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# HUMAN TRAFFICKING AS A CHALLENGE FOR INTERNATIONAL SECURITY AND SECURITY IN EUROPE

## ABSTRACT

Human trafficking is a constant challenge to the security of states and international communities. Despite the official abolition of slavery in many countries in the 20th century and by the League of Nations in 1926, this problem has not been resolved; nay, it has been intensifying thanks to new communication technologies and means of transport. The aim of this article is to present the issue of trafficking of human beings in Europe in the context of international security and with special attention paid to security in Europe, as well as personal security of victims. The paper offers the definition of human trafficking and reviews international documents concerning human trafficking. Moreover, the purposes of human trafficking, profile of victims and scale of that phenomenon in Europe is described. Finally, the similarities and differences of that dirty business in Europe are compared with other regions of the world. What is also investigated is the profile of this crime and the policy of some European countries facing a modern slavery problem. The paper adduces the latest reports edited by the international organizations specializing in trafficking of human beings from a legal, research-related, theoretical and practical side.

**Keywords:** human trafficking, Europe, security, crime, international organizations

## 1. INTRODUCTION

Human trafficking exists locally and internationally. It is often associated with conducting criminal activities on an international scale. This problem also occurs in Europe. First of all, this region, as more economically developed than a significant part of Asia and the whole Africa, is therefore an attractive destination for victims of human trafficking, most often used

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by torturers as the forms of forced labour (including sexual exploitation). Victims of human trafficking come also from Europe and are abused in their country of origin or, most often, transported to richer regions of the world.

The purpose of this article is to present the issue of trafficking in human beings in Europe as a challenge for personal, state and international security. The following research questions guided the study: (1) what is a definition of human trafficking in the international law and what are the international documents concerning a human trafficking issue? (2) what are the purposes of trafficking in human beings, the scale of the problem and the victim profile? (3) what are differences and similarities of a modern slavery problem between the selected regions of Europe and other regions of the world? The additional issue discussed in the paper is a posture of some European countries to the problem of human trafficking and the profile of that crime in Europe.

Trafficking in human beings is a spreading phenomenon, which is connected with crime, forced labour, sexual exploitation, sham or forced marriages, begging, robbery or other law-infringing actions. In Europe, usually adults become the victims of trafficking, because they are exploited as cheap workforce. In most cases men are offenders, but there is a new, quite intensive trend of recruiting new victims by women, because women easily inspire trust. The victims come from different parts of Europe and more than half of them is trafficked within a moderate distance, not to neighbouring country, but within a distance no greater than 3500 kilometres.

The article offers the definition of human trafficking, which is used by international community, and reviews international documents in human trafficking. Moreover, the purposes of human trafficking are revealed and the profile of victims and the scale of this phenomenon in Europe is described. Finally, similarities and differences in this dirty business in Europe are compared with other regions of the world. What is also investigated is the profile of this crime and the policy of European countries in the area of modern slavery.

It should be mentioned that the issue of human trafficking remains of great interest to states and organizations, due to victims' safety and a desire to eliminate this practice, but also to scientists studying that phenomenon. *Journal of Human Trafficking* (edited by Taylor & Francis Online 5 times a year) is entirely devoted to the issue. It promotes the greater understanding of human trafficking by publishing diverse scholarly works on all the forms of contemporary slavery. The main areas of journal's interests cover: anti-trafficking policy and legislation, child trafficking, commercial sexual exploitation of children, child soldiers, organ and tissue extraction, forced labour and slavery, forced marriage, involuntary domestic servitude, debt bondage, behavioral and medical consequences of human trafficking, as well as survivor issues, outcomes and resources (*Journal of Human Trafficking*, 2020).

## 2. METHODOLOGY

In order to achieve the aim of this paper and answer the research questions, the United Nations Office on Drugs and Crime (UNODC, 2016; UNODC-ICMPD, 2013; UNODC, 2018a, 2018b), the European Union (Eurostat, 2015; European Commission, 2016, 2017a, 2017b; European Parliament, 2011) and other international organizations (International Centre for Migration Policy Development, 2017; Council of Europe, 2005a, 2005b) reports were analysed. The paper also analyses certain legal acts, most of which were drawn

up by the European Union (Document 32011L0093, 2011; Document 32012L0029, 2012; Document 32011L0036, 2011; Document 32004L0081, 2004; Document 32011L0093, 2011; Document 32004L0080, 2004). They contain: legal basis of a discussed issue, statistical analyses and qualitative research conducted by different international institutions. The paper employs a method of analysis-synthesis, which is swiftly followed by a conclusion.

UNODC (United Nations Office on Drugs and Crime) is the main global organization focused on the problem of modern slavery, it cooperates with international organizations (the European Union, UNICEF and International Organization for Migration) in order to limit the phenomenon of human trafficking (UNODC, 2018a). The last report (UNODC, 2018b) is based on information collected from 142 countries, encompassing more than 94% of the world's population. Statistical data presented in various international and European reports come from the member states and from global organizations cooperating with them.

### 3. RESULTS AND DISCUSSION

Human trafficking is an international problem. In 2016, all over the world there were an estimated 40.3 million victims of modern slavery, which is more than were enslaved during the Transatlantic Slave Trade (Bryant, Landman, 2020). More victims of trafficking in human beings were reported to UNODC in 2016 than at any time over the past 13 years, which means that about 40% more victims were detected, as compared to 2011 (UNODC, 2018b).

Slavery is penalized by the international institutions and by most of the countries. They confirm that this crime collides with the fundamental human right of self-ownership as well as with their dignity. Children and adults of both sexes become the human trafficking victims, especially when they are poor, uneducated, during migration process, and when they are in search for a better life. They are often driven to despair and because of the lack of carefulness, their naivety or the lack of awareness of potential threats, they therefore become victimized. This modern slavery hits both social and personal<sup>1</sup> (Gębska, 2017) as well as international security, because multinational criminal groups exploit their victims such as, say, soldiers, and henceforth the former train the latter to ultimate become robbers or terrorists (Szpak, 2015).

The United Nations with regional organizations, such as the Council of Europe drew up a number of legal documents which define the concept of *human trafficking* and recommend precautionary measures which should be taken to protect the victims and fight against this kind of crime. Fight against human trafficking consists in the prosecution and penalization of criminals who, directly or even indirectly, are involved in this business, as well as the protection of their victims.

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<sup>1</sup> In personal and structural aspect, the term security is described as the possibility of free development of subject and the guaranty of undisturbed existence, the achievement of social growth and prosperity of individuals, as well as the state of peace and certainty and the lack of threats. The state and process of personal security relies on the creation of such conditions of life to individuals and whole groups, which facilitate personal flourishing and self-realization. Next, the state and process of structural security relies on the right orientation of activities of social institutions (the state institutions, international organizations, occupational groups, local communities) in order to guarantee personal security. Personal security is a freedom its subject have from the threats or acceptance of those threats with the possibility of remaining human dignity, the right to liberty, life and development.

### 3.1. HUMAN TRAFFICKING DEFINITION AND INTERNATIONAL DOCUMENTS CONCERNING HUMAN TRAFFICKING ISSUE

The legal base for international environment on trade in humans is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (called Palermo Protocole), which is the supplement of the *Convention against Transnational Organized Crime*, adopted by the United Nations on the 15th October 2000 (Dz.U.2005.18.160, 2005). The second base is the *Council of Europe Convention on Action against Trafficking in Human Beings*, adopted on the 16<sup>th</sup> May 2005 (The Council of Europe, 2005b). Moreover the Palermo Protocole appeals to the *Resolution of United Nations General Assembly no. 53/111*, adopted on the 9<sup>th</sup> December 1998, which established the intergovernmental committee to prepare international convention against transnational organised crime and to draw up international legal instrument to protect human trafficking victims, especially women and children.

Palermo Protocole (Dz.U.2005.18.160, 2005; UNODC, 2009) aims to prevent and to suppress human trafficking, undertaking the wide international activities to limit this kind of crime in the country of origin, destination and transit, as well as to develop countermeasures to punish the perpetrators and to protect the victims and enforce human rights, which are important for international community. In accordance with the article 3:

*“Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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”. Moreover, the agreement of the victim of human trafficking to planned usage is not important, if there was used any methods of usage, as well as “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth (...). Child shall mean any person under eighteen years of age”.*

In accordance with Article 5 of Palermo Protocole each country, which ratifies the protocol, *“shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences: (a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article; (b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and (c) Organizing or directing other persons to commit an offence (...).”*

In accordance with article 3 of the United Nations Convention human trafficking is the activity connected with international organised crime, because it is often committed in more than one country or it is committed in one country but the important part of its preparation, planning, leading or controlling, takes place in another country, or it is committed in one country, but affects another one. What is more, penalization includes the entry into agreement with one or more people to obtain financial benefits or other material profit, as well as the knowledge about participation in the organised crime group, and organization, leading,

helping, instigating, facilitating or advising in committing the crime. Penalization concerns laundering dirty money (article 6), corruption (article 8), and entails prosecution, sanction, confiscation (article 11, 12) for the participation in the crime.

Palermo Protocole describes the issues connected with the protection of human trafficking victims, including assistance to and protection of victims (article 6), status of victims in receiving states (article 7), restitution for victims (article 8), as well as the prevention of trafficking in persons (article 9), information exchange and training (article 10), border measures (article 11), security and the inspection of documents (article 12), legitimacy and validity of documents (article 13). The protocole confirms that any activities should be interpreted and applied not to discriminate the victims of human trafficking (article 14).

One of the most important UN documents on trafficking in human beings is the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. It was approved by the General Assembly resolution 317 (IV) of 2 December 1949 and entered into force on 25th July, 1951. According to its provisions, dealing with prostitution does not fall under the sanctions; however, the member states are obliged to introduce certain changes in their intra-state legislation that would require the necessity of having special documents issued to those dealing with prostitution or to the ones only suspected of that crime (Article 6). The convention obliges also to such preventive measures as preventing trafficking in human beings and undertaking operational control activities in public places where emigrants reside (e.g. railway stations, seaports and airports). Unfortunately, so far, the document has been ratified only by 82 member states of the UN (United Nations, 1950).

The Council of Europe convention defines the issue of human trafficking, describes victims and methods of operation against trafficking in the same way as documents of the United Nations. However, it presents activities in the wider context, which should be undertaken by the countries to prevent trafficking in human beings. Those activities include: promotion of human rights actions, tightening relevant policies and introducing educational programs which would explain the problem of human trafficking, the implementation of training programs as well as social and economic initiatives directed to people who are at risk of becoming the victims of modern slavery. Moreover, the convention regulates the issue of identification of victims, protection of private life, assistance for victims, recovery and reflection period, resistance permit, compensation and legal redress, reparation and return of victims, gender equality (chapter III), as well as substantive criminal law (chapter IV). Solutions of problems are just the same as in the documents of the United Nations, but what is more, they state clearly that the victims should not be penalized for any unlawful act if they were forced to commit it (article 26). The chapter V and VI shows the issue of investigation, prosecution and procedural law as well as the international cooperation and the one with civil society (Council of Europe, 2005a).

Trade in humans is forbidden in the European Union and penalized in accordance with the Article 83 of the Treaty of the Functioning of the European Union. Next, the *Directive of the European Parliament and the Council No. 2011/36/EU of 5<sup>th</sup> May 2011 on the prevention of human trafficking and fight against this kind of dirty business and victims protection* describes the ways of cooperation and coordination of the activities in the EU (European Commission, 2016; European Parliament, 2011). The European Union is a party to the United Nations Convention against Transnational Organized Crime and additional protocols to that

convention. EU has developed many different documents containing recommendations on fight against human trafficking. An example of such document is the Brussels Declaration signed in 2002, which was adopted at the European Conference against Trafficking in Human Beings. The declaration includes the list of the standards recommended to the EU members that would serve to improve the effectiveness of the fight against trafficking in human beings. This document highlights the assistance programs, inter-state exchange of information, promotional campaigns of preventive nature, and also mentions the need to learn the reasons for trafficking in human beings. However, the declaration does not entitle one to lawfully take actions, but serves merely as a source of information that might be used by EU countries to combat human trafficking (Refworld, 2002).

Actions of EU aimed at combating and preventing trafficking in human beings are defined by extra legal acts. The most important of them are (Document 32011L0093, 2011; Document 32012L0029, 2012; Document 32011L0036, 2011; Document 32004L0081, 2004; Document 32011L0093, 2011; Document 32004L0080, 2004):

- Brussels Declaration on Preventing and Combating Trafficking in Human Beings;
- 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;
- Residence permit for victims of human trafficking;
- Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA;
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA;
- Council Directive 2004/80/EC of 29 April 2004 relating to compensation to victims of crime.

### **3.2. PURPOSES OF TRAFFICKING IN HUMAN BEINGS, THE SCALE OF THE PROBLEM AND THE VICTIM'S PROFILE**

The statistics presented in this article are based mainly on the international reports published periodically by the *United Nations Office on Drugs and Crime*. This UN programme came into existence in 1997 and it helps the member countries to combat international crime and illegal drug trade and it implements UN anti-terrorist programs, as well as coordinates activities in this area. The results of research are presented according to the world division into: Western and Central Europe (it is divided into Western and Southern Europe and Central and South-Eastern Europe), Eastern Europe and Central Asia<sup>2</sup>, North and Central America and the Caribbean, South America, East Asia and the Pacific, South Asia, Sub-Saharan Africa and North Africa as well as the Middle East (UNODC, 2016; UNODC 2018b).

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<sup>2</sup> Eastern Europe and Central Asia covers such countries as: Armenia, Republic of Azerbaijan, Belarus, Georgia, Republic of Moldova, Russian Federation, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. Because of the lack of information on Eastern Europe (without Asia) this region will not be subject to our scrutiny.

From an international security point of view it is important to mention that available scientific research indicates that there is a positive correlation between the occurrence and intensity of the problem of human trafficking and the extent and length of conflicts. The examples of criminal groups pointed out are: Boko Haram, the Islamic State, Lord's Resistance Army of Uganda and the Revolutionary United Front of Sierra Leone. It is arguable that states which are better at addressing the crime of modern slavery are more likely to experience a shorter intrastate conflict. However, there is no evidence that trafficking of human beings can tip the scales of conflict in one way or the other, but it is likely that it can at the very least sustain a rebel group in a material way (Bowersox, 2018, June 22).

Armed conflicts can increase vulnerability to slavery in different ways. Areas with the lack of resources to respond to crime and with weak rule of law provide criminals with a fertile terrain to carry out their actions. This is exacerbated by many individuals and families in dire straits, lacking resources to satisfy their basic needs. Some armed groups involved in a conflict and other criminals may exploit civilians and take the opportunity to traffic victims, both adults and children (UNODC, 2018b, p. 11).

According to UNODC (UNODC, 2018b) victims exploited in conflict areas were mostly used as persons coerced into sexual slavery, exploited in a forced marriage, as porters by armed groups and to extract minerals, diamonds and gold. On the other hand, victims abused while fleeing conflict areas were exploited in industries and service sectors or in a forced marriage. As for refugees, they were subject to sexual exploitation.

According to 2018 report Western and Southern Europe<sup>3</sup> and Central and South-Eastern Europe<sup>4</sup> subregions are characterized by similar indices. In Western and Southern Europe 52% of identified victims were women and the most important reason for human trafficking was sexual exploitation (66% of detected victims), among convicted people there were mostly men (76% of detected criminals). About 51% of offenders came from the country of their victims' origin. The victims were transported within some distance and what was recorded there was the increasing trend of human trafficking for forced labour (UNODC, 2018b).

In Southern Europe and Central Europe 51% of detected victims were women and the main reason for trafficking was sexual exploitation (70% of detected victims), among convicted people there were mostly men (82% of detected criminals). As much as 80% of offenders come from the country of their victims' origin. The victims mainly come from Western and Central Europe and their place of destination is Eastern Europe and Central Asia. Over the period 2012–2014 there was noticeably increasing trend of victims' exploitation for begging and getting forced marriage (UNODC, 2016; UNODC, 2018b).

Over the period 2012–2014 in Western and Southern Europe there were detected about 15 200 cases of human trafficking, 56% of them were women, 19% men, 18% girls and 7% boys. Compared with previous years there was an increasing trend of men trafficking, especially in Austria, Denmark, Germany, Ukraine, Norway, and the United Kingdom. Other countries recorded stable indicators (about 10% share of men), while the lowest indicator was

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<sup>3</sup> This subregion covers such countries as: Andora, Austria, Belgium, Denmark, Finland, France, Greece, Germany, Ireland, Italy, Malta, the Netherlands, Norway, Portugal, Spain, Switzerland, Turkey, and the United Kingdom.

<sup>4</sup> This subregion covers such countries as: Czechia, Slovakia, Latvia, Estonia, Hungary, Poland (Central Europe) and Albania, Bulgaria, Montenegro, Romania, Serbia, Slovenia, former Yugoslav Republic of Macedonia (South-Eastern Europe).

recorded in Turkey (1%). At the same time the share of trafficked children was stable, and there was a decreasing number of trafficked women (UNODC, 2016).

Next, over the period 2012–2014 in Central and South-Eastern Europe about 6870 cases of human trafficking were reported, 75% of them were women and girls at different age. Compared with previous six years a decreasing trend of men and boys trafficking was observed; it was increasing only in Serbia and Czechia (UNODC, 2016).

Over the period 2012–2014 in Western and Southern Europe as much as 67% of victims were sexually exploited, 30% were forced to work, especially in agriculture, construction, housework and cleaning service. About 4% of victims were trafficked for other purposes, while the lowest share fell upon begging (0,7%) and forced crime (0,7%). Single cases of forced or sham marriages were recorded. About 85% of victims were women, especially young ones. Only 4% of sexual victims were men (UNODC, 2016).

On the other hand, in Central and South-Eastern Europe 65% of victims were sexually exploited, 97% of them were women. About 23% of victims were trafficked for forced labour and 86% of them were men. 14% share of woman is the lowest compared with other regions of the world. About 0,1% of victims were trafficked for organ removal and 12% of victims were used for other purposes, such as begging and forced or sham marriage (1% of victims). The other purposes of human trafficking in this region were: forced commission of crime, pornography, and trafficking pregnant women to sell their children. Over the period 2012–2014 7 cases of trafficking for organ removal were noticed (UNODC, 2016).

According to the UNODC Report 2018 (UNODC, 2018b) between 2014 and 2017 in Western and Southern Europe, there were cases of victims of human trafficking from 124 countries, in comparison to 41 countries in Central and South-Eastern Europe. Those numbers especially reveal the international nature of the deal.

Similar figures may be found in the reports of the European Union. According to the Eurostat, over the period 2010–2012 as much as 30 146 cases of human trafficking were reported in 28 countries of the EU, 80% of them were women and 65% of them were citizens of the EU. Moreover, more than 1000 sexually exploited children were recorded. About 71% of all men victims were taken advantage of as cheap workforce. At that time in the EU 8 805 people were prosecuted because of human trafficking, 70% of them were men, and 3 855 people were convicted (Eurostat, 2015).

Next years, over the period 2013–2014 15 846 cases of human trafficking were recorded, 65% of them were citizens of the EU, 15% of them were children. Among the EU countries the biggest number of victims was identified in Romania, Bulgaria, the Netherlands, Poland, and Hungary, while the biggest number of extra-European victims were from Nigeria, China, Albania, Vietnam and Maroko. At that time 6 324 people were heard because of a suspicion of human trafficking, 4079 people prosecuted and 3 129 convicted (European Commission, 2016).

According to UNODC (UNODC, 2018b) the criminal income earned from the exploitation of trafficking victims in Western and Southern Europe was: 25–65 euro per act, 1000 euro and 240 USD per day (3 sexual exploitation cases), and 300–500 euro, 300–1000 euro and 750 euro per day (2 begging cases). In Central and South-Eastern Europe the income was 200 and 150 euro per day (2 sexual exploitation cases).

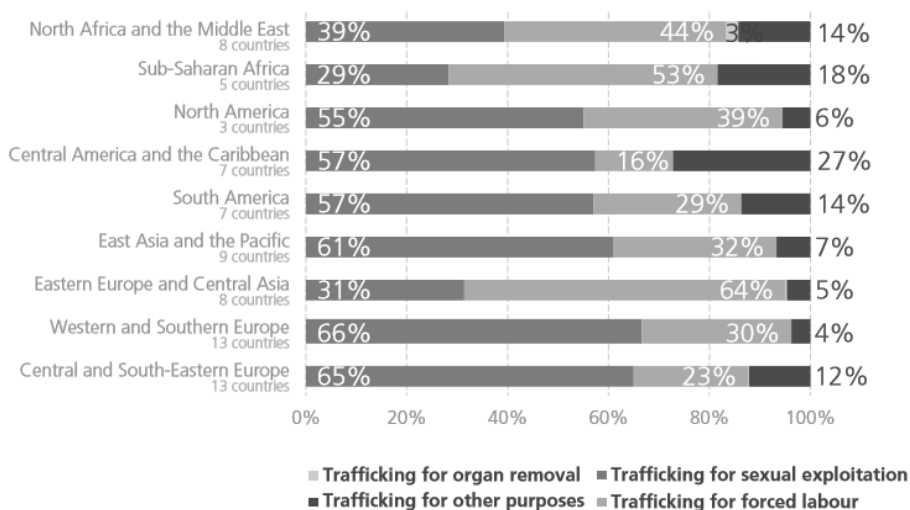


### 3.3. TRAFFICKING IN HUMAN BEINGS IN EUROPE COMPARED WITH OTHER CONTINENTS

The victims of human trafficking in Western, Central and South-Eastern Europe were usually sexually exploited (about 65,5% of victims), compared with 31% of victims in Eastern Europe and Central Asia, 29% in Subsaharian Africa and 55% in Northern America, 57% in Central America, the Caribbean and Southern America, and 61% in East Asia and Pacific. In Eastern Europe and Central Asia people were taken advantage of as cheap workforce (64% of victims), compared with 30% in Western and Southern Europe and 23% in Central and South-Eastern Europe. Compared with other regions of the world all subregions of Europe recorded small amount of other forms of exploitation, such as organ removing, begging, sham and forced marriage and sale of children (UNODC, 2016). In the next UNODC report (UNODC, 2018b) it was said that trafficking for forced criminality was mainly reported in Western and Southern Europe, while trafficking for organ removal was primarily detected in North Africa, Eastern Europe, and Central and South-Eastern Europe. Other forms, such as trafficking for exploitation in begging or for the production of pornographic material, were reported in different parts of the world. The detection of other forms of modern slavery may partly reflect the ways in which the states chose to criminalize different forms of exploitation.

Globally in 2016 trafficking for the purpose of sexual exploitation was the most frequent form of trafficking. Those victims comprised 59% of the detected victims. At the same time one victim out of three detected was trafficked for forced labour, and 7% of detected victims were trafficked for other purposes (UNODC, 2018b).

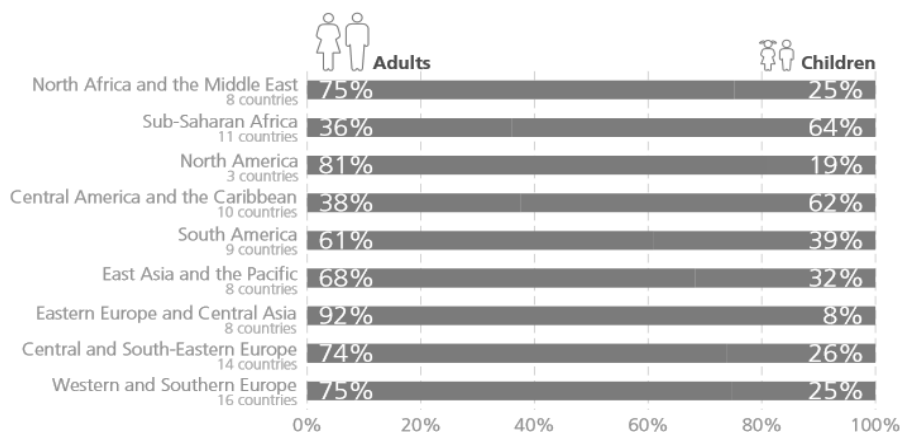
Fig. 1. Shares of different forms of exploitation among detected trafficking victims, by region of detection in 2014 (or most recent year)



Source: (UNODC, 2016, p.29).

Compared with other regions of the world all European subregions recorded a small share of trafficked children. In 2014 and 2016 they constituted 25–26% of all victims in Western and Southern Europe, and 26% in Central and South-Eastern Europe in 2016 but 34% in 2016 (UNODC, 2016; UNODC, 2018b). Much bigger indicators were recorded in the regions of the world with high demographic development and the lack of birth control (in some countries the lack of registration of newborn children), hence in Subsaharian Africa, Central America and the Caribbean as well as in South America.

Fig. 2. Shares of adults and children among detected trafficking victims, by region in 2014 (or most recent)



Source: UNODC elaboration of national data.

Source: (UNODC, 2016, p.26).

All subregions of Europe were a common destination for migrating people and trafficked ones, because of high level of social and economic development of the destination areas. The offenders were able to obtain huge financial gains as a result of exploiting people. Smuggling of people, transportation, which were often connected with human trafficking, bribing administration or board guards to receive false documents or residence permits, as well as the creation of special conditions for illegal immigration, incur enormous cost, so a major part of victims from richer parts of the world migrated within a medium or long distance, inter alia to Europe. On the other hand, the victims of modern slavery from the poorest regions of the world migrated mostly within a short distance, so they stayed usually in the country of their origin or were smuggled to neighbouring countries. In case of Subsaharian Africa 98% of victims stayed in their region, compared with 94% in Central America and the Caribbean, and Eastern Europe and Central Asia, 93% in East Asia and the Pacific, and 89% in South America. In Western and Southern Europe, Central and South-Eastern Europe those indicators were much smaller and they respectively amounted to the number of 69% and 73% (Eurostat, 2015).

Human trafficking is often linked to a different type of criminal activity; that is, illegal migration involving criminal groups or individual smugglers may be accompanied by drug

trafficking, organ trafficking and even terrorist activities. Trafficking in human beings and migration may also involve counterfeiting identity documents, or forcing criminal activities, such as theft (Czarnecka, 2018; Wawrzusiszyn, 2017).

### 3.4. PROFILE OF CRIME IN WESTERN AND SOUTHERN EUROPE

In spite of the fact that in Western and Southern Europe women involved in trafficking crime were often detected, the share of cases which brought accusation against offenders and cases with conviction was one of the smallest in the world. It is estimated that about 31% of prosecuted people and 22% of convicted people were women (similar indicators apply in 2018). In 2014 about 58% of prosecuted ones were offenders outside the region, mainly from Central and Eastern Europe (28%) and Subsaharian Africa (13%) as well as from both Americas (5%) and Asia (6%). This means that human trafficking is an international crime. About 40% of convicted people came from the country of crime detection. In 2014, 73% of investigated people were men, and 27% women. They came from 10 countries. 69% of men and 31% of women were prosecuted. They came from 8 countries, 78% of men and 22% of women were convicted (Eurostat, 2015; UNODC, 2018b).

Over the period 2012–2014 in Western and Southern Europe detected victims of human trafficking came from 137 countries, instead of just several African, Oceanian, Central American countries and f.e. Saudi Arabia, Oman or Australia. The biggest number of detected victims came from Central Europe (14%) and South-Eastern Europe, especially from Bulgaria and Romania, as well as from Subsaharian Africa (16%) and East Asia and the Pacific (7%) (Eurostat, 2015). The biggest number of victims detected in France, Germany, the Netherlands and the United Kingdom came from Central Europe. About 52% of victims, as a result of trafficking, migrated within a medium distance (between two countries that don't share a border and with the border of the origin less than 3500 km away from the closest border of the destination country), and 26% of victims migrated within a long distance (more than 3500 km). Cameroon, Ghana, Gwinea, Sierra Leone, and first of all Nigeria, were the countries of origin of the biggest flow of modern slaves to Europe. Among Asian countries the biggest number of victims came from China, Indonesia, Philippines, Thailand and Vietnam. At that time a surge in migration and trafficking was noticeable, in particular from East Africa to the United Kingdom, from Eastern Europe and Central Asia to Turkey, from Southern America to France and Spain and from North Africa to France, and first of all, from Subsaharan Africa to many European countries (Eurostat, 2015).

In 2018 the main origins of inbound flows remained the countries in Central and South-Eastern Europe, while the detection of these flows declined markedly compared to 2012 and 2014. Victims from South-Eastern Europe were recorded in large numbers in almost every part of this subregion. Victims from Central Europe were also detected in many parts of Western and Southern Europe, though to a lesser extent. What is more, some Western European states reported detection of the victims from the Baltic states such as Latvia and Lithuania, with larger numbers in the United Kingdom. It look as if countries in Western and Southern Europe were increasingly detecting victims from other affluent countries in this area. Outside of the region of Western and Central Europe, Sub-Saharan Africa remained the most relevant origin of detected trafficking flows into Western and Southern Europe. (UNODC, 2018b).

Research data released by UNODC and Brazilian Ministry of Justice indicate that Western Europe (mainly Spain, the Netherlands, Italy and Switzerland) was a place of destination for the trafficking victims from Brazil, Paraguay, and Columbia, including LGBT and transsexual people (UNODC-ICMPD, 2013).

### **3.5. PROFILE OF CRIME IN CENTRAL AND SOUTH-EASTERN EUROPE**

Over the period 2012–2014 70% of human trafficking offenders in this region were men. The investigation was carried out against 700 people. They came from 10 countries. In total, 2400 people were prosecuted but finally 550 people were convicted. The biggest share of women-offenders was recorded in Latvia (UNODC-ICMPD, 2013).

In 2014 as much as 95,8% convicted offenders came from the country of victims' origin, only 2,9% came from other countries of Central and South-Eastern Europe, 0,8% from Africa and Middle East and 0,4% from South-Eastern Asia. At that time one human trafficking network in Switzerland and three networks in Hungary were detected. Moreover, Romanian people were recruited in Switzerland for slavery work in agriculture in Portugal. In 2014 the victims detected in Central and South-Eastern Europe came from 13 countries. 41% of them were exploited in their country of origin, 28% of them were forced to migrate to another country, 14% of them to Eastern Europe and Central Asia, 4% of them to Africa and Middle East and 3% of them to South Asia. At that time Poland and Czechia recorded the victims who were trafficked from Eastern Europe, above all from Ukraine. Across the region 55% of victims were trafficked within a short distance, 28% within medium distance and 17% within a long distance (UNODC-ICMPD, 2013).

The huge majority of the people convicted of trafficking in this region were citizens of the country of conviction (80%), or of neighbouring countries in Central and South-Eastern Europe or Eastern Europe. Central and South-Eastern Europe is a region of origin for detected victims who were trafficked to other European countries, especially to Western and Southern Europe as well as in other countries within Central and South-Eastern Europe. This area was also a place of destination for victims. Large numbers of them were citizens of the country of detection. Important detected flows originate from Eastern Europe, including the one from Ukraine often directed to Poland and other countries in Central Europe. Poland and Czechia were mainly destinations for victims originating from South-Eastern Europe. Victims from East and South Asia have been detected in the more affluent countries of this region (UNODC, 2018b).

### **3.6. EUROPEAN COUNTRIES AND HUMAN TRAFFICKING ISSUE**

The countries of Western and Southern Europe accepted the definition of human trafficking which was proposed by the United Nations up to 2012. Individual countries differ in the area of legal status of fight against human trafficking. For example the Netherlands accepted the law in the area of sexual exploitation in 1911 and Germany in 1971, but both countries adjusted the law according to the UN recommendation in 2005, like other European ones (gradually since 2002). The pace of legal adjustment generally depends on the number of detected cases of trafficking (the countries with a huge number of convicted offenders have a tendency to change the law), e.g. on average 90–150 people a year are detected in Germany and the Netherlands. About 62% of people against whom criminal proceedings were

initiated were accused, and 32% of accused people received criminal judgement in the first instance (UNODC-ICMPD, 2013).

The countries of Central and South-Eastern Europe were the first countries in the world that accepted the definition of human trafficking proposed by the United Nations. Albania, Bulgaria, Lithuania, Latvia, Serbia and Montenegro started to fight against trafficking crime before accepting the protocols, in the period 2002–2003. In Romania and Bulgaria on average 60–100 people a year are detected. Other countries detect more offenders than in other regions of the world. The sooner accepted the law, the bigger number of legal cases is heard, and social awareness increases (UNODC-ICMPD, 2013).

#### 4. CONCLUSIONS

Many countries in the world are afflicted with the problem of human trafficking. Despite of the abolition of slavery in the majority of countries in the 19<sup>th</sup> century (e.g. in 1833 in the British Empire, in 1848 in France, in 1865 in the United States), as well as signing the Convention on slavery on the 25<sup>th</sup> September 1926 by the League of Nations, many forms of slavery and exploitation remain, even in democratic countries, which are seen as the models of law and order. Trafficking in human beings is a spreading phenomenon which is connected with crime, forced labour, sexual exploitation, sham or forced marriages, begging, robbery or another activity against the law. Currently the increasing trend of exploitation of victims to remove their organs, use of children as soldiers, or forcing women to give birth to children to sell them, is seen.

Palermo Protocol, adopted by the United Nations in 2000, is the main document dedicated to human trafficking issue. It defines it and outlines rules for dealing with victims and criminals. It is supplemented with the document of the *Council of Europe Convention on Action against Trafficking in Human Beings*, drawn up in 2005. Most of European countries have signed these documents and implemented them into their legal basics. The European Union has proposed a number of legal acts that aim to protect the victims of human trafficking.

In Europe usually adults became the victims of trafficking because they were exploited as cheap workforce. Last years in most cases men were offenders, but there is a new, quite intensive trend of recruiting new victims by women, because women easily inspire trust. The victims came from different parts of Europe and more than half of them was trafficked within a medium distance, not to neighbouring countries, but within a distance smaller than 3500 kilometres. European regions, such as Western and Southern Europe, as well as Central and South-Eastern Europe have fairly similar indicators on victims of trafficking – their sex, age and ways of exploitation, also criminals involved in this kind of crime.

The last scheme of activity of UNODC for the years 2015–2016 was supported by 11 mln Euros and it was concentrated on preventing human trafficking (European Commission, 2017a; European Commission, 2017b), especially among migrants who come from Africa, Asia, Southern Europe and Latin America. The assumption of such an action is that nowadays modern slavery is connected with migration and refugee crisis, which has been so intensive since 2015.

In 2016 the *International Centre for Migration Policy Development* (ICMPD), in the light of the migration crisis in Europe, aimed to fight against the human trafficking, especially protecting from danger the people who migrate and seek for the refugee status. ICMPD

cooperated with the EU, Jordan, Turkey, Western Africa and ECOWAS (*Economic Community of West African States*) in the area of asylum, border and visa management, illegal migration and retrace, legal migration and integration, migration and development, as well as the human trafficking (International Centre for Migration Policy Development, 2017).

In European countries there are no internal or international conflicts that would cause significant migration processes, and thus no trafficking in human beings, but most European countries are an attractive destinations for migrants and victims who in most cases prefer to stay in a new country rather than return to the country of their origin.

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