstances*, 15; Council of Europe, GRETA, *10<sup>th</sup> General Report*, 33.

<sup>226</sup> UNODC, *Global Report 2020*, 73; UNODC, *Research Brief: How Covid-19 restrictions and economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America*, (Vienna: UNODC), 9.

<sup>227</sup> UNODC, *Global Report 2020*, 74; UNODC, *Research Brief*, 9, 23.

<sup>228</sup> UNODC, *Global Report 2020*, 74; UNODC, *Research Brief*, 9, 23.

origin of victims of human trafficking within the EU.<sup>229</sup> A similar picture is shown in the already mentioned Venezuelan case. An enormous increase of Venezuelan victims of human trafficking followed the severe drop in GDP of the country in 2017.<sup>230</sup> Hence, it is expected that in the light of the recession resulting from the Covid-19 pandemic, the share of victims coming from countries with the highest unemployment rates and the most significant GDP contradictions will increase.<sup>231</sup>

Furthermore, the consequences of the pandemic will amplify the vulnerability of already vulnerable groups such as women, children, and migrants.<sup>232</sup> Studies show that women and girls were among those who experienced the most harmful impacts of economic shocks. Therefore, it is very likely that the Covid-19 pandemic will exacerbate the gender dynamic in human trafficking.<sup>233</sup> Moreover, with schools being closed and restrictions on social contacts, children might lose their social security net, making them easier to recruit by traffickers.<sup>234</sup> Additionally, the pandemic is likely to increase the vulnerability of migrants.<sup>235</sup> Due to movement restrictions and border closings, migrants are forced into immobility. Traffickers are taking advantage of this situation because migrants are forced to earn money while they are stuck or are willing to take more risks in order to continue their journey.<sup>236</sup>

Accordingly, and with review of previous data and experience, both interviewed experts expect a general increase in human trafficking for sexual exploitation due to the consequences of the Covid-19 pandemic in Austria.<sup>237</sup>

So far, this subchapter has outlined the expected consequences of the crisis. However, the victims of human trafficking are already experiencing immediate effects due to the Covid-19 pandemic.<sup>238</sup> For those who are already sexually exploited, the pandemic has worsened their situation.<sup>239</sup> Due to the measures imposed by governments and

---

<sup>229</sup> UNODC, *Global Report 2020*, 59.

<sup>230</sup> UNODC, *Global Report 2020*, 75-76.

<sup>231</sup> UNODC, *Global Report 2020*, 75-76.

<sup>232</sup> Wagner and Hong, *Aggravating Circumstances*, 4.5; UNODC, *Impact of the Covid-19 pandemic*, 1.

<sup>233</sup> Wagner and Hong, *Aggravating Circumstances*, 4.

<sup>234</sup> Wagner and Hong, *Aggravating Circumstances*, 5; UNODC, *Impact of the Covid-19 pandemic*, 1.

<sup>235</sup> Wagner and Hong, *Aggravating Circumstances*, 5.

<sup>236</sup> Wagner and Hong, *Aggravating Circumstances*, 5.

<sup>237</sup> Tatzgern, interview; Sander, interview.

<sup>238</sup> European Commission, *Report Directive 2011/36/EU*, 1.

<sup>239</sup> Wagner and Hong, *Aggravating Circumstances*, 2- 5.

the victims often being quarantined with their perpetrators, they are exposed to more violence and abuse, and it is even more difficult for them to reach out for help or to escape.<sup>240</sup> Furthermore, with law enforcement focusing on imposing Covid-19 measures and state authorities or NGOs closing down due to lockdowns, possibilities to identify and support victims of human trafficking are reduced.<sup>241</sup> The Austrian situation report on human trafficking 2020 already points out difficulties of victim identification due to the Covid-19 measures.<sup>242</sup>

Moreover, traffickers adapted quickly to the situation and changed their modus operandi to take advantage of the new circumstances.<sup>243</sup> With people spending more time on the internet, large parts of sexual exploitation have shifted online, with children being the hardest hit group.<sup>244</sup> According to Europol, the amount of material on sexual abuse of children has risen significantly with the beginning of the crisis in Europe in March 2020.<sup>245</sup> In Austria, the numbers have almost tripled in March and April 2020.<sup>246</sup> Furthermore, due to lockdowns and curfews, sex services are shifted in the underground.<sup>247</sup> In 2020, the Austrian police investigated a Rumanian criminal group that was accused of renting hotel rooms for forced prostitution during Covid-19 restrictions.<sup>248</sup> This corresponds with the impressions of the interviewed experts who believe that prostitution, in general, has gone underground, which constitutes even higher risks for victims of exploitation.<sup>249</sup>

Finally, the pandemic also has negative impacts on victims who have escaped sexual exploitation. Due to lockdowns, legal proceedings were postponed, compensations

---

<sup>240</sup> Wagner and Hong, *Aggravating Circumstances*, 2- 5.

<sup>241</sup> UNODC, *Impact of the Covid-19 pandemic*, 1-2; European Commission, *Report Directive 2011/36/EU*, 1; Council of Europe, GRETA, *10<sup>th</sup> General Report*, 30-31.

<sup>242</sup> BMI, BK, *Lagebericht 2020*, 31.

<sup>243</sup> European Commission, *Report Directive 2011/36/EU*, 1, 15.

<sup>244</sup> Wagner and Hong, *Aggravating Circumstances*, 3; UNODC, *Impact of the Covid-19 pandemic*, 1, 3; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 11.

<sup>245</sup> Europol, *Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic*, (The Hague: Europol, June 19, 2020), 6.

<sup>246</sup> Europol, *Exploiting Isolation*, 7.

<sup>247</sup> UNODC, *Impact of the Covid-19 pandemic*, 1.

<sup>248</sup> BMI, BK, *Lagebericht 2020*, 30.

<sup>249</sup> Sander, interview; Tatzgern, interview.

delayed, and protection and rehabilitation services closed, enhancing the risk of re-trafficking.<sup>250</sup>

---

<sup>250</sup> Wagner and Hong, *Aggravating Circumstances*, 3; UNODC, *Impact of the Covid-19 pandemic*, 3; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 2; Council of Europe, GRETA, *10<sup>th</sup> General Report*, 33.

### 3. Economics of Trafficking in Human Beings

The author wants to highlight that the language and terms used in this chapter aim to explain the economic aspects of human trafficking and are, by no means, intended to be disrespectful or degrading towards the victims of this crime.

Human trafficking is a profitable business, with high earnings and relatively low costs and risks for the offenders.<sup>251</sup> Human trafficking is considered the third-largest illicit economy after the trafficking of drugs and firearms.<sup>252</sup> By committing crimes, such as drug trafficking or migrant smuggling, an offender gains profit once; with selling the drugs, or collecting the fee from the smuggled migrants. In contrast, by means of human trafficking, the offender is able to generate a continuous income with the exploitation of the victims.<sup>253</sup>

There are few studies and data on how much profit is generated by traffickers and how they invest it.<sup>254</sup> According to estimates of the European Commission, the annual profit gained through human trafficking for sexual exploitation within the EU accounts for about EUR 14 billion.<sup>255</sup> Some countries in the EU attempted to calculate the profits of human trafficking in their country. However, due to incomplete data and no consistent calculation methodology, these results are not representative.<sup>256</sup> Nonetheless, understanding the economic market of human trafficking is essential for successfully combatting it.<sup>257</sup>

---

<sup>251</sup> UNODC, *An Introduction to Human Trafficking*, 96; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 24.

<sup>252</sup> UNODC, *An Introduction to Human Trafficking*, 96.

<sup>253</sup> UNODC, *An Introduction to Human Trafficking*, 96.

<sup>254</sup> OSCE, *2018-2019 Report*, 40; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 10.

<sup>255</sup> "Trafficking in human beings", Migration and Home Affairs, What we do, Policies, Organised Crime & Human Trafficking, European Commission, available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings_en).

<sup>256</sup> Europol, *The THB Financial Business Model*, 5.

<sup>257</sup> Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 68.

### 3.1. The Human Trafficking Market

Economic models are applied to describe labor markets. These models are also applicable for modeling the market for human trafficking for sexual exploitation and its supply and demand for illegal sexual services.<sup>258</sup> Since economic models are based on assumptions to show a general picture of the dynamics within a market, the influencing factors are simplified.<sup>259</sup>

The market for human trafficking shows characteristics of a competitive market.<sup>260</sup> It consists of numerous consumers and suppliers, and it is easy for supplying traffickers to enter or exit the market. However, despite the large quantity of supplying traffickers, they still have some price control due to product differentiation.<sup>261</sup> For example, the young age of a victim or the offer of specific sexual services such as unprotected sexual intercourse leads to differentiation - allowing the trafficker to charge a higher price.<sup>262</sup> Hence, the market for human trafficking can be described as a monopolistically competitive market.<sup>263</sup>

The sex industry is booming, and there always has been a demand for prostitution and sexual services.<sup>264</sup> Demand in the illegal sex market is very elastic, meaning the increase or decrease of demand highly depends on the price. Lower prices attract more consumers and lead to higher demand and vice versa.<sup>265</sup> The price depends on different factors, such as the above mentioned different characteristics of the victim and the availability of similar victims.<sup>266</sup> At a very low price, where costs are higher than earnings, traffickers are unlikely to supply. On the other hand, if earnings outweigh costs, the trafficker profits and is likely to increase the supply of victims.<sup>267</sup> In order to

---

<sup>258</sup> Elizabeth M. Wheaton, Edward J. Schauer and Thomas V. Galli, "Economics of Human Trafficking", *International Migration*, Vol 48 (4), (2010), 116.

<sup>259</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 116.

<sup>260</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 118.

<sup>261</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 118.

<sup>262</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 118; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 32.

<sup>263</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 118; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 23; Donna M. Hughes, *The Demand for Victims of Sex Trafficking*, (Rhode Island: University of Rhode Island, June 2005), 21.

<sup>264</sup> Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 22- 23.

<sup>265</sup> Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 32.

<sup>266</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 119; Hughes, *The Demand for Victims of Sex Trafficking*, 21.

<sup>267</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 119.

further maximize profits, offenders have to be dynamic and adapt quickly to shifts in demand or new opportunities for exploitation.<sup>268</sup> The already mentioned quick adaption of traffickers to the circumstances in the light of the Covid19 pandemic shows the dynamic of the human trafficking business.<sup>269</sup>

The costs for traffickers include monetary costs, such as costs for transportation or falsified documents for the victim, physical, psychological costs, and criminal costs as the risk of punishment.<sup>270</sup> However, conviction rates indicate that, in general, the risk of punishment is relatively low.<sup>271</sup>

### 3.1.1. Supply in the Short Run

In order to gain profits in the short run, the offender must sell at a price above the average total cost of trafficking a victim.<sup>272</sup> The average total cost comprises average fixed costs, such as expenditures for establishing trafficking routes, and average variable costs that vary from victim to victim.<sup>273</sup> The fixed average costs are usually high, which implies that average total costs are high with only a few victims and get lower with more victims being exploited. However, a high number of victims will increase the average total costs in the end.<sup>274</sup> This is shown in the figure below, with a first downwards sloping average total cost curve that starts to slope upwards as the number of victims increases.<sup>275</sup>

---

<sup>268</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 123.

<sup>269</sup> European Commission, *Report Directive 2011/36/EU*, 1, 15.

<sup>270</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 124.

<sup>271</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 25; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 4.

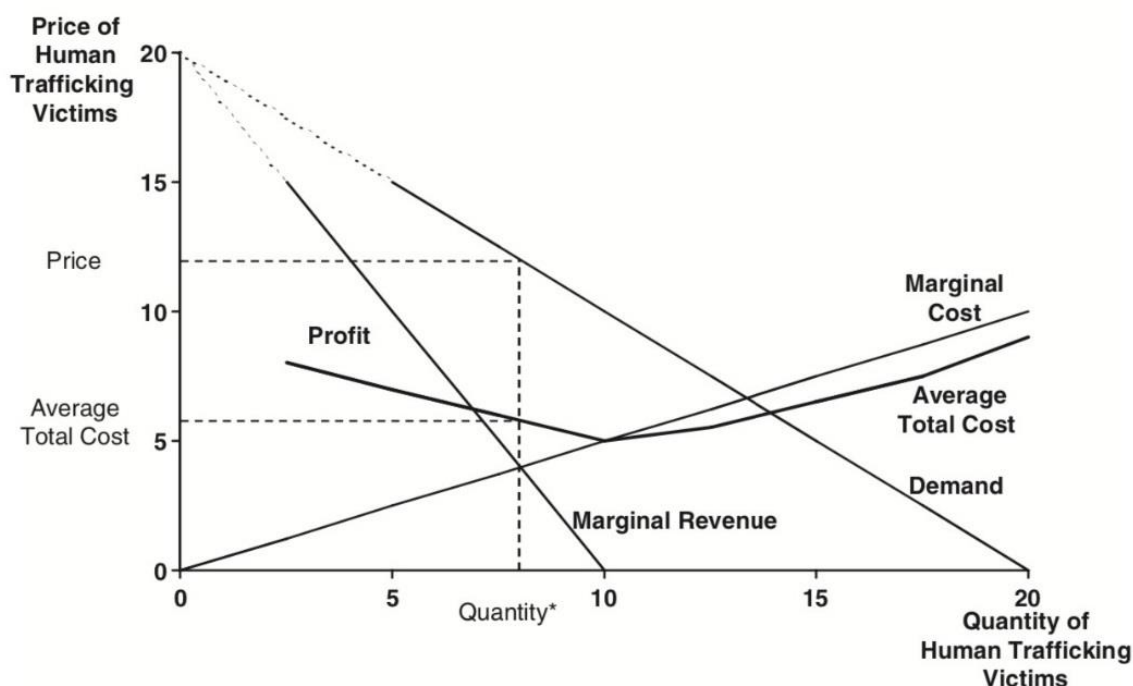
<sup>272</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 124.

<sup>273</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 124.

<sup>274</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 124.

<sup>275</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 124.

THE SHORT-RUN SUPPLY OF HUMAN TRAFFICKING BY AN INDIVIDUAL  
TRAFFICKER IN A MONOPOLISTICALLY COMPETITIVE MARKET



Source: Wheaton, Schauer and Galli, "Economics of Human Trafficking", Figure 2., 124.

The marginal revenue curve illustrates the additional earnings from the last unit supplied.<sup>276</sup> The downwards sloping curve indicates that the more victims are available at the market, the lower the price will get and vice versa.<sup>277</sup>

The marginal cost curve, on the other hand, shows the additional costs from the last unit supplied.<sup>278</sup> Supplying the first victim constitutes high fixed costs, such as establishing a trafficking network plus each victim's variable costs.<sup>279</sup> With the supply of a second victim, the fixed costs were already taken into account with the first victim, which means that the costs of supplying the second victim are much lower.<sup>280</sup> The marginal cost curve slopes upwards because with more victims supplied, marginal costs account for more expenditure needed for transporting or accommodating more victims.<sup>281</sup>

<sup>276</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

<sup>277</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

<sup>278</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

<sup>279</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

<sup>280</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

<sup>281</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 125.

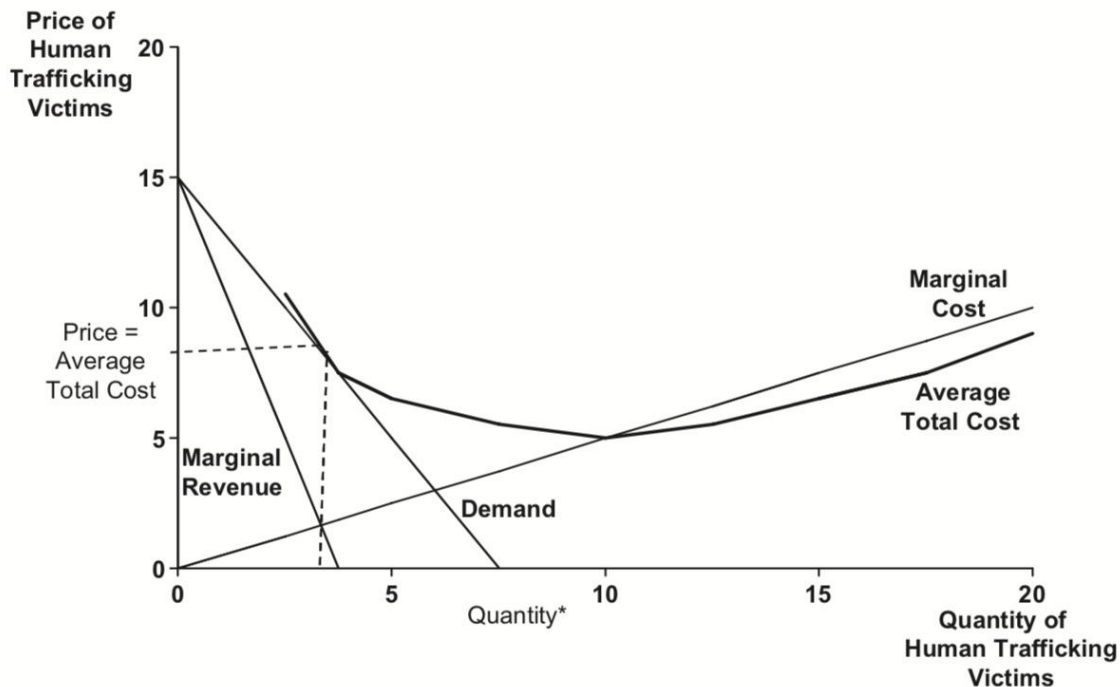


The intersection of the marginal revenue curve and the marginal cost curve indicates the quantity of victims a trafficker should supply to gain maximum profit.<sup>282</sup> Supplying more victims would reduce the profits because the costs would outweigh the revenue, and the trafficker would eventually have to exit the market.<sup>283</sup>

### 3.1.2. Supply in the Long Run

High profits attract other criminals, and more and more traffickers will enter the market and supply victims.<sup>284</sup> With an increase in supply, competition among traffickers increases, and products are less differentiated, leading to a lower price. As shown in the figure below, in the long run, this will shift the individual demand curve of a trafficker to the left and therefore decrease the optimum quantity of victims for the offender.<sup>285</sup> Traffickers will enter and exit the market until profit generation is no longer possible. For the individual trafficker, this is where price equals average total costs.<sup>286</sup>

THE LONG-RUN SUPPLY OF HUMAN TRAFFICKING BY AN INDIVIDUAL TRAFFICKER  
IN A MONOPOLISTICALLY COMPETITIVE MARKET



Source: Wheaton, Schauer and Galli, "Economics of Human Trafficking", Figure 3., 127.

<sup>282</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126.

<sup>283</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126.

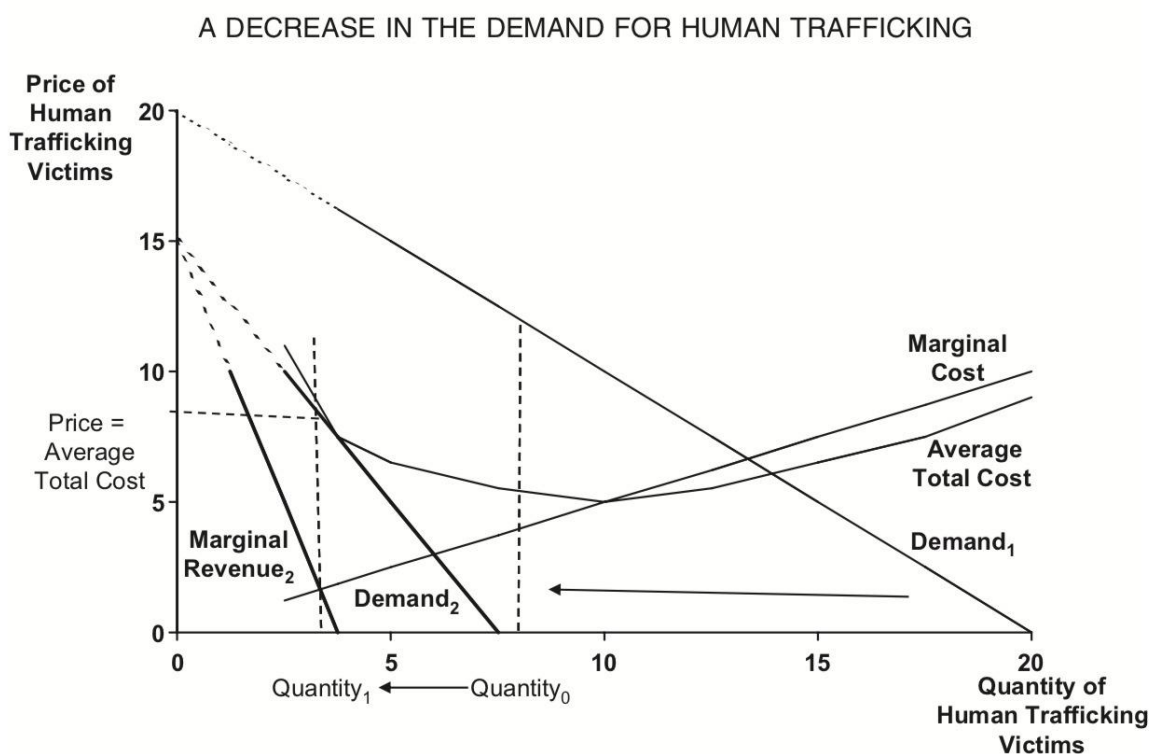
<sup>284</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126.

<sup>285</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126.

<sup>286</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 126.

### 3.1.3. Interrupting the Human Trafficking Market

The number of victims in the human trafficking market can be reduced by either influencing supply or demand.<sup>287</sup> To reduce supply, the costs for the individual trafficker have to be increased by, for example, harsher punishments.<sup>288</sup> As shown in the figure below, reducing the demand by, for example, punishing consumers of illegal sexual services shifts the demand curve to the left. The optimum quantity of victims for an individual trafficker, therefore, decreases which leads to an overall decline of victims in the market.<sup>289</sup>



Source: Wheaton, Schauer and Galli, "Economics of Human Trafficking", Figure 4., 131.

The previous chapter has shown that the factors that make people more vulnerable and the means how perpetrators exploit these vulnerabilities are manifold. Reducing

<sup>287</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 130; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 11.

<sup>288</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 130; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 11.

<sup>289</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 131-132; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 11.

supply is therefore economically less efficient.<sup>290</sup> Possible measures to reduce demand vary from awareness-raising campaigns targeting potential consumers, to criminalizing the purchase of sexual services provided by victims of human trafficking.<sup>291</sup> The following chapter will give more insights into the prevention of human trafficking.

---

<sup>290</sup> Wheaton, Schauer and Galli, “Economics of Human Trafficking”, 133; ICAT Inter-Agency Coordination Group against Trafficking in Persons, *Preventing Trafficking in Persons by Addressing Demand*, (ICAT, September 2014), 6.

<sup>291</sup> Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 70.

## 4. Combating Human Trafficking for Sexual Exploitation - Indicators and Findings

To better understand human trafficking for sexual exploitation in Austria, the previous chapters provided insights from a legal, practical, and economic perspective. This chapter focuses on actions to combat human trafficking for sexual exploitation. As already outlined, human trafficking is a complex phenomenon with many interconnected aspects.<sup>292</sup> In order to tackle this crime successfully, it needs a comprehensive, multi-disciplinary and multi-agency approach that considers all different facets of human trafficking.<sup>293</sup>

### 4.1. The “4P” framework

The 4P framework constitutes a comprehensive approach in the fight against human trafficking by defining the key actions against human trafficking as the “4Ps”: prevention, prosecution, protection of victims, and promotion of cooperation or partnership.<sup>294</sup> The 4P approach is rooted in the UN Trafficking in Persons Protocol, as Article 2 states that the protocol’s purpose is to prevent and combat human trafficking, to protect and to assist the victims, and to promote cooperation among states.<sup>295</sup> The UNODC, which is considered “the guardian” of the Palermo Convention and its Protocols, refers in its comprehensive strategy to combat human trafficking and migrant smuggling to the 4Ps by grouping its mandate under these four elements.<sup>296</sup> Furthermore, the 4P framework is also the guiding framework in the Council of Europe Anti-trafficking Convention and in the EU Anti-trafficking Directive.<sup>297</sup> Additionally,

---

<sup>292</sup> UNODC, *A Comprehensive Strategy*, 22.

<sup>293</sup> UNODC, *A Comprehensive Strategy*, 22; European Commission, *Report Directive 2011/36/EU*, 13.

<sup>294</sup> OSCE, *2018-2019 Report*, 81; Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings, *2020 Report Update*, (Vienna: Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings); “Combating human trafficking”, Home, What we do, Combating human trafficking, OSCE, available at: <https://www.osce.org/combating-human-trafficking>.

<sup>295</sup> UN General Assembly, *United Nations Convention on Transnational Organized Crime and the Protocols Thereto, Annex II*, Article 2; UNODC, *An Introduction to Human Trafficking*, 59.

<sup>296</sup> UNODC, *A Comprehensive Strategy*, 9.

<sup>297</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*; European Union, *Directive 2011/36/EU*.

since the 4P approach is also shown in several legally non-binding documents, such as Action Plans and Strategies, the 4P framework constitutes soft law.<sup>298</sup>

The same applies to the Austrian National Action Plan for Combatting Trafficking in Human Beings, which is published regularly by the Trafficking in Human Beings Task Force of the Ministry of Foreign Affairs, as it is also built upon the 4P framework.<sup>299</sup>

The 4Ps are profoundly interconnected and influential to each other.<sup>300</sup> Partnerships and cooperation are essential for the prevention, prosecution of human trafficking crimes and the victims' protection.<sup>301</sup> The same applies to the protection of the victim's rights, which have to be considered in all fields, especially during all phases of prosecution and law enforcement.<sup>302</sup> Moreover, effective prosecution entails a deterrent effect that might prevent future trafficking.<sup>303</sup>

Comprehensive research and data collection to capture the scope of the crime and to analyze root causes, such as factors that make people vulnerable to human traffickers, are the foundation for a successful implementation and assessment of the effectiveness of all 4Ps.<sup>304</sup> It is further necessary to note that due to the above-mentioned gender dimension in human trafficking for sexual exploitation, it is crucial to follow a gender-specific approach in all aspects of actions against human trafficking.<sup>305</sup>

Since this thesis focuses on the role of Austria in the context of Europe, the following subchapters will capture mainly the objectives from the Anti-trafficking Convention and the EU Anti-trafficking Directive and its implementation in Austria.

---

<sup>298</sup> UNODC, *A Comprehensive Strategy*, 9; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 2; UN General Assembly, *United Nations Global Plan of Action to Combat Trafficking in Persons, resolution / adopted by the General Assembly*, August 12, 2010, A/RES/64/293; Organization for Security and Co-operation in Europe OSCE, *Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One decade later*, December 6, 2013, Decision No. 1107; PC.DEC/1107/Corr.1.

<sup>299</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 5.

<sup>300</sup> Council of Europe, *Explanatory Report*, 11.

<sup>301</sup> Council of Europe, *Explanatory Report*, 12.

<sup>302</sup> Council of Europe, *Explanatory Report*, 11.

<sup>303</sup> European Commission, *Key concepts in a nutshell*, 5.

<sup>304</sup> UNODC, *An Introduction to Human Trafficking*, 7, 12, 14, 123.

<sup>305</sup> European Commission, *Key concepts in a nutshell*, 6; Council of Europe, *Explanatory Report*, 11.

#### 4.1.1.Prevention of Human Trafficking

Crime prevention can be defined as “*the anticipation, recognition and appraisal of a crime risk, and the initiation of action to remove or reduce it.*”<sup>306</sup> The means to successfully prevent the crime of human trafficking for sexual exploitation are manifold.<sup>307</sup>

Article 18 of the Anti-trafficking Directive and Article 5 and 6 of the Anti-trafficking Convention require the Member States to implement information and awareness campaigns, research and education programs, special training for involved professionals, as well as actions to reduce the demand for exploitive sexual services as valuable means to prevent human trafficking.<sup>308</sup>

Awareness-raising and information campaigns are considered important short-term tools of prevention.<sup>309</sup> As already mentioned, cooperation among relevant stakeholders is crucial in every aspect of combating human trafficking.<sup>310</sup> Regarding awareness and information campaigns, cooperation with entities from the civil society is essential and helps, for example, to detect newly emerging and vulnerable groups.<sup>311</sup> However, critics point out that awareness-raising campaigns targeting potential victims are not very effective since they fail to target the underlying vulnerability of potential victims and do not offer them any opportunities to escape their situation.<sup>312</sup>

Providing special trainings to professionals dealing with human trafficking such as law enforcement and border officials, judges, prosecutors, and immigration officials

---

<sup>306</sup> Quoted in UNODC, *An Introduction to Human Trafficking*, 63.

<sup>307</sup> European Commission, *Key concepts in a nutshell*, 3.

<sup>308</sup> European Union, *Directive 2011/36/EU*, Article 18; European Commission, *Key concepts in a nutshell*, 3; European Commission, *Report Directive 2011/36/EU*, 12; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 5 and Article 6.

<sup>309</sup> Council of Europe, *Explanatory Report*, 18.

<sup>310</sup> UNODC, *A Comprehensive Strategy*, 22; European Commission, *Report Directive 2011/36/EU*, 13.

<sup>311</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan to Combat Trafficking in Human Beings (PC.DEC/557), the 2005 Addendum Addressing Special Needs of Child Victims of Trafficking for Protection and Assistance (PC.DEC/557/Rev.1) and the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later (PC.DEC/1107/Corr.11)*, (Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, December 2015), 66.

<sup>312</sup> UNODC, *An Introduction to Human Trafficking*, 8, 66-67.

constitute essential means to prevent human trafficking.<sup>313</sup> It is crucial for the professionals in that field to acquire the necessary skills in order to successfully tackle the complex and constantly evolving crime of human trafficking.<sup>314</sup>

Moreover, since human trafficking is a profit-driven crime, reducing the demand for sexual services of an exploited victim constitutes a means to prevent human trafficking.<sup>315</sup> As shown in the previous chapter, from an economic point of view, reducing demand would reduce the overall quantity of victims in the market.<sup>316</sup> Criminalizing those who knowingly use trafficked persons' services is an option to tackle demand provided in the Anti-trafficking Directive and the Anti-trafficking Convention.<sup>317</sup> Since these are not legally binding objectives, not all Member States have taken this approach of criminalizing the customers, including Austria.<sup>318</sup>

Other means to prevent human trafficking are strengthening border measures to such an extent as it is necessary to prevent the crime and ensure the security and validity of documents to prevent trafficking with falsified documents.<sup>319</sup> Investing in social-economic initiatives to target the underlying causes of vulnerability in the countries of origin constitute, of course, one of the most effective means to prevent human trafficking in the long run.<sup>320</sup>

Although the EU has established and undertaken extensive initiatives to prevent human trafficking, the current EU Strategy on Combating Trafficking in Human Beings

---

<sup>313</sup> European Union, *Directive 2011/36/EU*, Article 18; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 5.

<sup>314</sup> Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings, *Commentary to the OSCE Action Plan*, 49.

<sup>315</sup> European Commission, *Key concepts in a nutshell*, 3; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 6; European Union, *Directive 2011/36/EU*, Article 18; UNODC, *An Introduction to Human Trafficking*, 75; European Commission, *Report Directive 2011/36/EU*, 10; Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings, *2020 Report Update*.

<sup>316</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 131-132; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 11.

<sup>317</sup> European Commission, *Key concepts in a nutshell*, 5; European Union, *Directive 2011/36/EU*, Article 18; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 19.

<sup>318</sup> European Commission, *Report Directive 2011/36/EU*, 12-13.

<sup>319</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 7, Article 8, and Article 9.

<sup>320</sup> Council of Europe, *Explanatory Report*, 18; European Commission, *Key concepts in a nutshell*, 3.

shows that the demand for sexual services of exploited victims has not decreased at the European level.<sup>321</sup>

#### 4.1.1.1. Prevention measures in Austria

The current National Action Plan for Combating Trafficking in Human Beings contains several actions to comply with the objectives of the Anti-trafficking Convention and the EU Anti-Trafficking Directive.<sup>322</sup> Regarding the prevention of human trafficking, the targets are:

- To raise awareness in public by actions such as enhancing information online and on social media and awareness campaigns targeting media representatives.<sup>323</sup>
- To sensitize the involved professional groups by providing special training for police, migration officers, judges, prosecutors, and diplomatic personnel.<sup>324</sup>
- To strengthen the legal framework for preventive measures.<sup>325</sup>

The competence to implement these targets vary from different state authorities to entities of the civil society.<sup>326</sup> This highlights the multi-agency approach and follows the request of cooperation with the civil society as stated in the EU Anti-trafficking Directive.<sup>327</sup>

According to the Situation Report of 2020, the Austrian Criminal Intelligence Service supported several trainings and seminars on combating human trafficking for involved professionals such as police, immigration officials, and employees in child and youth services.<sup>328</sup>

However, neither the National Action Plan nor the Austrian Situation Report contains measures to reduce the demand for human trafficking.<sup>329</sup> The OSCE Acting Co-

---

<sup>321</sup> European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 4.

<sup>322</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 15-22.

<sup>323</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 15-17.

<sup>324</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 18-20.

<sup>325</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 21-22.

<sup>326</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 15-22.

<sup>327</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 15-22; European Union, *Directive 2011/36/EU*, Article 18.

<sup>328</sup> BMI, BK, *Lagebericht 2020*, 32.

<sup>329</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*; BMI, BK, *Lagebericht Schlepperei 2020*.



ordinator for Combating Trafficking in Human Beings noted the lack of prevention measures targeting the demand in his report following his official visit to Austria in 2019.<sup>330</sup> Additionally, GRETA pointed out that Austria should strengthen its efforts to reduce the demand for services provided by victims of human trafficking.<sup>331</sup>

According to Austrian authorities, the newly introduced section 205a of the Austrian Criminal Code is applicable in cases of human trafficking.<sup>332</sup> Section 205a penalizes the cohabitation or sexual intercourse with a person against his or her will by taking advantage of a predicament or having intimidated the person.<sup>333</sup> Nevertheless, GRETA continues to point out that Austria should consider establishing a separate criminal offense for the knowingly use of services from victims of trafficking concerning all forms of exploitation.<sup>334</sup>

#### 4.1.1.2. Empirical Findings

According to Brigadier Gerald Tatzgern, there is no one-size-fits-all approach to prevention measures. In his experience, awareness-raising campaigns, especially in schools to target young girls who are vulnerable to fall victim to traffickers, is usually a very successful mean to prevent human trafficking. These campaigns are conducted by Austrian authorities in schools and universities in Austria but also in other European countries such as Hungary. Nevertheless, there are cases where young girls still fall victim to traffickers, although their awareness was high. They might have even already had direct experience with human trafficking directly through other members of their family who have become victims of human trafficking.<sup>335</sup> Accordingly, Caroline Sander from Herzwerk also considers awareness and information campaigns in schools as one of the most successful means to prevent human trafficking. She highlighted the importance of the internet and social media in that sense and pointed out that these

---

<sup>330</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report by the OSCE Acting Co- Ordinator for Combating Trafficking in Human Beings following the official visit to Austria 19-23 November 2018 and 14 January 2019*, (Vienna: OSCE, August 21, 2019), 19.

<sup>331</sup> GRETA, *Evaluation Report Austria*, 44.

<sup>332</sup> GRETA, *Evaluation Report Austria*, 44-45.

<sup>333</sup> GRETA, *Evaluation Report Austria*, 44; BGBl, *Strafgesetzbuch – StGB*, Article 205a.

<sup>334</sup> GRETA, *Evaluation Report Austria*, 46.

<sup>335</sup> Tatzgern, interview.

campaigns should especially be targeted at very young girls since the victims are often recruited at a very young age in their home countries.<sup>336</sup>

Furthermore, Brigadier Tatzgern considers the criminalization of costumers of services provided by trafficked persons, as it is mentioned above, as a promising means to reduce demand and hence prevent human trafficking. He pointed out that it is essential to distinguish between consumers of legal prostitution and sexual services provided by trafficking victims. In his opinion, criminalizing prostitution would only push human trafficking more underground. However, he wishes for more responsibility for consumers who knowingly use the services provided by victims of human trafficking.<sup>337</sup>

As already mentioned above, Caroline Sander further considers more legal ways of migration to reduce the vulnerability of migrants to fall victim to human trafficking as a successful tool to strengthen the prevention of human trafficking in Austria.<sup>338</sup>

#### 4.1.2. Protection and Support of Victims of Human Trafficking

As mentioned in the first chapter, the Anti-trafficking Convention and the EU Anti-trafficking Directive follow a victim-centered approach.<sup>339</sup> The definition of a “victim of human trafficking” has also been outlined in the first chapter. This subchapter aims to overview the victims’ rights as granted by the Anti-trafficking Convention and the EU Anti-trafficking Directive.

Early identification of victims of human trafficking is crucial to ensure that they can exercise their rights.<sup>340</sup> Identifying a victim implies the official identification as a victim of human trafficking by a formal authority of the Member State.<sup>341</sup> Human trafficking is a so-called “police check related offense”, meaning that most victims are identified during police checks rather than by the victims reaching out to the authorities on their

---

<sup>336</sup> Sander, interview.

<sup>337</sup> Tatzgern, interview.

<sup>338</sup> Sander, interview.

<sup>339</sup> Council of Europe, *Explanatory Report*, 10; European Union, *Directive 2011/36/EU*.

<sup>340</sup> European Commission, *Key concepts in a nutshell*, 5; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 10; Council of Europe, *Explanatory Report*, 22; European Union, *Directive 2011/36/EU*, Article 11; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 14.

<sup>341</sup> European Commission, *Key concepts in a nutshell*, 7.

own.<sup>342</sup> Between 2017 and 2018, 14 145 victims of human trafficking have been registered in the EU, most of them in France, Italy, the Netherlands, Germany and Romania.<sup>343</sup> Concerning the number of victims as compared to the population of the registering country, Cyprus, Hungary, the Netherlands, Austria and Malta registered the most victims.<sup>344</sup>

However, many victims do not want to cooperate with the police or official authorities.<sup>345</sup> The reasons why victims refrain from reporting to the police can be attributed to their recruitment.<sup>346</sup> As outlined in the previous chapter, debt bondage, the fear of migration authorities, juju practice, the fear through intimidation and threat, or the fact that they are manipulated to the extent that they are not aware of their exploitive situation, constitute only a few reasons why victims refrain from reporting the crime. Hence, it is essential to provide special training about identifying victims of human trafficking for authorities who may get in contact victims, such as police officers, border guards, or social workers.<sup>347</sup> Moreover, cooperation with partners who work in sectors with typically vulnerable persons like refugee organizations or organizations for people in prostitution is essential to identify possible victims.<sup>348</sup>

According to the Anti-trafficking Convention and the EU Anti-trafficking Directive, victims have certain rights before, during, and after criminal proceedings.<sup>349</sup> These rights include the right of protection, meaning physical protection, protection from retaliation or intimidation, and protection of their identity.<sup>350</sup> Victims are entitled to get information, such as information about their legal rights or available services. They

---

<sup>342</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 7.

<sup>343</sup> Data from EU 27 countries, without Great Britain, European Commission, *Data collection on trafficking*, 6.

<sup>344</sup> European Commission, *Data collection on trafficking*, 11.

<sup>345</sup> European Commission, *Key concepts in a nutshell*, 7.

<sup>346</sup> Sander, interview.

<sup>347</sup> Council of Europe, *Explanatory Report*, 22; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 14.

<sup>348</sup> European Commission, *Key concepts in a nutshell*, 5; Council of Europe, *Explanatory Report*, 22.

<sup>349</sup> European Commission, *Key concepts in a nutshell*, 9.

<sup>350</sup> Council of Europe, *Explanatory Report*, 23-24; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 11; European Union, *Directive 2011/36/EU*, Article 12; Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 48, 73.

further have the right to get material assistance, medical and psychological support, and safe accommodation.<sup>351</sup>

The assistance and support can be provided in cooperation with entities of the civil society. Nevertheless, it is the state's obligation to ensure that the victim can access these services.<sup>352</sup> It is important to note that granting rights for assistance and support must not depend on the victim's participation in the prosecution process.<sup>353</sup>

Furthermore, victims are granted a recovery and reflection period that should at least last for 30 days.<sup>354</sup> This should allow the victims to recover from the experienced trauma and reflect on whether the victims are able and willing to cooperate with law enforcement authorities.<sup>355</sup> During the recovery and reflection period, the victims are allowed to remain in the country's territory regardless of their migration status.<sup>356</sup>

Member States are obliged to ensure that victims are able to obtain compensation for the damage they have suffered and provide legal assistance for court and administrative proceedings.<sup>357</sup> Member States are further required to guarantee a victim's compensation, for instance, through establishing specific funds for that purpose.<sup>358</sup>

As a study from the European Commission showed, there are still some areas that need improvement in practice when it comes to the implementation of victims' rights

---

<sup>351</sup> European Union, *Directive 2011/36/EU*, Article 11; European Commission, *Key concepts in a nutshell*, 9; Council of Europe, *Explanatory Report*, 24-28; *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 12.

<sup>352</sup> Council of Europe, *Explanatory Report*, 25.

<sup>353</sup> European Commission, *Key concepts in a nutshell*, 9; European Union, *Directive 2011/36/EU*, Article 11.

<sup>354</sup> Council of Europe, *Explanatory Report*, 28-29; European Union, *Directive 2011/36/EU*, Article 11; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 13.

<sup>355</sup> Council of Europe, *Explanatory Report*, 28-29.

<sup>356</sup> Council of Europe, *Explanatory Report*, 28-29; UNODC, *An Introduction to Human Trafficking*, 12.

<sup>357</sup> Council of Europe, *Explanatory Report*, 30-32; European Union, *Directive 2011/36/EU*, Article 17; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 15; Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 40-41.

<sup>358</sup> Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 40-41; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 15.

in the EU.<sup>359</sup> The study revealed shortcomings in victim identification, the provision of appropriate accommodation, cooperation among the involved actors, and the monitoring of implemented measures.<sup>360</sup>

#### 4.1.2.1. Victim Protection and Support in Austria

As already stated in the first chapter, the Austrian law does not contain a definition of “victim of human trafficking” but a general definition of a “victim” of a crime.<sup>361</sup> According to the Austrian Code of Criminal Procedure, victims have the right to information, legal and psychological assistance, and compensation.<sup>362</sup>

In order to increase the identification of potential victims, the Austrian authorities, together with personnel from LEFÖ-IBF, offer special training to sensitize, for example, police officers or employees in the field of asylum seekers support, in the identification of potential victims of human trafficking.<sup>363</sup> However, the number of identified victims in Austria has not increased over the last five years. According to the Austrian Situation Report on Human Trafficking in 2015, 119 victims of human trafficking and cross-border prostitution were identified.<sup>364</sup> In 2017, there were 121 identified victims, and in 2019, 119.<sup>365</sup> The number slightly dropped in 2020 to 89 identified victims, which can be explained by the limited control options due to the Covid19 pandemic.<sup>366</sup>

In Austria, civil society is deeply involved in the protection and support of victims.<sup>367</sup> LEFÖ-IBF Intervention Center for Trafficked Women is responsible for the guidance and support of female victims of trafficking.<sup>368</sup> Whenever a woman is identified as a

---

<sup>359</sup> European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 14.

<sup>360</sup> European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 14.

<sup>361</sup> BGBl, *Strafprozessordnung*, Article 65.

<sup>362</sup> BGBl, *Strafprozessordnung*, Article 65 - Article 70.

<sup>363</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 17; Criminal Intelligence Service Austria, *Situation Report 2014*, 9; BK, *Lagebericht 2017*, 19; BMI, BK, *Lagebericht 2019*, 29-30; BMI, BK, *Lagebericht 2020*, 32.

<sup>364</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 9.

<sup>365</sup> BK, *Lagebericht 2017*, 8; BMI, BK, *Lagebericht 2019*, 23.

<sup>366</sup> BMI, BK, *Lagebericht 2020*, 26.

<sup>367</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10; BGBl, *Bundesgesetz über die Organisation der Sicherheitsverwaltung und die Ausübung der Sicherheitspolizei (Sicherheitspolizeigesetz – SPG)* [Austria], October 31, 1991, Article 25.

<sup>368</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10; Task Force Menschenhandel, *Nationaler Aktionsplan*, 4-5.

victim of human trafficking, the authorities will immediately refer her to LEFÖ-IBF.<sup>369</sup> The same applies to male victims, who will be referred to MEN VIA.<sup>370</sup> In the case of child victims, it depends on the location. In Vienna, the responsible authority is the Municipal Department MA11 “Drehscheibe”, and in the provinces, it is the responsibility of the local child and youth services.<sup>371</sup> In the case of “high-risk victims”, the Criminal Intelligence Service is responsible protecting the victim.<sup>372</sup>

According to the National Action Plan for Combating Trafficking in Human Beings, the main targets in the field of victim’s protection and support are:

- To strengthen cooperation to identify victims of human trafficking for labor exploitation and forced begging.<sup>373</sup>
- To offer comprehensive support and guidance for victims of trafficking as well to enhance their social reintegration by actions such as a review on the implementation of the non-punishment provision.<sup>374</sup>
- To implement special measures concerning the protection of child victims.<sup>375</sup>
- To enhance the access for compensation for victims of human trafficking by reviewing the possibility of providing compensation through confiscated assets.<sup>376</sup>

In 2015, 7 victims of trafficking were identified among asylum seekers in Austria.<sup>377</sup> The OSCE Acting Co-ordinator notes that Austria has to enhance the identification of victims of trafficking during the asylum procedure or in detention centers for irregular migrants.<sup>378</sup> He further points out that establishing a National Referral Mechanism, as

---

<sup>369</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10.

<sup>370</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10.

<sup>371</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10.

<sup>372</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10; Task Force Menschenhandel, *Nationaler Aktionsplan*, 4-5.

<sup>373</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 23.

<sup>374</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 24-26.

<sup>375</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 27-30.

<sup>376</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 31.

<sup>377</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 10.

<sup>378</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 10.

suggested in the EU Strategy on Combating Trafficking in Human Beings, would enhance victim identification procedures in Austria.<sup>379</sup>

GRETA and the OSCE Acting Co-ordinator for Combating Trafficking in Human Beings urge Austria to implement the granting of a reflection and recovery period for victims of human trafficking in domestic law.<sup>380</sup> So far, it is implemented by a binding decree from the Ministry of the Interior.<sup>381</sup> According to the OSCE Acting Co-ordinator report, the reflection and recovery period is not implemented consistently, and many victims are not sufficiently informed about their right to a reflection and recovery period.<sup>382</sup>

Additionally, GRETA encourages Austria to strengthen the provision of information to victims about their rights, to ensure legal assistance and free legal aid to presumed victims even before their official recognition as victims, to strengthen the economic and social inclusion of trafficking victims into the labor market by providing, for example, language classes and to make additional efforts to guarantee the access to compensation for victims.<sup>383</sup>

#### 4.1.2.2. Empirical Findings

With regards to identifying victims of human trafficking, Caroline Sander considers the fear of deportation due to an illegal migration status as one of the main reasons why victims refrain from talking to the police.<sup>384</sup> According to her experience, many victims are not aware of the asylum procedure, or do not have any documents to officially apply for asylum. In her opinion, another reason why it is difficult to identify victims, is the fact that many victims had bad experiences with authorities in their home countries and therefore do not trust the Austrian police. According to the expertise of Caroline Sander, the majority of Nigerian and Chinese women working in prostitution in Austria

---

<sup>379</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 10-11; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 17.

<sup>380</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12; GRETA, *Evaluation Report Austria*, 55.

<sup>381</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12.

<sup>382</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12.

<sup>383</sup> GRETA, *Evaluation Report Austria*, 17,19,21,25.

<sup>384</sup> Sander, interview.

are victims of human trafficking. However, due to the reasons mentioned above, they refrain from speaking to authorities. Given this fear and distrust, a positive first experience with the police is, in her opinion, crucial. Specialized and well-trained law enforcement and migration officials are essential in identifying victims of human trafficking.<sup>385</sup>

When asked about ways to improve the situation of victims of human trafficking in Austria, the expert noted that in her experience, there are shortcomings when it comes to the application of the recovery and reflection period. According to her, a major hindrance in this area is the fact, that in order to get a recovery and reflection period granted, which is intended for the victims to reflect on whether they want to cooperate with authorities at all, the victims always have to talk to the police in the first place. Providing NGOs with authority to grant recovery and reflection periods that are longer than the minimum of 30 days, would in her opinion, dramatically improve the situation for victims.<sup>386</sup>

She further expressed that closer cooperation and trust between state authorities and the civil society would enhance the identification of victims since NGO workers are those whom potential victims trust and who are in close contact with them.<sup>387</sup>

Regarding the protection of victims, Caroline Sander said that she does not have direct expertise in that respect since the organization she is working with is not responsible for protecting victims of human trafficking.<sup>388</sup> In general, she thinks that in comparison to other European states, the protection mechanism for trafficking victims in Austria is “good” and that victims in Austria are “*well protected*”.<sup>389</sup>

Brigadier Tatzgern highlighted that the investigators of the Criminal Intelligence Service feel responsible for the victim, not only during the investigation and the criminal proceedings but even thereafter. He further stated that he considers the victim protection regulations in Austria as one of the best in Europe.<sup>390</sup>

---

<sup>385</sup> Sander, interview.

<sup>386</sup> Sander, interview.

<sup>387</sup> Sander, interview.

<sup>388</sup> Sander, interview.

<sup>389</sup> Sander, interview.

<sup>390</sup> Tatzgern, interview.



### 4.1.3. Prosecution and Conviction of Offenders

Human trafficking constitutes a low-risk, high-profit crime.<sup>391</sup> An effective criminal justice response and holding perpetrators accountable for their crimes are essential to combat human trafficking.<sup>392</sup> As already stated above, effective prosecution and convictions are also means of preventing the crime in the first place since it deters potential traffickers.<sup>393</sup>

The EU Anti-trafficking Directive obliges the Member States to ensure effective criminal justice responses by establishing effective investigation tools, providing special training for human trafficking law enforcement officials, and making sure that investigations and prosecutions are not dependent on the victims' reports as the only evidence.<sup>394</sup> Likewise, the Anti-trafficking Convention requires establishing specialized anti-trafficking units, which are properly trained and well-connected with other state authorities and public agencies.<sup>395</sup> The Convention further states that the Member States have to ensure that the victim's safety and privacy are assured during any judicial procedure by means such as non-public hearings, audiovisual technology, the recording of testimony, or the possibility of an anonymous testimony.<sup>396</sup>

The implementation and good practice of sufficient victim rights to ensure that they get appropriate treatment and do not fear to testify in court is directly linked to an increase in successful prosecutions.<sup>397</sup>

Since most cases of human trafficking are transnational, international cooperation among law enforcement and prosecution agencies, as well as with international

---

<sup>391</sup> European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 10.

<sup>392</sup> UNODC, *A Comprehensive Strategy*, 20; European Commission, *Report Directive 2011/36/EU*, 10.

<sup>393</sup> European Commission, *Report Directive 2011/36/EU*, 10; European Commission, *Key concepts in a nutshell*, 9.

<sup>394</sup> European Union, *Directive 2011/36/EU*, Article 9; European Commission, *Report Directive 2011/36/EU*, 10.

<sup>395</sup> Council of Europe, *Explanatory Report*, 44-45; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 29.

<sup>396</sup> Council of Europe, *Explanatory Report*, 46-50; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 30.

<sup>397</sup> UNODC, *An Introduction to Human Trafficking*, 112; Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 49.

bodies, such as Europol or Interpol is crucial to provide an effective criminal justice response.<sup>398</sup>

In July 2020, the OSCE held an Alliance Conference for all participating States and partners to emphasize the importance of international and multi-agency cooperation, strengthening financial investigations and technical tools for evidence gathering, regular and specialized training for law enforcement, judges and prosecutors, and the protection and support of the victims during the criminal proceedings.<sup>399</sup>

However, although the number of registered victims in the EU rises, the prosecution and conviction rates continue to stay low. This creates a sphere of impunity for traffickers.<sup>400</sup> Between 2017 and 2018, there have been 6163 prosecutions against 11,788 suspects in the EU, but only about one-third of the prosecutions led to a conviction.<sup>401</sup> The EU countries with the highest number of prosecutions were France, Belgium, Romania, Austria, and Bulgaria. France, Romania, Germany, Spain, and Belgium reported the highest numbers of convictions.<sup>402</sup>

According to a report from the European Commission, detecting sufficient evidence to prove human trafficking cases, as well as inadequate international cross-border cooperation, and insufficiently trained and equipped financial investigators, constitute the main reasons why conviction rates stay low within the EU.<sup>403</sup>

#### 4.1.3.1. Prosecution and Conviction in Austria

The Joint Operational Office for Combating Human Trafficking and Human Smuggling under the Federal Criminal Intelligence Service constitutes the special-trained Anti-trafficking unit in Austria.<sup>404</sup> The JOO is responsible for all human trafficking investigations in Austria and serves as a regional operational platform for international

---

<sup>398</sup> UNODC, *A Comprehensive Strategy*, 20; Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 25.

<sup>399</sup> Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings, *2020 Report Update*.

<sup>400</sup> European Commission, *Report Directive 2011/36/EU*, 3.

<sup>401</sup> European Commission, *Report Directive 2011/36/EU*, 10-11.

<sup>402</sup> European Commission, *Report Directive 2011/36/EU* 11.

<sup>403</sup> European Commission, *Report Directive 2011/36/EU* 11.

<sup>404</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12; GRETA, *Evaluation Report Austria*, 10, 14.

cooperation.<sup>405</sup> As already stated, the Austrian law enforcement officials, prosecutors, and judges are trained on human trafficking matters and victim identification on a regular base.<sup>406</sup>

Regarding victim protection during court proceedings, the Austrian Criminal Code includes the possibility of adversarial witness questioning.<sup>407</sup> The victim is questioned in a separate room, and the questioning is recorded and streamed in the main courtroom. The victim, therefore, does not have to face the offender directly, which avoids secondary victimization.<sup>408</sup>

In order to comply with the obligation to ensure that investigations and prosecutions are not dependent on the victim's testimony, officials of the Financial Investigations and Assets Recovers Sub-Department are also included in all human trafficking cases to gain additional evidence through financial investigations.<sup>409</sup>

In 2017, the Austrian Anti-trafficking police completed 57 preliminary investigations in human trafficking and cross-border trade of prostitution cases. In 8 cases these investigations led to a conviction.<sup>410</sup> In 2019, 64 preliminary investigations were closed, which led to 12 convictions.<sup>411</sup> This mismatch between prosecution and conviction rates is also shown in the statistic from the European Commission mentioned in the previous subchapter, with Austria being among the top five countries in Europe when

---

<sup>405</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12; GRETA, *Evaluation Report Austria*, 14; "Joint Operational Office opened in Vienna", Newsroom, Europol, May 4, 2016, available at: <https://www.europol.europa.eu/newsroom/news/joint-operational-office-opened-in-vienna>.

<sup>406</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 17; Criminal Intelligence Service Austria, *Situation Report 2014*, 9; BK, *Lagebericht 2017*, 19; BMI, BK, *Lagebericht 2019*, 29-30; BMI, BK, *Lagebericht 2020*, 32.

<sup>407</sup> GRETA, *Evaluation Report Austria*, 27; BGBl, *Strafprozessordnung*, Article 165.

<sup>408</sup> GRETA, *Evaluation Report Austria*, 27.

<sup>409</sup> GRETA, *Evaluation Report Austria*, 27; OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 17-18.

<sup>410</sup> BK, *Lagebericht 2017*, 7; Statistik Austria, *Gerichtliche Kriminalstatistik*, (Vienna: Statistik Austria, 2019), 82, 84.

<sup>411</sup> BMI, BK, *Lagebericht 2019*, 22; "Tabellenband „Gerichtliche Kriminalstatistik 2019“, Menschen und Gesellschaft, Soziales, Kriminalität, Statistik Austria, available at: [http://www.statistik.at/web\\_de/statistiken/menschen\\_und\\_gesellschaft/soziales/kriminalitaet/index.html#:~:text=Insgesamt%20wurden%20im%20Berichtsjahr%202019,%2C0%25%20der%20verurteilten%20Personen](http://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales/kriminalitaet/index.html#:~:text=Insgesamt%20wurden%20im%20Berichtsjahr%202019,%2C0%25%20der%20verurteilten%20Personen).

it comes to prosecution numbers, but only ranked 20<sup>th</sup> with regards to conviction rates.<sup>412</sup>

The low conviction rates were also noted by GRETA and the OSCE Acting Co-ordinator for Combating Trafficking in Human Beings.<sup>413</sup> The Acting Co-ordinator reported that according to involved stakeholders, these low numbers arise because of the difficulties to prove a case even if the victim has withdrawn from testifying.<sup>414</sup> Additional training for prosecutors, strengthening investigation tools to gather evidence besides the victim's testimony, and ensuring all rights are communicated to the victims to enhance their cooperation is recommended by the Acting Co-ordinator and by GRETA.<sup>415</sup>

In order to enhance the prosecution and conviction of human trafficking cases in Austria the National Action Plan for Combating Trafficking in Human Beings sets the following target:

- To enhance measures in respect to prosecution by, for example, revisioning and possibly strengthening the cooperation between law enforcement agencies and NGOs.<sup>416</sup>

#### 4.1.3.2. . Empirical Findings

According to the expertise of Brigadier Tatzgern, the conviction of human trafficking cases heavily relies on the victim's testimony. He stated that it is "*the most important thing in a human trafficking case*".<sup>417</sup> There have been cases of successful investigations and testimonies of victims in front of the police. However, at court, the victims refused to testify, and the conviction of the offenders was not possible anymore.<sup>418</sup>

---

<sup>412</sup> European Commission, *Report Directive 2011/36/EU*, 11; European Commission, *Data collection on trafficking*, 12.

<sup>413</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 17; GRETA, *Evaluation Report Austria*, 50.

<sup>414</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 17.

<sup>415</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 17; GRETA, *Evaluation Report Austria*, 50.

<sup>416</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 32.

<sup>417</sup> Tatzgern, interview.

<sup>418</sup> Tatzgern, interview.

Caroline Sander also mentioned the heavy reliance on the victim testimony as one of the main reasons for the low conviction rates in Austria. She pointed out that victims of human trafficking are often highly traumatized, and therefore, they are often not able to give a perfect statement. Furthermore, knowing that their testimony is essential to convict the offender is a heavy burden for the victims. She highlighted again in this respect the importance of sensitive handling of victims by law enforcement officials.<sup>419</sup> Additionally, she mentioned that the low conviction rates are not encouraging for victims to come forward and speak to the police.<sup>420</sup>

Both experts considered the conviction rates in Austria as “average” in comparison to other EU countries.<sup>421</sup>

Brigadier Tatzgern further pointed out that the JOO gives lectures together with specialized judges and prosecutors to other colleagues to inform and sensitize them about human trafficking cases. Moreover, he mentioned that there is an annual round table with the Ministry of Justice, the JOO, prosecutors and judges, and LEFÖ/IBF to discuss successful and negative cases in order to learn from each other.<sup>422</sup>

#### 4.1.4. Partnerships and Cooperation

As already highlighted, a multi-disciplinary and multi-agency approach with cooperation among all stakeholders at the international and domestic level is needed to provide an effective response to human trafficking.<sup>423</sup> One can distinguish between cooperation among state authorities at the national level, cooperation among states and between states and international bodies, and cooperation between state authorities and entities of civil society.<sup>424</sup>

---

<sup>419</sup> Sander, interview.

<sup>420</sup> Sander, interview.

<sup>421</sup> Tatzgern, interview; Sander, interview.

<sup>422</sup> Tatzgern, interview.

<sup>423</sup> UNODC, *A Comprehensive Strategy*, 22; European Commission, *Report Directive 2011/36/EU*, 13; UNODC, *An Introduction to Human Trafficking*, 106; Coaker, *Concerted action*, 20; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*, 4-5; OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *The critical role of civil society in combating trafficking in human beings*, (Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 2018), 6.

<sup>424</sup> UNODC, *An Introduction to Human Trafficking*, 106- 108; UNODC, *Legislative Guide*, 98.

Regarding the cooperation among states and between states and international bodies, the foundation has been laid with the establishment of the legal framework highlighted above. At the European level, the Anti-trafficking Convention requires the Member States to cooperate “*to the widest extent possible*” to successfully implement the three Ps.<sup>425</sup> This cooperation can include, for example, information sharing, joint investigations, mutual legal assistance, extraditions, and the establishment of well-functioning channels of communication among the stakeholders.<sup>426</sup> International bodies like the UNODC, OSCE, Interpol, and Europol contribute to better cooperation among states and between states and civil society.<sup>427</sup>

The importance of civil society in combating human trafficking is highlighted in the legal framework of the EU as the Member States are obliged to cooperate with civil society in regards to all four Ps.<sup>428</sup> The same applies to documents that constitute soft law, such as the OSCE Action Plan to Combat Trafficking in Human Beings or the EU Strategy on Combatting Trafficking in Human Being, which constantly underline the relevance of civil society.<sup>429</sup> Civil society often serves as a link between state officials and the victims of human trafficking.<sup>430</sup> The knowledge and expertise they gained through working closely with victims, is essential to combat human trafficking effectively.<sup>431</sup> NGOs worldwide are deeply involved in assisting and protecting the victims of human trafficking and monitoring their situation.<sup>432</sup> In 2013, the EU Civil Society Platform against trafficking in human beings was established, with currently more than 100 NGOs working together in that field.<sup>433</sup>

---

<sup>425</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 32; Council of Europe, *Explanatory Report*, 12.

<sup>426</sup> Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 34; UNODC, *Anti-human trafficking manual for criminal justice practitioners: Modul 6: International cooperation in trafficking in persons cases*, (Vienna: UNODC, 2009), 2.

<sup>427</sup> Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 26; Coaker, *Concerted action*, 8.

<sup>428</sup> European Commission, *Key concepts in a nutshell*, 4; European Union, *Directive 2011/36/EU*; Council of Europe, *Council of Europe Convention on Action against Trafficking in Human Beings*, Article 35.

<sup>429</sup> Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action*, 93; European Commission, *EU Strategy on Combating Trafficking in Human Beings 2021-2025*.

<sup>430</sup> UNODC, *Legislative Guide*, 98.

<sup>431</sup> UNODC, *Legislative Guide*, 98.

<sup>432</sup> Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *The critical role of civil society*, 13.

<sup>433</sup> European Commission, *Key concepts in a nutshell*, 4.

At the European level, Member States cooperate to a great extent under the umbrella of Europol and Eurojust.<sup>434</sup> Both agencies offer special training to state officials, and Europol further supports the Member States with investigations by providing, for example, operational assistance on the spot or serving as a coordination center.<sup>435</sup>

According to the report from the European Commission, Member States widely use EU cooperation tools and large-scale information systems to undertake joint operations together with Europol and Eurojust.<sup>436</sup> Member States reported that, in particular joint investigations are a very effective tool in combating human trafficking.<sup>437</sup> This is also evident in the high number of joint investigations teams in the field of human trafficking.<sup>438</sup> In 2010, the EU established a policy cycle aiming to combat organized crime by enhancing cooperation among all stakeholders at the European level.<sup>439</sup> EMPACT, the European Multidisciplinary Platform against Criminal Threats, constitutes a structured multi-disciplinary cooperation platform to address the most severe threats of organized, international crime, with human trafficking being one of them.<sup>440</sup> In 2019, operational actions against human trafficking under the coordination of EMPACT led to the identification of more than 1400 victims of human trafficking and child pornography and the detection of 94 organized groups and 8 824 suspects.<sup>441</sup>

#### 4.1.4.1. Partnerships and Cooperation of the Austrian State

The Task Force on Combating Human Trafficking, hereafter the Task Force, chaired by the National Co-ordinator for Combating Human Trafficking, is the designated coordinating body for human trafficking measures of Austria.<sup>442</sup> The Task Force is a compound of state authorities and entities of civil society, namely LEFÖ-IBF, MEN VIA,

---

<sup>434</sup> European Commission, *Report Directive 2011/36/EU*, 4.

<sup>435</sup> European Commission, *Report Directive 2011/36/EU*, 4; Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Commentary to the OSCE Action Plan*, 47.

<sup>436</sup> European Commission, *Report Directive 2011/36/EU*, 11.

<sup>437</sup> European Commission, *Report Directive 2011/36/EU*, 11.

<sup>438</sup> European Commission, *Report Directive 2011/36/EU*, 11.

<sup>439</sup> “EU Policy Cycle – EMPACT”, Crime Areas & Trends, Europol, available at:

<https://www.europol.europa.eu/empact>.

<sup>440</sup> Europol, “EU Policy Cycle – EMPACT”.

<sup>441</sup> European Commission, *Report Directive 2011/36/EU*, 12; “EMPACT: 2019 Operational results on EU joint action to fight crime”, Media, News, CEPOL, June 5, 2020, available at: <https://www.cepola.europa.eu/media/news/empact-2019-operational-results-eu-joint-action-fight-crime>.

<sup>442</sup> UNODC, *An Introduction to Human Trafficking*, 106; OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 6; Task Force Menschenhandel, *Nationaler Aktionsplan*, 4.



and ECPAT-Austria.<sup>443</sup> The National Co-ordinator is responsible for the monitoring and evaluating of the anti-trafficking measures established by the Task Force. This is problematic with regards to independence, which the OSCE Acting Co-ordinator for Combating Trafficking in Human Beings critically notes in his report on Austria.<sup>444</sup>

As stated above, the JOO is established as a regional operational platform for international cooperation to enhance international cooperation and ensure quick information sharing among investigators.<sup>445</sup> Austria is a member of the EMPACT.<sup>446</sup> Under the lead of the JOO, Austria regularly leads and participates in the joint action days. During these joint action days, law enforcement officials from different countries work together with the assistance of Europol to combat human trafficking.<sup>447</sup> According to a report from the Federal Ministry of the Interior regarding criminal activities in 2019, Austria made extensive use of the possibilities provided by Europol for international information exchange in order to strengthen international cooperation.<sup>448</sup>

Additionally, Austria continuously involves foreign investigators and experts in trafficking investigations and participates in expert exchange programs.<sup>449</sup> During these projects, experts from other countries come to Austria and work together with Austrian law enforcement officials to share and exchange expertise and information.<sup>450</sup> Additionally, Austria further participates in bi- or multilateral investigations to exchange information and best practices.<sup>451</sup>

---

<sup>443</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 6; Task Force Menschenhandel, *Nationaler Aktionsplan*, 4.

<sup>444</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 7.

<sup>445</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 12; GRETA, *Evaluation Report Austria*, 14; Europol, "Joint Operational Office opened in Vienna"; BK, *Lagebericht 2017*, 4.

<sup>446</sup> GRETA, *Evaluation Report Austria*, 11.

<sup>447</sup> GRETA, *Evaluation Report Austria*, 11; "476 potential victims of human trafficking identified during the large-scale joint action days 2019", Newsroom, Europol, October 18, 2019, available at:

<https://www.europol.europa.eu/newsroom/news/476-potential-victims-of-human-trafficking-identified-during-large-scale-joint-action-days-2019>; "Action week against human trafficking: 323 potential victims identified, 46 suspected traffickers arrested", Newsroom, Europol, May 27, 2019, available at: <https://www.europol.europa.eu/newsroom/news/action-week-against-human-trafficking-323-potential-victims-identified-46-suspected-traffickers-arrested>; Europol, "Crime gang accused of trafficking over 150 women into prostitution dismantled by Austria".

<sup>448</sup> BMI, *Sicherheitsbericht 2019*, 69.

<sup>449</sup> GRETA, *Evaluation Report Austria*, 38; BK, *Lagebericht 2017*, 15,18; BMI, *Sicherheitsbericht 2019*, 53-54.

<sup>450</sup> BK, *Lagebericht 2017*, 15,18; BMI, *Sicherheitsbericht 2019*, 53-54.

<sup>451</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 16-17; BK, *Lagebericht 2017*, 18; BMI, BK, *Lagebericht 2019*, 30.



Austria further participates in several international projects such as the Twinning Serbia Project, in which Austria assisted Serbia in the fight against human trafficking by providing seminars about human trafficking held by Austrian experts.<sup>452</sup> Austria further co-partnered the THB Liberi project to combat the exploitation of children and teenagers in Europe.<sup>453</sup> Another example of Austria's successful participation in international projects is the ETUTU project between Nigeria and the EU to combat human trafficking.<sup>454</sup>

The role of NGOs in the protection and assistance of trafficking victims in Austria, their participation in special training for officials involved in human trafficking cases, and their assistance in awareness-raising campaigns has already been outlined in the previous chapters regarding the 4P framework.<sup>455</sup> The high level of cooperation between civil society and state authorities and the “*dynamic role that anti-trafficking NGOs play in Austria*” was highlighted by the Acting Co-ordinator.<sup>456</sup>

With regards to international and national cooperation, the National Action Plan for Combating Trafficking in Human Beings defines the following targets:

- To strengthen the national and international cooperation by actions such as holding meetings with the representatives of the provinces to share information in the field of human trafficking and continuing the participation in exchange programs with international experts.<sup>457</sup>
- To combat poverty and enhance human security in partner countries, by, for example, assisting in the fight against human trafficking in other countries.<sup>458</sup>
- To strengthen cooperation and coordination at the bilateral, EU, and international level by, for instance, supporting international projects and the UN Trust Fund for Victims of Human Trafficking.<sup>459</sup>

---

<sup>452</sup> BMI, BK, *Lagebericht 2020*, 32; BMI, BK, *Lagebericht 2019*, 28.

<sup>453</sup> BMI, BK, *Lagebericht 2020*, 32; BMI, BK, *Lagebericht 2019*, 28.

<sup>454</sup> GRETA, *Evaluation Report Austria*, 38; BK, *Lagebericht 2017*, 18.

<sup>455</sup> GRETA, *Evaluation Report Austria*, 10.

<sup>456</sup> OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Report following the official visit to Austria*, 7.

<sup>457</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 8-10.

<sup>458</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 11-12.

<sup>459</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 13-14.

In general, GRETA remarked on the extent to which Austrian authorities participate in international cooperation. However, they noted that there is room for improvement with regard to the return of trafficking victims to their home countries, financial investigations, and the enforcement of compensation orders.<sup>460</sup>

#### 4.1.4.2. Empirical Findings

In the interview, Brigadier Tatzgern reported about the cooperation of the JOO with other partners. He mentioned the so-called Task Force Western Balkans, which is an initiative coordinated by the JOO. It constitutes 19 members, including Frontex and Europol, and aims to enhance investigations by quick information sharing online.<sup>461</sup>

He further mentioned that the JOO conducts joint investigations based on the provisions of the so-called “Prüm treaty”. He explained that according to this treaty, the Minister of the Interior is entitled to give executive power to investigators from other EU countries on Austrian territory. In Brigadier Tatzgern’s opinion, this constitutes the highest level of cooperation.<sup>462</sup>

He followed up by highlighting that mutual trust is crucial for successful cooperation. Therefore, in his opinion, it is essential to overcome language barriers and work with intercultural mediators to build trust between law enforcement agencies.<sup>463</sup>

When asked about whether Brigadier Tatzgern considers Austria as an active member in the international community in combating human trafficking, he outlined the proactive approach of the JOO and its active – often leading - participation in the joint action days and other operational contributions to international investigations. Therefore, he considers Austria as a very active member in the fight against human trafficking<sup>464</sup>

---

<sup>460</sup> GRETA, *Evaluation Report Austria*, 39.

<sup>461</sup> Tatzgern, interview.

<sup>462</sup> Tatzgern, interview.

<sup>463</sup> Tatzgern, interview.

<sup>464</sup> Tatzgern, interview.

According to Brigadier Tatzgern, compared to the other European States, the Austrian authorities cooperate on a “*very high level*” with partners from civil society. He mentioned the close cooperation and high level of trust between LEFÖ-IBF and MEN VIA and the JOO. He further stated that besides LEFÖ-IBF and MEN VIA, the Austrian authorities meet regularly with other NGOs who are active in the field of human trafficking. He mentioned that entities of civil society give feedback on the implementation of the targets of the National Action Plan on Combatting Human Trafficking.<sup>465</sup>

When asked about the cooperation between the Austrian state authorities and entities of civil society, Caroline Sander stated that cooperation exists. However, in her view, there is still room for improvement. She pointed out that, according to her experience, the Austrian authorities cooperate very well with LEFÖ-IBF, MEN VIA, and ECPAT, but cooperation is not that close with regards to other NGOs in the field. She mentioned that the Austrian civil society platform was invited to meetings with the Task Force on Combating Human Trafficking which gave them the opportunity to express their feedback. However, they were not invited to the general meeting and, therefore, had no chance to follow up on the discussions. Nevertheless, compared to the other European States she remarked a “*good level of cooperation*” between state entities and civil society.<sup>466</sup>

---

<sup>465</sup> Tatzgern, interview.

<sup>466</sup> Sander, interview.

## 5. Conclusion

As outlined in this thesis, human trafficking constitutes a low-risk high-profit crime that is present worldwide.<sup>467</sup> As highlighted in the first chapter, Austria is contracting partner of all pertinent legal documents to fight human trafficking and criminalizes human trafficking on the domestic level according to the international framework.<sup>468</sup>

As already stated, Austria accounts to the EU countries with the highest number of registered victims compared to its population.<sup>469</sup> In Austria, as well as in Europe overall, trafficking for sexual exploitation is the predominant form of human trafficking.<sup>470</sup> The official data provided by the Austrian Criminal Intelligence Service indicates that trafficking for sexual exploitation is in decline.<sup>471</sup> In contrast, data collected by civil society shows that the number of victims of sexual exploitation is increasing.<sup>472</sup> The main EU countries of origin of victims and offenders of human trafficking in Austria constitute Romania, Bulgaria, and Hungary.<sup>473</sup>

According to the latest Situation Report on human trafficking from Europol, Austria is among the main destination countries of human trafficking in the EU.<sup>474</sup> The report additionally highlighted the role of Austria as a transit country for trafficking victims from Eastern Europe and contributed this, in part, to the geographical position of Austria.<sup>475</sup> Correspondingly, official reports of the Federal Ministry of the Interior or the Federal Criminal Intelligence Service constantly highlight the importance of Austria's geographical position in that regard.<sup>476</sup>

---

<sup>467</sup> European Commission, EU Strategy on Combating Trafficking in Human Beings 2021-2025, 10; UNODC, Legislative Guide, 9; UNODC, The Globalization of Crime, 3.

<sup>468</sup> Criminal Intelligence Service Austria, Menschenhandel Österreich 2015, 16; BGBl, Strafrechtsgesetzbuch, Article 104a and Article 217.

<sup>469</sup> European Commission, *Data collection on trafficking*, 11.

<sup>470</sup> UNODC, Global Report 2020, 133; BMI, BK, Lagebericht 2020, 28.

<sup>471</sup> Criminal Intelligence Service Austria, Menschenhandel Österreich 2015, 11; BK, Lagebericht 2017, 11; BMI, BK, Lagebericht 2019, 24.

<sup>472</sup> GRETA, Reply from Austria, 45.

<sup>473</sup> BK, Lagebericht 2017, 8; BMI, BK, Lagebericht 2019, 22-24; BMI, BK, Lagebericht 2020, 25-26; Sander, interview; Tatzgern, interview.

<sup>474</sup> Europol, *Situation Report*, 16.

<sup>475</sup> Europol, *Situation Report*, 21.

<sup>476</sup> BMI, *Sicherheitsbericht 2019*, 52; Criminal Intelligence Service Austria, Menschenhandel Österreich 2015, 7; BMI, BK, Lagebericht 2020, 13.

Recent trends show an increase of own nationals as victims of human trafficking in European countries. In contrast, Austria has not detected any Austrian victim of human trafficking in recent years.<sup>477</sup> Accordingly, Brigadier Tatzgern stated that according to his experience, Austria is not a country of origin for victims of human trafficking.<sup>478</sup> Both experts described Austria as a transit and destination country for human trafficking for sexual exploitation during the conducted interviews.<sup>479</sup>

Hence, data and empirical findings show that Austria constitutes a transit, and one of the main destination countries for human trafficking for sexual exploitation in Europe. Furthermore, findings of this thesis show that offenders and victims from Eastern European countries play a specific role in human trafficking activities in Austria. These findings indicate that the geographical position of Austria at the junction between Western and Eastern Europe contributed to Austria's vital role as a transit and destination country for human trafficking activities.

This thesis further covers Austria's role in combatting human trafficking for sexual exploitation by following the 4P framework.

Regarding preventing human trafficking, the factual data and empirical findings show that Austria focuses on awareness-raising campaigns and on providing special training for the stakeholders involved in this field as the main means to prevent human trafficking.<sup>480</sup> As shown in chapter three of this thesis, from an economic point of view, reducing the demand for exploitive services leads to a decrease in the number of victims in the human trafficking market.<sup>481</sup> Criminalizing those who knowingly use these services constitutes a tool to reduce the demand, which is currently not implemented in Austria.<sup>482</sup>

---

<sup>477</sup> BK, *Lagebericht 2017*, 8; BMI, BK, *Lagebericht 2020*, 26; UNODC, *Global Report 2020*, 135.

<sup>478</sup> Tatzgern, interview.

<sup>479</sup> Tatzgern, interview; Sander, interview.

<sup>480</sup> Task Force Menschenhandel, *Nationaler Aktionsplan*, 15-20; BMI, BK, *Lagebericht 2020*, 32; Tatzgern, interview.

<sup>481</sup> Wheaton, Schauer and Galli, "Economics of Human Trafficking", 131-132; Aronowitz, Theuermann and Tyrykanova, *Analysing the business model*, 11.

<sup>482</sup> European Commission, *Report Directive 2011/36/EU*, 12-13; Task Force Menschenhandel, *Nationaler Aktionsplan*; BMI, BK, *Lagebericht Schlepperei 2020*.

Cocerning the protection and assistance of victims of human trafficking, civil society plays a crucial role in Austria.<sup>483</sup> As highlighted in the previous chapter, the identification of victims constitutes a major hurdle for the Austrian authorities.<sup>484</sup> Besides the difficulties of identification, in general, both interviewed experts positively remarked on the Austrian victims protection mechanism.<sup>485</sup> Brigadier Tatzgern described it as one of the best in Europe.<sup>486</sup>

The mismatch between high prosecution rates and meager conviction rates is the dominating issue in providing an effective criminal justice response in Austria.<sup>487</sup> Both experts consider conviction rates in Austria as “average” compared to other EU countries, and attributed this to the heavy reliance on the victim’s testimony in human trafficking cases.<sup>488</sup>

As outlined in the subchapter “Partnerships and Cooperation of the Austrian State”, Austria is actively participating in many international and regional cooperation, which was also underlined by the empirical findings.<sup>489</sup> Austria maintains close cooperation with entities of civil society, in particular with LEFO-IBF.<sup>490</sup> Both experts consider the level of cooperation between state authorities and civil society in Austria as positive compared to other EU countries.<sup>491</sup>

These findings indicate that in Europe, Austria plays an active role in combatting human trafficking for sexual exploitation in the field of victim protection and partnerships. Nevertheless, there is room for improvement in prevention measures and ensuring an effective criminal justice response.

---

<sup>483</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 10; Task Force Menschenhandel, *Nationaler Aktionsplan*, 4-5.

<sup>484</sup> Criminal Intelligence Service Austria, *Menschenhandel Österreich 2015*, 9; Sander, interview; Tatzgern, interview.

<sup>485</sup> Sander, interview; Tatzgern, interview.

<sup>486</sup> Tatzgern, interview.

<sup>487</sup> European Commission, *Report Directive 2011/36/EU*, 11; European Commission, *Data collection on trafficking*, 38.

<sup>488</sup> Tatzgern, interview; Sander, interview.

<sup>489</sup> Tatzgern, interview.

<sup>490</sup> See pages 63-65; Tatzgern, interview; Sander, interview.

<sup>491</sup> Tatzgern, interview; Sander, interview.

In conclusion, Austria is, due to its geopolitical position, a transit and destination country for human trafficking for sexual exploitation. Therefore, Austria can be considered as a hub for criminal activity in human trafficking for sexual exploitation in Europe. Concerning the fight against human trafficking under the 4P framework, Austria cannot be considered as a hub for combatting human trafficking for sexual exploitation.

## BIBLIOGRAPHY

Aronowitz, Alexis, Gerda Theuermann, and Elena Tyrykanova. *Analysing the business model of trafficking in human beings to better prevent the crime*. Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, May 2010, available at: <https://www.osce.org/files/f/documents/c/f/69028.pdf>.

BGBI. *Bundesgesetz über die Organisation der Sicherheitsverwaltung und die Ausübung der Sicherheitspolizei (Sicherheitspolizeigesetz – SPG)* [Austria], October 31, 1991. available at: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005792>.

\_\_\_\_. *Bundesgesetz vom 23. Jänner 1974 über die mit gerichtlicher Strafe bedrohten Handlungen (Strafgesetzbuch – StGB)* [Austria], January 23, 1974. available at: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10002296>.

\_\_\_\_. *Kundmachung der Bundesregierung vom 9. Dezember 1975 über die Wiederverlautbarung der Strafprozeßordnung 1960 (Strafprozessordnung – StPO)* [Austria], December 9, 1975. available at: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10002326>.

Bundeskriminalamt. *Lagebericht Menschenhandel und Grenzüberschreitender Prostitutionshandel 2017*. Vienna: Bundeskriminalamt, 2017. available at: [https://bundeskriminalamt.at/303/files/Menschenhandel\\_17.pdf](https://bundeskriminalamt.at/303/files/Menschenhandel_17.pdf).

Bundesministerium für Inneres. “Ausbeutung von Menschen“. *Öffentliche Sicherheit: Das Magazin des Innenministeriums*, Ausgabe 11/12 (2016). pp: 14-16. available at: [https://bmi.gv.at/magazinfiles/2016/11\\_12/files/menschenhandel.pdf](https://bmi.gv.at/magazinfiles/2016/11_12/files/menschenhandel.pdf).



\_\_\_\_. *Sicherheitsbericht 2019 Kriminalität: Vorbeugung und Bekämpfung*. Vienna: Bundesministerium für Inneres, 2020. available at: [https://www.bmi.gv.at/508/files/SIB\\_2019/1\\_SIB\\_2019\\_Hauptteil\\_V20200817\\_praes.pdf](https://www.bmi.gv.at/508/files/SIB_2019/1_SIB_2019_Hauptteil_V20200817_praes.pdf).

Bundesministerium für Inneres and Bundeskriminalamt. *Lagebericht Schlepperei und Menschenhandel 2019*. Vienna: Bundesministerium für Inneres, Bundeskriminalamt, 2020. available at: [https://bundeskriminalamt.at/304/files/Jahresbericht\\_Schlepperei\\_undMenschenhandel\\_2019.pdf](https://bundeskriminalamt.at/304/files/Jahresbericht_Schlepperei_undMenschenhandel_2019.pdf).

\_\_\_\_. *Lagebericht Schlepperei und Menschenhandel 2020*. Vienna: Bundesministerium für Inneres, Bundeskriminalamt, 2021. available at: [https://bundeskriminalamt.at/304/files/Schlepperei\\_Menschenhandel\\_2020.pdf](https://bundeskriminalamt.at/304/files/Schlepperei_Menschenhandel_2020.pdf).

CEPOL. "EMPACT: 2019 Operational results on EU joint action to fight crime". Media, News. June 5, 2020. available at: <https://www.cepola.europa.eu/media/news/empact-2019-operational-results-eu-joint-action-fight-crime>.

Coaker, Vernon. *Concerted action against human trafficking and the smuggling of migrants*. Strasbourg: Council of Europe, Committee on Migration, Refugees and Displaced Persons, January 6, 2020. available at: <https://pace.coe.int/pdf/2dec98a5bcef3e41e314cd476263207bc92cc86fc58661fc0efc1b1a273fb381/doc.%2015023.pdf>.

Coppalo, Viviana and Eva Lo Iacono. *Child victims of trafficking and exploitation: Who they are, where they come from and who is taking profit of them*. Rome: Save the children, September 2016. available at: <https://www.savethechildren.it/sites/default/files/files/uploads/pubblicazioni/Tiny-Invisible-Slaves.pdf>.

Council of Europe. *Council of Europe Convention on Action against Trafficking in Human Beings*. CETS No. 197, 16 May 2005. available at: <https://www.refworld.org/docid/43fded544.html>.

\_\_\_\_. *Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings*. CETS No. 197, 16 May 2005. available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800d3812>.

Council of Europe and GRETA. *10<sup>th</sup> General Report on GRETA's Activities: covering the period of 1 January to 31 December 2020*. Strasbourg: Council of Europe, GRETA, April 2021. available at: <https://rm.coe.int/10th-general-report-greta-activities-en/1680a21620>.

Criminal Intelligence Service Austria. *Menschenhandel Österreich: Trafficking in Human Beings Austria 2015*. Vienna: Criminal Intelligence Service, October 2016. available at : [https://bundeskriminalamt.at/303/files/Menschenhandel\\_2015\\_engl.pdf](https://bundeskriminalamt.at/303/files/Menschenhandel_2015_engl.pdf).

\_\_\_\_. *Situation Report: Trafficking in Human Beings 2014*. Vienna: Criminal Intelligence Service Austria, 20 July 2015. available at: [https://bundeskriminalamt.at/303/files/Web\\_Menschenhandel\\_engl\\_2014.pdf](https://bundeskriminalamt.at/303/files/Web_Menschenhandel_engl_2014.pdf).

European Commission. *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy on Combating Trafficking in Human Beings 2021-2025*. Brussels: European Commission, April 14, 2021. available at: [https://ec.europa.eu/homeaffairs/sites/default/files/pdf/14042021\\_eu\\_strategy\\_on\\_combatting\\_trafficking\\_in\\_human\\_beings\\_2021-2025\\_com-2021-171-1\\_en.pdf](https://ec.europa.eu/homeaffairs/sites/default/files/pdf/14042021_eu_strategy_on_combatting_trafficking_in_human_beings_2021-2025_com-2021-171-1_en.pdf).

\_\_\_\_. *Data collection on trafficking in human beings in the EU*. Luxembourg: Publications Office of the European Union, 2020. available at: [https://ec.europa.eu/antitrafficking/sites/default/files/study\\_on\\_data\\_collection\\_on\\_trafficking\\_in\\_human\\_beings\\_in\\_the\\_eu.pdf](https://ec.europa.eu/antitrafficking/sites/default/files/study_on_data_collection_on_trafficking_in_human_beings_in_the_eu.pdf).

- \_\_\_\_. *Report from the Commission to the European Parliament and the Council: Third report on the progress made in the fight against trafficking in human beings (2020) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*. Brussels: European Commission, October 20, 2020. available at : [https://ec.europa.eu/anti-trafficking/sites/default/files/third\\_progress\\_report.pdf](https://ec.europa.eu/anti-trafficking/sites/default/files/third_progress_report.pdf).
- \_\_\_\_. *Study on comprehensive policy review of anti-trafficking projects funded by the European Commission: Home/2014/ISFP/PR/THBX/0052 Final report*. Luxembourg: European Commission, September 23, 2016. available at: [https://ec.europa.eu/anti-trafficking/publications/comprehensive-policy-review-anti-trafficking-projects\\_en](https://ec.europa.eu/anti-trafficking/publications/comprehensive-policy-review-anti-trafficking-projects_en).
- \_\_\_\_. *Study on the economic, social and human costs of trafficking in human beings within the EU*. Luxembourg: Publications Office of the European Union, 2020. available at: [https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/study\\_on\\_the\\_economic\\_social\\_and\\_human\\_costs\\_of\\_trafficking\\_in\\_human\\_within\\_the\\_eu.pdf](https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/study_on_the_economic_social_and_human_costs_of_trafficking_in_human_within_the_eu.pdf).
- \_\_\_\_. "Trafficking in human beings". Migration and Home Affairs, What we do, Policies, Organised Crime & Human Trafficking. available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings_en).
- \_\_\_\_. *Working together to address trafficking in human beings: Key concepts in a nutshell*. Brussels: European Commission, December 4, 2018. available at: [https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/key\\_concepts\\_in\\_nutshell.pdf](https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/key_concepts_in_nutshell.pdf).

European Union: Council of the European Union. *Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA*. 15 April 2011. OJ L. 101/1-101/11. 15.04.2011, 2011/36/EU. available at: <https://www.refworld.org/docid/50ec1e172.html>.

Europol. "Action week against human trafficking: 323 potential victims identified, 46 suspected traffickers arrested". Newsroom. May 27, 2019. available at: <https://www.europol.europa.eu/newsroom/news/action-week-against-human-trafficking-323-potential-victims-identified-46-suspected-traffickers-arrested>

\_\_\_\_. "Crime gang accused of trafficking over 150 women into prostitution dismantled by Austria". News, Newsroom. November 17, 2016. available at: <https://www.europol.europa.eu/newsroom/news/crime-gang-accused-of-trafficking-over-150-women-prostitution-dismantled-austria>.

\_\_\_\_. "EU Policy Cycle – EMPACT". Crime Areas & Trends. available at: <https://www.europol.europa.eu/empact>.

\_\_\_\_. *European Union Serious and Organised Crime Threat Assessment: A corrupting influence: The infiltration and undermining of Europe's economy and society by organised crime*. The Hague: Europol, 2021. available at: <https://www.europol.europa.eu/activities-services/main-reports/european-union-serious-and-organised-crime-threat-assessment>.

\_\_\_\_. *European Union Serious and Organised Crime Threat Assessment: Crime in the age of technology*. The Hague: Europol, 2017. available at <https://www.europol.europa.eu/activities-services/main-reports/european-union-serious-and-organised-crime-threat-assessment-2017>.

- \_\_\_\_. *Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic*. The Hague: Europol, June 19, 2020. available at: <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic>.
- \_\_\_\_. “Fake Love: Devious men luring young women into prostitution busted in Spain and Romania”. Newsroom, News. March 11, 2020. available at: <https://www.europol.europa.eu/newsroom/news/fake-love-devious-men-luring-young-women-prostitution-busted-in-spain-and-romania>.
- \_\_\_\_. *Intelligence Notification: Trafficking in human beings and the internet*. The Hague: Europol, October 2014. available at: <https://www.europol.europa.eu/publications-documents/trafficking-in-human-beings-and-internet>.
- \_\_\_\_. “Joint Operational Office opened in Vienna”. Newsroom. May 4, 2016. available at: <https://www.europol.europa.eu/newsroom/news/joint-operational-office-opened-in-vienna>.
- \_\_\_\_. *Situation Report: Trafficking in human beings in the EU*. The Hague: Europol, February 2016. available at: [https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/situational\\_report\\_trafficking\\_in\\_human\\_beings-\\_europol.pdf](https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/situational_report_trafficking_in_human_beings-_europol.pdf).
- \_\_\_\_. *The challenges of countering human trafficking in the digital era*. The Hague: Europol, October 2020. available at: <https://www.europol.europa.eu/publications-documents/challenges-of-countering-human-trafficking-in-digital-era>.
- \_\_\_\_. *The THB Financial Business Model: Assessing the Current State of Knowledge*. The Hague: Europol, July 2015. available at: <https://www.europol.europa.eu/publications-documents/trafficking-in-human-beings-financial-business-model>.

\_\_\_\_. “11 arrests and 16 victims safeguarded in operation against sexual exploitation of women”. News, Newsroom. February 1, 2018. available at: <https://www.europol.europa.eu/newsroom/news/11-arrests-and-16-victims-safeguarded-in-operation-against-sexual-exploitation-of-women>.

\_\_\_\_. “476 potential victims of human trafficking identified during the large-scale joint action days 2019”. Newsroom. October 18, 2019. available at: <https://www.europol.europa.eu/newsroom/news/476-potential-victims-of-human-trafficking-identified-during-large-scale-joint-action-days-2019>.

Eurostat. “Asylum applicants considered to be unaccompanied minors by citizenship, age and sex – annual data (rounded). Data Browser. last update April 22, 2021. available at: [https://ec.europa.eu/eurostat/databrowser/view/migr\\_asyunaa/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/migr_asyunaa/default/table?lang=en).

Gläser, Jochen and Grit Laudel. *Experteninterviews und qualitative Inhaltsanalyse*. 3. Auflage. Wiesbaden: VS Verlag für Sozialwissenschaften, 2009.

GMG Global Migration Group and UNODC. *Fact-Sheet on the Impact of the Economic Crisis on Trafficking in Persons and Smuggling of Migrants*. GMG, UNODC, May 2010. available at: [https://www.globalmigrationgroup.org/system/files/uploads/documents/UNODC\\_GMG\\_Factsheet\\_impact\\_economic\\_crisis\\_May10.pdf](https://www.globalmigrationgroup.org/system/files/uploads/documents/UNODC_GMG_Factsheet_impact_economic_crisis_May10.pdf).

GRETA Group of Experts on Action against Trafficking in Human Beings. *Evaluation Report Austria: Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings*. Strasbourg: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA and Committee of the Parties, June 10, 2020. available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680630cb4>.

- \_\_\_\_. *Reply from Austria to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties: Third evaluation round*. Strasbourg: GRETA, reply submitted on April 1, 2019. available at: <https://rm.coe.int/greta-2018-26-aut/168094b570>.
- \_\_\_\_. *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Austria: First evaluation round*. Strasbourg: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA and Committee of the Parties, Directorate General of Human Rights and Legal Affairs, 15 September 2011. available at: <https://rm.coe.int/greta-2011-10-fgr-aut-en-rev/168078b7d9>.
- \_\_\_\_. *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Austria: Second evaluation round*. Strasbourg: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, GRETA and Committee of the Parties, 12 October 2015. available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680630cb4>.
- \_\_\_\_. *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Switzerland: Second Evaluation Round*. Strasbourg: GRETA, October 9, 2019. available at: <https://rm.coe.int/report-on-the-implementation-of-the-council-of-europe-convention-on-ac/1680981889>.
- Hughes, Donna M.. *The Demand for Victims of Sex Trafficking*. Rhode Island: University of Rhode Island, June 2005. available at: [https://www.academia.edu/3415676/The\\_Demand\\_for\\_Victims\\_of\\_Sex\\_Trafficking](https://www.academia.edu/3415676/The_Demand_for_Victims_of_Sex_Trafficking).

ICAT Inter-Agency Coordination Group against Trafficking in Persons. *Preventing Trafficking in Persons by Addressing Demand*. ICAT, September 2014. available at: [https://www.unodc.org/documents/humantrafficking/2014/ICAT\\_Demand\\_paper\\_FINAL.pdf](https://www.unodc.org/documents/humantrafficking/2014/ICAT_Demand_paper_FINAL.pdf).

International Organization for Migration. *Mixed Migration Flows in the Mediterranean and Beyond: Findings: Counter-Trafficking Survey*. IOM, March 17, 2016. available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/Analysis%20-%20CT%20Survey%20-%2017%20Mar%202016%20\\_FINAL.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Analysis%20-%20CT%20Survey%20-%2017%20Mar%202016%20_FINAL.pdf).

Lemmerer Monika. "Handel mit der „Ware Frau“". *Öffentliche Sicherheit: Das Magazin des Innenministeriums*, Ausgabe 9/10 (2014): pp: 26-27. available at: [https://bmi.gv.at/magazinfiles/2014/09\\_10/files/menschenhandel.pdf](https://bmi.gv.at/magazinfiles/2014/09_10/files/menschenhandel.pdf).

Misoch, Sabina. *Qualitative Interviews*. 2. Auflage. Berlin/Boston: Walter de Gruyter GmbH, 2019.

Organization for Security and Co-operation in Europe OSCE. *Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One decade later*. December 6, 2013. Decision No. 1107; PC.DEC/1107/Corr.1. available at: <https://www.osce.org/files/f/documents/f/6/109532.pdf>.

\_\_\_\_. "Combating human trafficking". Home, What we do, Combating human trafficking. available at: <https://www.osce.org/combating-human-trafficking>.

OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings. *Commentary to the OSCE Action Plan to Combat Trafficking in Human Beings (PC.DEC/557), the 2005 Addendum Addressing Special Needs of Child Victims of Trafficking for Protection and Assistance (PC.DEC/557/Rev.1) and the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later (PC.DEC/1107/Corr.11)*. Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, December 2015. available at: <https://www.osce.org/files/f/documents/0/1/210391.pdf>.



\_\_\_\_. *Report by the OSCE Acting Co- Ordinator for Combating Trafficking in Human Beings following the official visit to Austria 19-23 November 2018 and 14 January 2019*. Vienna: OSCE, August 21, 2019. available at: <https://www.osce.org/cthb/428375>.

\_\_\_\_. *The critical role of civil society in combating trafficking in human beings*. Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 2018. available at: <https://www.osce.org/cthb/405197>.

\_\_\_\_. *2018-2019 Report of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings: New Challenges and New Opportunities*. Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 2019. available at: [https://www.osce.org/files/f/documents/2/8/439712\\_1.pdf](https://www.osce.org/files/f/documents/2/8/439712_1.pdf).

\_\_\_\_. *2020 Report Update*. Vienna: Office of the OSCE Special Representative and Co-ordinator for combating trafficking in human beings. available at: <https://www.osce.org/files/f/documents/9/b/474687.pdf>.

Pérez Cepeda, Ana Isabel, and Demelsa Benito Sánchez. *Trafficking in Human Beings: A Comparative Study on the International Legal Documents*. Zutphen: Europa Publishing, 2014.

Sander, Caroline. Interview by Brigitte Lager. Vienna: April 22, 2021.

Schloenhardt, Andreas. "Trafficking in Persons in an Era of Growing Irregular Migration". *SIAK-Journal - Journal for Police Science and Practice*, International Edition Vol. 7, September 2017. pp: 4-12. available at: [https://www.bmi.gv.at/104/Wissenschaft\\_und\\_Forschung/SIAKJournal/internationalEdition/files/2017/Schloenhardt\\_IE\\_2017.pdf](https://www.bmi.gv.at/104/Wissenschaft_und_Forschung/SIAKJournal/internationalEdition/files/2017/Schloenhardt_IE_2017.pdf).

SHERLOC Sharing Electronic Resources and Laws on Crime. "14 HV 11/14g".  
Databases: Case Law Database. available at: [https://sherloc.unodc.org/cld/ca-selawdoc/traffickingpersonscrimetype/aut/2014/41\\_hv\\_1114g.html](https://sherloc.unodc.org/cld/ca-selawdoc/traffickingpersonscrimetype/aut/2014/41_hv_1114g.html).

Statistik Austria. *Gerichtliche Kriminalstatistik*. Vienna: Statistik Austria, 2019.  
available  
at: [http://www.statistik.at/web\\_de/services/publikationen/6/index.html?includePage=detailedView&sectionName=Soziales&pubId=558](http://www.statistik.at/web_de/services/publikationen/6/index.html?includePage=detailedView&sectionName=Soziales&pubId=558).

\_\_\_\_. "Tabellenband „Gerichtliche Kriminalstatistik 2019“". Menschen und Gesellschaft, Soziales, Kriminalität. available at: [http://www.statistik.at/web\\_de/statistiken/menschen\\_und\\_gesellschaft/soziales/kriminalitaet/index.html#:~:text=Insgesamt%20wurden%20im%20Berichtsjahr%202019,%2C0%25%20der%20verurteilten%20Personen](http://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales/kriminalitaet/index.html#:~:text=Insgesamt%20wurden%20im%20Berichtsjahr%202019,%2C0%25%20der%20verurteilten%20Personen).

Task Force Menschenhandel. *Nationaler Aktionsplan zur Bekämpfung des Menschenhandels*. Vienna: Task Force Menschenhandel, 2018. available at: [https://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Aussenpolitik/Menschenrechte/Nationaler\\_Aktionsplan\\_2018-2020.pdf](https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Menschenrechte/Nationaler_Aktionsplan_2018-2020.pdf).

Tatzgern, Gerald. Interview by Brigitte Lager. Vienna: April 23, 2021.

UN General Assembly. *United Nations Convention against Transnational Organized Crime. resolution / adopted by the General Assembly*. 8 January 2001, A/RES/55/25. available at: <https://www.refworld.org/docid/3b00f55b0.html>.

\_\_\_\_. *United Nations Convention against Transnational Organized Crime. resolution / adopted by the General Assembly*. "Annex II: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime". 8 January 2001, A/RES/55/25. pp: 31- 39. available at: <https://www.refworld.org/docid/3b00f55b0.html>.

- \_\_\_\_. *United Nations Convention against Transnational Organized Crime. resolution / adopted by the General Assembly. "Annex III: Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime". 8 January 2001, A/RES/55/25. pp: 40-51. available at: <https://www.refworld.org/docid/3b00f55b0.html>.*
- \_\_\_\_. *Universal Declaration of Human Rights. 10 December 1948. 217 A (III). available at: <https://www.refworld.org/docid/3ae6b3712c.html>.*
- \_\_\_\_. *United Nations Global Plan of Action to Combat Trafficking in Persons. resolution / adopted by the General Assembly. 12 August 2010, A/RES/64/293. Available at: <https://www.refworld.org/docid/4caadf8a2.html>.*
- United Nations Treaty Collection. "Chapter XVIII Penal Matters 12. United Nations Convention against Transnational Organized Crime". Depository Status of Treaties. Last modified April 28, 2021. Available at : [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII12&chapter=18&clang=en#top](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII12&chapter=18&clang=en#top).
- UNODC. *A Comprehensive Strategy to Combat Trafficking in Persons and Smuggling of Migrants*. Vienna: UNODC, February 29, 2012. Available at: [https://www.unodc.org/documents/humantrafficking/UNODC\\_Strategy\\_on\\_Human\\_Trafficking\\_and\\_Migrant\\_Smuggling.pdf](https://www.unodc.org/documents/humantrafficking/UNODC_Strategy_on_Human_Trafficking_and_Migrant_Smuggling.pdf).
- \_\_\_\_. *An Introduction to Human Trafficking: Vulnerability, Impact and Action*. Vienna: UNODC, 2008. Available at: [https://www.unodc.org/documents/human-trafficking/An\\_Introduction\\_to\\_Human\\_Trafficking\\_-\\_Background\\_Paper.pdf](https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf).
- \_\_\_\_. *Anti-human trafficking manual for criminal justice practitioners: Modul 1: Definitions of trafficking in persons and smuggling of migrants*. Vienna: UNODC, 2009. Available at [https://www.unodc.org/documents/human-trafficking/TIP\\_module1\\_Ebook.pdf](https://www.unodc.org/documents/human-trafficking/TIP_module1_Ebook.pdf).

- \_\_\_\_. *Anti-human trafficking manual for criminal justice practitioners: Modul 6: International cooperation in trafficking in persons cases*. Vienna: UNODC, 2009. available at : [https://www.unodc.org/documents/human-trafficking/TIP\\_module6\\_Ebook.pdf](https://www.unodc.org/documents/human-trafficking/TIP_module6_Ebook.pdf).
- \_\_\_\_. *Evidential Issues in Trafficking in Persons Cases: Case Digest*. Vienna: UNODC, 2017. available at: [https://www.unodc.org/documents/human-trafficking/2017/Case\\_Digest\\_Evidential\\_Issues\\_in\\_Trafficking.pdf](https://www.unodc.org/documents/human-trafficking/2017/Case_Digest_Evidential_Issues_in_Trafficking.pdf).
- \_\_\_\_. *Global Report on Trafficking in Persons 2016*. Vienna: UNODC, December 2016. available at: [https://www.unodc.org/documents/data-and-analysis/glotip/2016\\_Global\\_Report\\_on\\_Trafficking\\_in\\_Persons.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf).
- \_\_\_\_. *Global Report on Trafficking in Persons 2018*. Vienna: UNODC, 2018. available at: [https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf).
- \_\_\_\_. *Global Report on Trafficking in Persons 2020*. Vienna: UNODC, 2020. available at: [https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf).
- \_\_\_\_. *Impact of the Covid-19 pandemic on trafficking in persons: Preliminary findings and messaging based on rapid stocktaking*. Vienna: UNODC. available at: [https://www.unodc.org/documents/Advocacy-Section/HTMSS\\_Thematic\\_Brief\\_on\\_COVID-19.pdf](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf).
- \_\_\_\_. *Legislative Guide: For the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*. Vienna: UNODC, 2020. available at : [https://www.unodc.org/documents/humantrafficking/2020/TiP\\_LegislativeGuide\\_Final.pdf](https://www.unodc.org/documents/humantrafficking/2020/TiP_LegislativeGuide_Final.pdf).

- \_\_\_\_. *Research Brief: How Covid-19 restrictions and economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America*. Vienna: UNODC. available at: <https://www.unodc.org/documents/islamicrepublicofiran//2020/05/Covid-related-impact-on-SoM-TiP.PDF>.
- \_\_\_\_. *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*. Vienna: UNODC, 2010. available at : [https://www.unodc.org/documents/data-andanalysis/tocta/TOCTA\\_Report\\_2010\\_low\\_res.pdf](https://www.unodc.org/documents/data-andanalysis/tocta/TOCTA_Report_2010_low_res.pdf).
- Wagner, Livia and Thi Hong. *Aggravating Circumstances: How coronavirus impacts human trafficking*. Geneva: Global Initiative Against Transnational Organized Crime, May 2020. available at: <https://globalinitiative.net/wp-content/uploads/2020/06/Aggravating-circumstances-How-coronavirus-impacts-human-trafficking-GITOC-1.pdf>.
- Wheaton, Elizabeth M., Edward J. Schauer, and Thomas V. Galli. "Economics of Human Trafficking". *International Migration*, Vol 48 (4), (2010). pp: 114-141. available at: <https://www.amherst.edu/media/view/247221/original/Economics+of+Human+Trafficking.pdf>.