



Bundeskriminalamt



Trafficking in Human Beings

National Situation Report 2014

TABLE OF CONTENTS

1	Preliminary Remarks	3
2	Presentation and evaluation of the crime situation	3
2.1	Trafficking in human beings for the purpose of sexual exploitation	3
2.2	Trafficking in human beings for the purpose of the exploitation of workers	8
3	Criminal proceeds from trafficking in human beings	8
4.	Overall assessment	9
	Legal details	11

1 PRELIMINARY REMARKS

The National Situation Report on Trafficking in Human Beings summarises current information on and trends in human trafficking for the purpose of sexual exploitation and human trafficking for the purpose of workforce exploitation.

The information provided on human trafficking is based on reports submitted by the Land Criminal Police Offices on police investigations concluded in 2014 pursuant to sections 232, 233, 233a of the German Penal Code.

2 PRESENTATION AND EVALUATION OF THE CRIME SITUATION

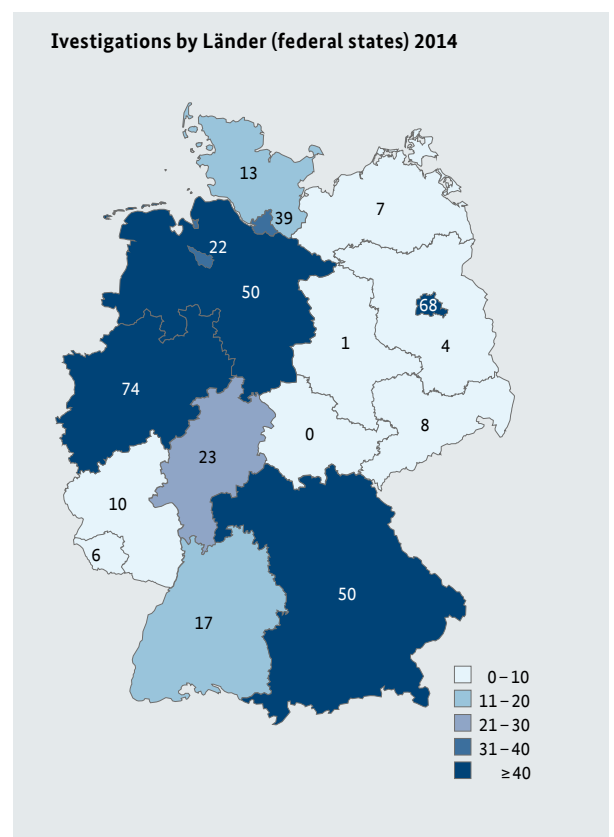
2.1 TRAFFICKING IN HUMAN BEINGS FOR THE PURPOSE OF SEXUAL EXPLOITATION

Decrease in the Number of Investigations

In 2014, 392 investigations into human trafficking for the purpose of sexual exploitation were concluded, which was about 8 per cent less than in the previous year. The number of investigations is thus clearly below the average value for the last five years (452 investigations).



The fact that the number of investigations is relatively low again does not mean that the situation in the field of human trafficking has improved, though. It rather has to be assumed that these low numbers have been caused by problems with the conduct of investigations in connection with the difficulty to put the section of the penal code regulating this criminal offence into practice and that therefore, the police use offences that are easier to deal with as a basis.



Trafficking in human beings for the purpose of sexual exploitation is found almost exclusively in the red-light scene. Naturally, some Länder are affected more strongly than others as their red-light scene is larger.

Various Related Offences

In the course of the investigations conducted into human trafficking for the purpose of sexual exploitation, the following accompanying and logistics offences were identified by the police⁰¹:

- Violent offences (94 investigations)
- Offences against sexual self-determination (82)
- Deprivation of liberty (22)
- Violations of the Narcotic Drugs Act (19)
- Facilitation of illegal immigration (16)
- Property offences (9)
- Counterfeiting offences (8)
- Infringements of the Weapons Act (6)

Compared to the previous year, the number of related offences dropped slightly (i.e. by 5 per cent).

Great Impact of Police Presence

Apart from the police presence in the red-light scene, it is above all the criminal complaint lodged by the victims that is decisive for the possible initiation of investigations. As in the previous years, the aspect of the initiation of contact between the victims of human trafficking and the police plays an important role. With regard to the investigations conducted in 2014, in 200 cases (51 %) this contact resulted from police measures which, in 142 cases, were taken following tips received or complaints lodged. In 58 cases, the police either acted on their own initiative or randomly.

We do not hold any information on the other investigations.

In 193 cases (49 %), contact was initiated by the victim. In these cases, the victims reported to the police either on their own (116 cases) or accompanied by victim support counsellors (21) or by other third parties such as other prostitutes or punters (56).

In the further course of the investigations, 33 % of the victims (128 cases) received counselling from advisory centres whereas 47% (183 cases) did not.

In the remaining cases, we do not hold any information about this aspect.

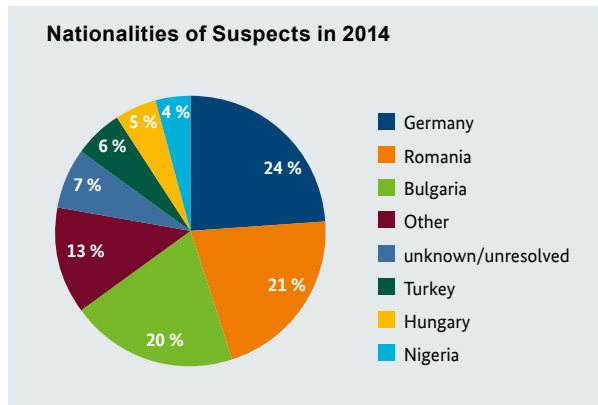
New decrease in the number of suspects

In the course of investigations concluded by the police in 2014, 507 suspects were recorded, i.e. 19 % less than during the previous year (625 suspects).

As in the previous year (28 %), German suspects made up the largest share (24 %). Of the 120 German suspects, 18 persons were nationals of a different country at birth, including Turkey (7) and Lebanon (2).

Besides German suspects, Romanian (21 %, 2013: 15 %) and Bulgarian (20 %, 2013: 23 %) suspects played a significant role.

80 % of the suspects were male, 19 % were female.⁰²



Nationalities of suspects 2013-2014

	2014		2013	
	Anzahl	%	Anzahl	%
EUROPE	437	86.2 %	555	88.8 %
Germany	120	23.7 %	176	28.2 %
(including those who were not born in Germany)	(18)	(3.6 %)	(31)	(5 %)
Romania	106	20.9 %	93	14.9 %
Bulgaria	102	20.1 %	144	23 %
Turkey	29	5.7 %	21	3.4 %
Hungary	27	5.3 %	38	6.1 %
Poland	14	2.8 %	20	3.2 %
Other	39	7.7 %	63	10.1 %
AFRICA	20	3.9 %	24	3.8 %
including Nigeria	18	3.6 %	19	3 %
AMERICA	1	0.2 %	--	--
ASIA	11	2.2 %	12	1.9 %
Unknown/unresolved	38	7.5 %	34	5.4 %
Total	507	100 %	625	100 %

01 Multiple responses possible.

02 No information was provided on the gender of one percent of all suspects.

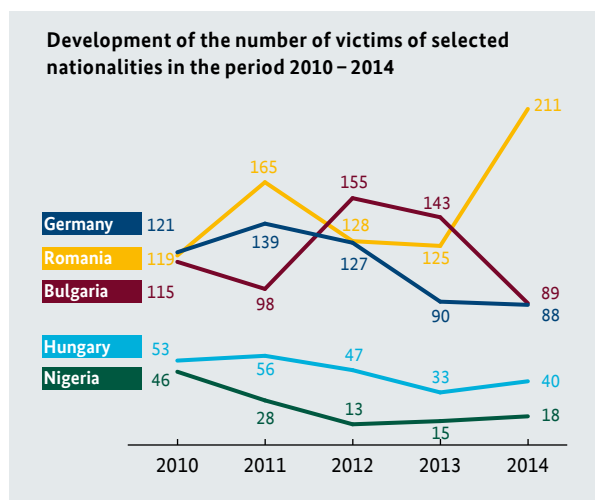
On average, less than two suspects were identified within the scope of each investigation. Nevertheless, it has to be assumed that complex perpetrator structures and organisations may be hidden behind the offence of human trafficking for the purpose of sexual exploitation. These are networks of pimps, money launderers, document counterfeiters and sometimes facilitators of illegal immigration. This insight results from the necessary division of labour approach adopted in the recruitment and selection of victims, the counterfeiting of ID documents and the entry into Germany from third countries (non-EU countries). And the number and range of accompanying and logistics offences substantiate it.

Slight increase in the number of victims

In 2014, 557 victims of human trafficking for the purpose of sexual exploitation were identified, i.e. nearly 3 % more than the previous year. The victims were almost exclusively female (95 %).

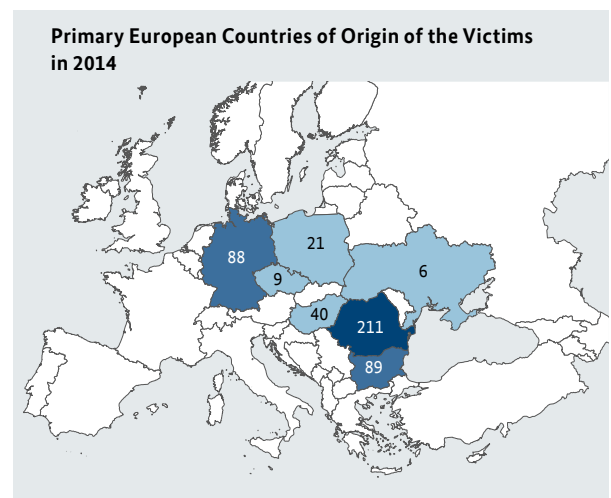
Two-Thirds of the Victims are from Eastern Europe

As in previous years, the lion's share of the victims (90 %) was from Europe. More than two-thirds of all victims were from Eastern and Southeastern Europe, especially from Bulgaria and Romania. The significant increase in Romanian victims results from a large-scale investigation conducted in Baden-Württemberg which concerned almost exclusively Romanian victims.



Nationality of the Victims 2013–2014

	2014		2013	
	Number	%	Number	%
EUROPE	501	89.9 %	469	86.5 %
Romania	211	37.9 %	125	23.1 %
Bulgaria	89	16.0 %	143	26.4 %
Germany	88	15.8 %	90	16.6 %
Hungary	40	7.2 %	33	6.1 %
Poland	21	3.8 %	19	3.5 %
Czech Republic	9	1.6 %	11	2.0 %
Ukraine	6	1.1 %	3	0.6 %
Other	37	6.6 %	44	8.1 %
AFRICA	32	5.7 %	32	5.9 %
including Nigeria	18	3.2 %	15	2.8 %
AMERICA	6	1.1 %	4	0.7 %
ASIA	7	1.3 %	9	1.7 %
Unknown/unresolved	11	2.0 %	28	5.2 %
Total	557	100 %	542	100 %



Depending on the victim's country of origin, some of the accompanying circumstances of prostitution in the context of human trafficking vary considerably. Most of the identified victims of human trafficking from Eastern Europe (mainly Romania and Bulgaria) have a poor economic background and are often members of a family or regional clan structure. Frequently, members of these structures take over the recruitment of the victims and the further logistics. The close association

of the victims with these structures, various threat scenarios or the prospect of even a small income are often the main reasons for the victims' refusal to make a statement.

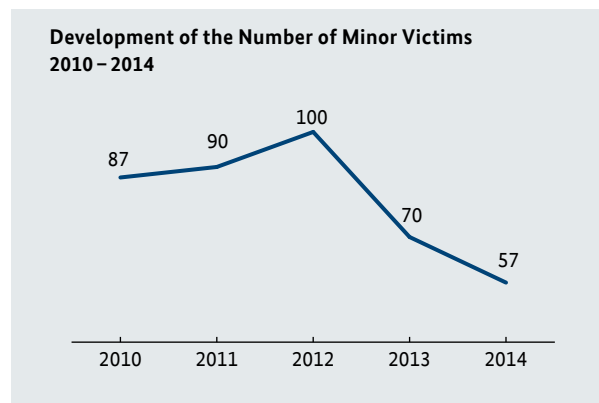
In the year 2014, the number of Nigerian victims was relatively low again. Nevertheless, human trafficking by Nigerian groups continues to be significant at European level. The criminal structures, which are spread across the whole of (Western) Europe, are characterised by a type of organisation functioning on the basis of seclusion and personal contacts and reacting flexibly and timely to police measures. The perpetrators operate across borders and distribute the primarily young victims among the EU member states. With 1,322 victims identified in Europe Nigerian nationals represent by far the largest number of victims from third countries, followed by victims from Brazil (537) and China (504), according to Eurostat⁰³ statistics. It should be noted that these numbers refer to all forms of trafficking in human beings, with Nigerian women being mainly the victims of sexual exploitation.

Trafficking in human beings for the purpose of sexual exploitation of Chinese victims is increasingly becoming the focus of European activities and within the framework of the EMPACT⁰⁴-cooperation, a corresponding sub-project has been created. Criminal groups of Chinese perpetrators are characterized by a strong compartmentalization and by a hierarchical and network-like organisational structure. In this field of crime, it is very difficult to obtain statements from victims so that many cases are handled within the framework of investigations conducted into facilitation of illegal entry.

Age Structure of Victims Unchanged

Roughly half of the victims (i.e. 266 = 48 %,) were under 21 years of age. In all probability the reason for this is that, due to the penal provisions of section 232 subsection 1 sentence 2 of the German Penal Code, it is much easier to identify this age group as victims of human trafficking than other age groups.

Because of their special need for protection, particular attention is devoted to minors who are the victims of human trafficking. Despite decreasing numbers, the proportion of minors is still relatively high (57 victims, i.e. 10 %). Most of the minor victims were from Germany (30), followed by victims from Romania (8) and Bulgaria (4). As in previous years, a hotspot of child victimisation was Berlin. All five victims under the age of 14 were identified within the scope of investigations conducted there. A possible explanation for this could be that Berlin has set up a specialised unit to deal with crime control in this area.



Age Structure of the Victims of Selected Nationalities in 2014

	< 14 years		14 – 17 years		18 – 20 years		21 – 24 years		> 24 years		unknown		total
	N	% *	N	%	N	%	N	%	N	%	N	%	
Total	5	0.9	52	9.3	209	37.5	115	20.6	164	29.4	12	2.2	557
Romania	1	0.5	7	3.3	80	37.9	46	21.8	73	34.6	4	1.9	211
Bulgaria	--	--	4	4.5	32	36.0	19	21.3	33	37.1	1	1.1	89
Germany	2	2.3	28	31.8	25	28.4	20	22.7	13	14.7	--	--	88
Hungary	--	--	2	5.0	31	77.5	6	15.0	1	2.5	--	--	40
Nigeria	--	--	2	11.1	3	16.7	4	22.2	7	38.9	2	11.1	18

03 Eurostat, Statistical working papers, Trafficking in Human beings, 2014, ISSN 2315-0807.

04 EMPACT = European Multidisciplinary Platform Against Criminal Threats.

Recruitment and influencing of victims using various methods⁰⁵

46 % of the victims identified in 2014 had been entrapped in prostitution under false pretences. These also include the manipulation of the victim by feigning a love affair. i.e. the so-called "loverboy method".

24 % of the victims stated that they had consented to working as prostitutes. 22 % of the victims were recruited professionally by, for example, alleged model and talent agencies or through newspaper advertisements. We know from experience that the victims who consented to working as prostitutes were quite often misled with regard to the true circumstances. Many foreign victims were promised high earning potential and an ensuing better lifestyle. Oftentimes, however, they were not informed about the fact that they would initially have to work to pay off debts incurred for the procurement of passports and visas, travel expenses as well as food and accommodation costs so that a state of dependency on the perpetrators was created in a targeted way. The victims then have no other choice but to accept the conditions and work as prostitutes.

14 % of the victims (78 persons) were coerced into working as prostitutes by use or threats of violence. Of these victims, 45 were influenced by physical violence and 32 victims by psychological violence⁰⁶.

Circumstances of the practice of prostitution⁰⁷

As in previous years, the type of prostitution practiced mainly revolved around prostitution in dwellings (244) and in bars and brothels (210). Street prostitution (56) as well as house and hotel calls (35) were also of importance. The data collected to establish whether the prostitution took place within the context of an activity registered under fiscal and/or trade law revealed that 390 of the persons concerned (70 %) had not registered any activity. 58 of the persons concerned (10 %) were registered; in 109 cases (20 %) it is unknown whether they were registered

or not. The taking-up of or the continued practice of prostitution in Germany was brought about by taking advantage of the victims' helplessness or by using violence in 237 cases, by taking advantage of difficult circumstances in 199 cases, by fraud/deceit in 160 cases and by issuing threats in 151 cases.

For almost half of the victims (43 %) information was available indicating whether influence had been exerted on them by the perpetrators and / or their environment in respect of their readiness to disclose information to the police or before court. the term „influence“ here meaning any kind of direct or indirect influence exerted on the victims themselves or their families. In the case of 25 % of the victims for whom information was available, influence had been exerted on their readiness to disclose information. This represents a slight decrease compared to the previous year (30 %).

Investigations into this area show that the poverty in many countries of origin is exploited in order to make especially young women work as prostitutes. In one case, the investigations revealed that a Romanian suspect in Germany instrumentalised her mother's grocery store in her home town in Romania in order to make poor families depend on them. The families in the home town of the female victims were supported by means of grocery donations and other services while the victims were paying off the corresponding „debts“ in a brothel. In this case and in many similar cases, relatives are left in the dark about the activities the victims pursue in Germany. This offers another opportunity that can be and is, in fact, frequently seized to extort victims. As a result of the „debts“ accrued with pimps and/or brothel managers, the - in most cases- poorly educated victims, who are hardly able to reconstruct these debts, get the subjective feeling that there is no way out of their situation.

05 Multiple responses possible.

06 In the case of one victim, the type of violence applied was not specified.

07 Multiple responses possible.

2.2 TRAFFICKING IN HUMAN BEINGS FOR THE PURPOSE OF THE EXPLOITATION OF WORKERS

Significant decrease in the number of cases involving human trafficking for the purpose of workforce exploitation

11 investigations were concluded in 2014 (2013: 53) in the area of trafficking in human beings for the purpose of the exploitation of workers. In this context, 16 suspects were recorded (2013: 23).

In the course of the investigations, 26 victims of trafficking in human beings for the purpose of workforce exploitation were identified, which is significantly less than during the previous year (61). The reason for the decrease is that last year's situation report included extensive combined proceedings. The numbers for 2014 have fallen back to the level of the years preceding 2013.

In 2014, the great majority of the victims stemmed from Bulgaria (9), followed by Romanian and Vietnamese (5 each) nationals and most of them were exploited on construction sites (9) and in the catering trade (8).

As it is difficult to implement section 233 of the German Penal Code, it is likely that the number of undetected cases in this field of crime is very high.

3 CRIMINAL PROCEEDS FROM TRAFFICKING IN HUMAN BEINGS

Trafficking in human beings is a lucrative business for the perpetrators. By working as prostitutes, the victims sometimes generate a monthly income in the range of several thousand Euro. From this income, the victims themselves or their families in the home countries only receive insubstantial sums. The major part of the money is probably kept by the persons behind the scenes

of trafficking in human beings. In the context of the proceedings conducted in Germany for trafficking in human beings for the purpose of sexual exploitation as well as the exploitation of workers, assets in the amount of about EUR 700.000⁰⁸ were provisionally seized (2013: roughly EUR 550.000) in Germany and abroad in a total of 17 investigations in 2014.

⁰⁸ Source: Statistics compiled by the Bundeskriminalamt on asset seizures made in 2014 by the police forces at federal and Länder level as well as by the German Customs Investigation Service („Statistik zu Maßnahmen der Vermögenssicherung bei den Polizeien des Bundes und der Länder sowie des Zollfahndungsdienstes für das Jahr 2014“).

4. OVERALL ASSESSMENT

In the past years, the number of cases of trafficking in human beings for the purpose of sexual exploitation established in Germany has decreased and was at its lowest since 20016 in 2014.

It was striking that the number of Romanian victims rose considerably. The majority of the foreign victims come from EU member states and have, therefore, opportunities for a legal stay in Germany. The related difficulties facing the law enforcement authorities in identifying the victims of human trafficking and launching appropriate investigations into the perpetrators are known and remain unchanged.

Personal evidence in the form of incriminating statements made by the victims continues to be highly significant and, thus, the same applies to victim counselling and co-operation between the law enforcement authorities and non-governmental organisations. At the same time, there is still a wide prosperity gap between the Eastern European EU member countries and Germany, and this promotes trafficking in human beings.

Police control measures continue to be vitally important for the identification of victims and bringing undetected cases of human trafficking to light. However, the police cannot tackle this phenomenon alone. It is crucial to have a network of security agencies, judicial authorities, local authorities and advisory centers to enable a holistic approach to be pursued in the fight against human trafficking.

The expected statutory regulation of prostitution is likely to change the framework conditions in the red-light scene on a medium to long-term basis. Licensing requirements for prostitution and control tools may sustainably reduce the possibilities for exploiting prostitutes.

The current legislative initiative aimed at implementing directive number 2011/36/EU will also impact the development of human trafficking in Germany in the future. Amongst other things, cases of “human trafficking for taking advantage of criminal activities and forced services, including begging and organ harvesting”, are scheduled to be included in the respective penal provision. Initial experience gathered in other European countries, which have already implemented the guideline, point to a large extent of organized begging. We have to assume that similarly extensive structures exist especially in (large) German cities and that both the case numbers and the numbers of suspects and victims in the field of human trafficking are going to rise.

At European level as well (), the elimination of human trafficking will remain a priority of EU politics which will also influence crime suppression in Germany. In the area of trafficking in human beings for the purpose of workforce exploitation a considerable decrease in the number of investigations was identified. The small number of cases, which are on the same level as in the years before 2013, can be explained by the fact that it is still difficult to implement section 233 of the German Penal Code.

LEGAL DETAILS

Published by
Bundeskriminalamt
65173 Wiesbaden

As of
2014

Printed by
BKA

Picture credits
Photographs: Police sources



