



*IDENTIFICATION OF TRAFFICKED
INTERNATIONAL PROTECTION BENEFICIARIES'
SPECIAL NEEDS*

Summary European Report



Coordinated by**Co-funded by****Implemented by****Disclaimer**

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Partnership

The project TRIPS – *identification of TRafficked International Protection beneficiaries' Special needs* is a two years project implemented by Forum réfugiés-Cosi, the project coordinator, and its European partners Churches' Commission for Migrants in Europe (CCME), Italian Council for Refugees (CIR), Immigrant Council of Ireland (ICI), Organization for Aid to Refugees (OPU). The French Office for the Protection of Refugees and Stateless persons (OFPRA), the French Office of Immigration and Integration (OFII), the Council of Europe (Secretariat of the Group of Experts on Action against Trafficking in Human Beings - GRETA), and Amicale du Nid are associated to this project as European experts.

Acknowledgments

The TRIPS project's partnership, composed of the five organizations, would also like to thank in particular the French Office for the Protection of Refugees and Stateless Persons (OFPRA), the French Office of Immigration and Integration (OFII), the Council of Europe (Secretariat of the Group of Experts on Action against Trafficking in Human Beings – GRETA), Amicale du Nid as well as participants to national focus groups for their very valuable inputs and contributions.

Last but not least, this report has attributed a central place to the invaluable information provided by the interviewed beneficiaries of international protection who were victims of trafficking, and who had experienced first-hand the asylum and integration process in the studied countries. With humility and appreciation, this report includes the voices of the vulnerable and often silent people who are the focus of the TRIPS project.

Executive Summary

TRIPS – *identification of TRafficked beneficiaries of International Protection Special needs* is a two-year project co-funded by the European Union under AMIF-2018-AG-INTE and implemented by Forum réfugiés-Cosi, the project coordinator, and its European partners Churches Commission for Migrants in Europe, Immigrant Council of Ireland, Italian Council for Refugees, and Organization for Aid to Refugees.

The French Office for the Protection of Refugees and Stateless Persons, the French Office of Immigration and Integration, the Council of Europe (Secretariat of the Group of Experts on Action against Trafficking in Human Beings - GRETA) Amicale du Nid have supported the project as European expert organizations. They participated in the European meetings of the project and provided advice and feedback on the elaboration of the European deliverables of the project, including the European report, the European summary report and the European toolbox for practitioners.

This transnational project aims at identifying and better addressing the specific needs of trafficked international protection beneficiaries in relation to the integration process, both at European Union (EU) and national levels. This project follows up a previously implemented transnational project coordinated by Forum réfugiés-Cosi, *TRACKS - identification of TRafficked Asylum seekers' Special needs* (2016-2017), and co-financed by the European Commission.

After getting an international protection status related or not to the trafficking situation, the victims enter into an integration process. The European Qualification Directive of December 2011 that came into force on 22 December 2013 grants specific rights to beneficiaries of international protection. It also specifies that when implementing the Directive, the Member States shall take into account the specific needs of vulnerable people including the victims of human trafficking after an individual evaluation of their situation. However, the integration

of beneficiaries of international protection leads to interconnected challenges which call for a comprehensive approach including access to rights, to housing, to training, to the labour market, and psycho-social support. Despite the fact that the identification, the protection and the integration of victims of trafficking are at the core of the European agenda, the link with international protection has been less addressed.

The project examined how to ensure tailored support to trafficked international protection beneficiaries in their integration process taking into account their specific needs and their vulnerable situation, which do not stop after getting international protection. TRIPS aimed at giving visibility and raising awareness among relevant actors involved in the integration mechanisms and procedures at both European and national levels, as well as giving a voice to victims of trafficking in identifying their specific needs in relation to the integration procedures in the participating EU Member States. The objective was also to improve the capacities of practitioners to identify and respond to specific needs of victims related to integration through the exchange of practices and the development of innovative tools. Finally, the project contributed to more consistency and coherence throughout EU Member States in the way trafficked beneficiaries of international protection are accompanied and supported.

Main Findings of the project

Legal framework

The analysis of the legal framework applicable reveals that the four States covered by the study, except [Ireland](#), have transposed the recast Common European Asylum System, including the recast Qualification Directive of December 2011. [Ireland](#) participated in the original Qualification Directive, as well as the original Asylum Procedure Directive and recently joined in 2018 the recast Reception Directive. Moreover, [Italy](#) has been through recent reforms and several kinds of residence permits linked to the asylum procedure and the reception conditions have been introduced. The four States have also transposed the EU legislative texts relating to human trafficking as the Anti-Trafficking Directive and the Victims' Rights Directive. Moreover, the EU action on fighting human trafficking, on enhancing integration and inclusion of third-country nationals, and EASO's work provide global guidelines to the EU Member States in their national policies. Furthermore, the UN Palermo Protocol, the Council of Europe Convention on Action against Trafficking in Human Beings, and the Convention and Protocol relating to the Status of Refugee provide a valuable and common legal background and framework to the States covered by this study, to address the triple nexus of human trafficking, international protection and integration.

Trends and statistics

The collection of comprehensive and disaggregated data on human trafficking remains a challenge at EU and national level. The European Commission data report released in 2020 provides partial, but updated, statistics on victims registered in the EU in 2017-2018. Although data collection is improving in the four countries, each Member State collects data at national level in an inconsistent manner making any comparative approach impossible. None of the Member States covered by the study collect detailed data on the target group of the TRIPS

project. In [Czech Republic](#), critical issues and challenges are reported on data collection of victims of human trafficking. Annual statistics on trafficking do not include asylum seekers or beneficiaries of international protection. In [Italy](#), although some statistics on victims benefitting from assistance and protection are available, no coordination is ensured among the different databases. In [France](#), only data on residence permits granted to victims who filed a complaint and on presumed victims supported by NGOs are available. In [Ireland](#), some relevant information with regards to international protection beneficiaries affected by human trafficking could be obtained from the International Protection Appeal Tribunal, which publishes their decisions in anonymized form, and some data is also produced by the National Referral Mechanism.

Identification of victims of trafficking in the integration process

Looking at the implementation of Article 20(3) and (4) of the recast Qualification Directive, the study has demonstrated that in the four countries covered by the study, there is no proper assessment of victims of human trafficking's special needs, after being granted an international protection status. In [France](#) and [Czech Republic](#), there is no legal provision; in [Italy](#) there is no designated competent authority, and a lack of clear process of vulnerability screening is reported in [Ireland](#). The Evaluation report of the recast Qualification Directive underlines the general reuse of the vulnerability assessment made during the asylum procedure. The four countries have developed different action plans or strategies in order to address these gaps, including specific action for victims of human trafficking or vulnerable international protection beneficiaries.

Furthermore, all four countries covered by the study report important challenges relating to the information sharing on victims' special needs, including between asylum and integration authorities. In order to ensure continuum of care for trafficked international protection beneficiaries, the role of NGO and social workers is crucial to either alert authorities on victims' needs or refer cases to appropriate services.

Coordination between the National Referral Mechanisms and the international protection system

Although [Czech Republic](#), [Ireland](#), and [Italy](#) have a National Referral Mechanism, (NRM) there is no consistency in the coordination with the international protection system. On the one hand, the [Czech](#) NRM only covers the victims who were exploited in the country¹ and the [Irish](#) NRM excludes asylum seekers from the NRM. On the other hand, the [Italian](#) NRM, although not fully implemented, includes asylum seekers and beneficiaries of international protection in the referral. France does not have a NRM. Moreover, the study highlights important differences between status and rights if the victim is protected with a specific residence permit for victim of human trafficking or is granted an international protection status which can impact the integration perspectives of the victims.

Access to social rights and benefits

Despite the provisions in the recast Qualification Directive on access to social rights and housing, important obstacles and challenges are reported in the four Member States exposing trafficked international protection beneficiaries to risk of (re)trafficking. Different systems and services are proposed in each Member State. In order to access social rights and protection, the issuing of a residence permit and/or civil documentation are key steps, especially in [France](#) and [Italy](#). Important challenges and delays are reported in these two countries which can expose victims to destitution or risk of (re)trafficking. The four EU Member States provide the same social protection rights to international protection beneficiaries as for nationals, but there is no facilitation or special provisions for trafficked international protection beneficiaries. Challenges relating to complex administrative procedures, delays,

¹ Presumed victims of trafficking in human beings over the age of 18 can be included in the Programme for Support and Protection of Victims of Trafficking. Next to Czech citizens, a third-country nationals or a EU citizens who are presumed victims of THB in the territory of Czech republic or have been brought to Czech republic for this purpose can participate in the programme.

inconsistent decisions by authorities and lack of training on human trafficking have been reported in these countries. As for other beneficiaries of international protection, family reunification entitlements and procedures have a great impact on the integration process. Additional difficulties can be observed for trafficked international protection beneficiaries such as the lack of trustworthy contacts in the country of origin, the vulnerability of the applicants and their family members, and the safety of the children as a source of fear and concern.

Access to safe housing

In addition to the common challenges faced by vulnerable people across EU to access adequate and affordable housing, trafficked international protection beneficiaries face additional obstacles to benefit from durable and safe housing. In [Czech Republic](#), [France](#) and [Italy](#), common provisions are generally applied to trafficked international protection beneficiaries, but specialized housing solutions are only made available in small numbers. The three countries report general obstacles to access safe housing due to lack of places, long delays, safety, financial capacity, and language barriers. While [Italy](#) demonstrates to have the most adapted common framework to trafficked international protection beneficiaries and [France](#) intends to develop promising specialized places for trafficked women international protection beneficiaries, [Ireland](#) deplores a lack of provision to ensure access to appropriate and safe accommodation for international protection beneficiaries exposing them to discrimination practices and risk of destitution.

Medical and psychological assistance

All Member States covered by the study provide access to healthcare and the public health insurance system under the same eligibility conditions and to the public health insurance system as nationals, with different specific measures to facilitate access. However, none of them include specific provisions for trafficked international protection beneficiaries. Common challenges relating to administrative procedures, language barriers, lack of specia-

lized professionals and adapted services for victims of human trafficking are deployed in the four EU Member States.

Empowerment of trafficked international protection beneficiaries

Different national mechanisms to support international protection beneficiaries in accessing employment and education are in place in the four EU Member States, but no specific provisions are planned for trafficked international protection beneficiaries. In [Czech Republic](#), [Italy](#) and [France](#), the international protection beneficiaries can refer to specific assistance provided by national and/or local authorities and institutions, including interviews with them to determine their needs and specific actions to facilitate access to the labour market. In [Ireland](#), beneficiaries can access the support provided to nationals. In addition, in the four EU Member States, specific programmes have been developed by NGOs to support access to employment. Moreover, while assistance in accessing employment provides an important opportunity to inform about workers' rights in order to prevent exploitation situations, [Czech Republic](#), [France](#) and [Italy](#) report information provision on labour law. Language barriers represent the main obstacle to training and employment opportunities which is addressed language courses in [Czech Republic](#), [Italy](#) and [France](#). In [Italy](#), the study highlights that better language skills also represent a way to prevent labour exploitation situations and an empowerment for former victims. Recognition of skills is provided in all Member States although issues are reported on the procedures. The study underlines the importance of accessing a durable and paid job position to ensure basic needs and avoid (re)trafficking. At the same time, trafficked international protection beneficiaries may need time to recover before engaging in professional integration, but they also face pressure to accept any job to cover the costs related to their integration process and procedures. Furthermore, parenting issues have an important impact on the access to education and employment opportunities, especially for women, because support and assistance are rarely provided to facilitate access to childcare and kindergarten.

Impact of the COVID-19 crisis

The pandemic has greatly impacted the integration process of many beneficiaries of international protection. In [Italy](#), an increase in the delay to issue residence permits and to access housing have been observed. The suspension of language courses and other integration activities have been reported in [Italy](#) and in [France](#). Moreover, in [France](#), there are concerns about a 6-month delay in the global integration process of the beneficiaries. The interruption of the integration dynamic created by the pandemic and the restriction measures may have exposed them to an increased risk of destitution and (re)trafficking. Furthermore, while several activities and services have been developed online, the study has also highlighted difficulties in accessing digital platforms due to a lack of devices or appropriate assistance.

Special needs related to the integration process identified by interviewed trafficked international protection beneficiaries.

A specific approach of the project was the conscious effort to evaluate existing practices not only from the perspective of organisations which are supporting trafficked victims benefitting from international protection, but also from these victims' own perspective. The national partners therefore interviewed the international protection beneficiaries directly to ask for an evaluation of what they had experienced. While these interviews were less numerous than initially planned due to COVID-19 pandemic, they offer important insights.

The results of the interviews will be presented in more detail in the specific chapters, but main aspects can be highlighted as follows:

- Early identification and appropriate environment
- Assistance and support during asylum procedure
- Adapted asylum procedures to victims' special needs

- Adequate and dignified reception conditions
- International protection status alone is not enough
- Prompt issuance of documents and social rights
- Continuum of social assistance and information provision
- Trained officers in charge of social benefits and adapted procedures
- Access to family reunification
- Reducing delays in finding durable housing solutions
- Ensuring safety for victims
- Financial support to access housing
- Speedy identification of mental health needs
- Environment of trust
- Getting information about and offered effective medical care
- Gender-specific medical care
- Accessing childcare
- Overcoming the language barriers
- Getting empowered and achieving economic independence
- Safe working environment
- Accessing vocational training courses

Common Recommendations

The following recommendations are based on the findings of the TRIPS project for the purpose of which four European countries have studies, namely Czech Republic, France, Ireland, and Italy.

These recommendations are addressed to the relevant authorities and institutions as well as to policy and legislation makers at national and European levels to who the relevant legal frameworks apply.

Disclaimer

These recommendations are formulated by the project partners only and do not reflect the views of the European Commission nor the associate partners.

1. Improve the identification of trafficked international protection beneficiaries thanks to a fostered multi stakeholder cooperation

- Ensure full implementation of Chapter 7 of the Qualification Directive and its Articles 20(3) and (4) on the specific situation of vulnerable international protection beneficiaries, including victims of human trafficking, and consider carrying out vulnerability assessment, including on the basis of human trafficking indicators, after international protection is granted to ensure adequate detection of their special needs;
- The European Commission, in consultation with EASO², UNHCR and relevant civil society organisations, should address detailed guidelines to Member States to improve the identification of trafficked international protection beneficiaries and address their specific situation, as vulnerable persons, with regards to their integration needs ;
- In the European and national action plans and strategies related to human trafficking and integration of beneficiaries of international protection, specific actions to identify trafficked international protection beneficiaries or are at risk of trafficking should be included;
- When the police or another law enforcement agency is responsible for the victim identification procedure, they must involve other stakeholders specialised in combating human trafficking in the identification process, especially during interviews with victims. The victim must be able to choose that the interview is led by a same-sex officer;
- Elaborate clear, transparent, needs based, gender oriented, and child friendly Standard Operation Procedures (SOPs) in collaboration with specialised civil society orga-

² At the time of writing, the European Asylum Support Office (EASO) is under process to become the European Union Agency for Asylum (EUAA).

nisations, including questions addressing potential human trafficking situations. The SOPs should ensure sufficient time for the interview, appropriate environment and support to potential victims, and should be followed by more detailed questions in case of suspicion of exploitation.

2. Introduce a National Referral Mechanism or enhance the existing National Referral Mechanism to ensure appropriate identification and protection of all victims of human trafficking

- Member States that have not set up a National Referral Mechanism (NRM) should do so immediately and include in it all victims of trafficking, including asylum seekers and beneficiaries of international protection. A clearly defined coordination should be developed between the international protection system and the NRM to improve identification and protection of victims;
- The NRM should be accessible to all victims irrespective of age, gender, form of exploitation, and residence status, and cover all stages from initial identification to full integration or reintegration in the country of origin. It should not be linked to a requirement to cooperate with a criminal investigation and/or prosecution;
- A wide and clearly defined range of actors should be able to refer possible victims of trafficking to the NRM, including civil society organisations;
- Adequate resources must be allocated to the NRM to ensure its implementation and sustainability, including the collection of data and its use to monitor trends and design policy responses.

3. Reinforce and expand training and capacity building of practitioners

- Reinforce the training and capacity building of relevant practitioners during the asylum procedure and after international protection has been granted;
- Organise targeted training adapted to the role and capacities of both non-specialised and specialised service providers to identify victims of trafficking and address their special needs, including among beneficiaries of international protection (public services providers, integration authorities, police, education and employment practitioners, medical professionals, local authorities, social workers, cultural mediators, interpreters...);
- For non-specialised service providers, training on the detection of victims of trafficking and their referral to assistance should be mainstreamed into broader training on gender-based violence and/or intercultural awareness.

4. Ensure the monitoring of trafficked international protection beneficiaries' integration

- Ensure that an independent body collects qualitative and quantitative data through specific reports, as well as provide recommendations to all stakeholders to improve integration mechanisms for trafficked international protection beneficiaries. Victims of human trafficking should be able to report to this independent body;
- The European Commission should launch a study with the support of the EU Anti-Trafficking Coordinator to assess the support provided to trafficked international protection beneficiaries on their integration process and the risk of (re)trafficking;

- Improve EASO's monitoring of the implementation of the Qualification Directive, in particular its chapter 7 related to the integration process and Articles 20(3) and 20(4) for vulnerable beneficiaries of international protection, including victims of trafficking.

5. Develop tailor-made integration to ensure a continuum of information sharing and care

- Member States should elaborate a mechanism that guarantees that the outcome of the first assessment under the Reception Conditions Directive is communicated to the competent authorities in charge of applying the rights set out in the recast Qualification Directive in full respect of the privacy and confidentiality rules;
- Information sharing on the exploitation experience of beneficiaries of international protection who have been trafficked should be facilitated as much as legally possible and in full respect of the privacy and confidentiality rules, as minimum a "vulnerability red flag";
- In the European and national action plans and strategies related to human trafficking and integration of international protection beneficiaries, specific actions to support integration of trafficked international protection beneficiaries or are at risk of trafficking should be developed or reinforced in close link with actions dedicated to trafficked asylum seekers. Adequate and stable resources must be allocated to these actions to ensure continuum of care;
- Carry out a mapping of available support for integration of trafficked international protection beneficiaries and ensure appropriate dissemination of relevant information to practitioners and beneficiaries;

- All practitioners who are in contact with beneficiaries of international protection should proactively provide them with relevant information on available support adapted to their special needs to ensure a two-way information sharing;
- Improve case management support through multi stakeholder cooperation.

6. Elaborate a clear, transparent and needs-based national integration system including a trained adviser in charge of access to service providers

- This system should include regular meetings and monitoring of the integration process and the trafficked international protection beneficiaries' situations and be in contact with social workers and administrative authorities to ensure continuity of care and information;
- Enhance access to social rights, including right to education, work, housing, social welfare, and healthcare, and address obstacles in issuing residence permit and/or civil documentation required to access social benefits, especially for vulnerable international protection beneficiaries;
- Ensure the availability of medical and psychological assistance adapted to trafficked international protection beneficiaries, and provide information of the available services;
- The European Commission should elaborate common guidelines for this system to provide a common and harmonised framework to Member States.

7. Ensure access to specialised shelters and develop durable and appropriate housing

- Develop long-term accommodation solutions, including specialised services for trafficked international protection beneficiaries with dedicated services such as psychological support, social and legal assistance, and trained cultural mediators;
- Enhance the possibility to be accommodated in small centres or apartments in and improve support in accessing to independent and affordable housing according the trafficked international protection beneficiaries' needs especially with regards to risk of (re)trafficking;
- Improve the involvement of civil society in planning future EU projects in order to make them understand the role and importance of durable housing;
- Improve practices and knowledge sharing at European level with the support of European Commission, EU Anti-Trafficking Coordinator and EASO to properly respond to the specific reception needs of the target group.

8. Guarantee support for family unity, especially for trafficked women with children

- Remove obstacles to family reunification at an early stage and remove gaps in the legislation to ensure full and facilitated access to family unity for all beneficiaries of international protection;
- Consider the particular vulnerability of children and their needs in the family reunification procedure, especially in case of threats against children in the country of origin;

- Enhance financial support for guaranteeing family reunification;
- Provide specific services for parenting issues and child care at the accommodation centres and after trafficked international protection beneficiaries left accommodation centres, especially for trafficked women with children;
- Enhance the possibility for single parents who are trafficked international protection beneficiaries to be supported in the care of their children during their stay at accommodation centres in order to facilitate their independence and ensure their socialisation;
- Elaborate specific support programmes for trafficked women with children in accessing labour market, including kinder garden services, specific training and gender-oriented support for women to access labour.

9. Empowering trafficked international protection beneficiaries through education and employment based on their special needs

- Address the special needs related to the employment and education of trafficked international protection beneficiaries, in cooperation with them and with relevant stakeholders to enhance access to competitive job opportunities in safe working environments and avoid (re)trafficking;
- Consider the importance to provide time for recovering before getting trafficked international protection beneficiaries engaged in professional integration which may require an appropriate medical and psychological support. Create an environment

where trafficked international protection beneficiaries do not feel forced to work or to perform a specific job as a part of the integration program and ensure that they feel free to leave a current job if they feel unsafe;

- Facilitate and enhance access to language training, at the earliest stage including during the asylum process;
- Expand partnerships with vocational training providers, private employers and trade unions to address the special needs of trafficked international protection beneficiaries;
- Ensure the provision of information on workers' rights and duties to prevent any risk of (re)trafficking;
- Reinforce collaboration with Trade Unions and private businesses on preventing and addressing labour exploitation;

10. Following the TRACKS project's recommendations, consider the impact of the asylum process on integration perspectives, in particular for victims of human trafficking

- Set up, or in case of they already exist, strengthen clear and effective mechanisms to detect vulnerabilities and special needs, including of victims of human trafficking, at each stage of the asylum process, and ensure there are trained professionals to carry out this assessment;
- Effectively apply the necessary procedural safeguards to victims of trafficking who are seeking asylum foreseen in the Common European Asylum System including the Asylum Procedures Directives and the Dublin Regulation;

- After an individual examination of each case, apply the discretionary clause (Article 17(1)) to victims of trafficking under the Dublin Regulation to avoid transfer to a Member State where they had been or may be exploited or where no sustainable victim protection is available;
- Provide appropriate reception conditions meeting the special needs of victims of trafficking who are seeking asylum, as foreseen by the Recast Reception Directive in combination with the Anti-Trafficking Directive, the Council of Europe Convention on Action against Trafficking in Human Beings and the Palermo Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children;
- Initiate at the earliest stage possible, including during the asylum procedure, the integration activities, as language courses, to facilitate long term inclusion and recovery.

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