



An Roinn Dlí agus Cirt
agus Comhionannais
Department of Justice
and Equality

Trafficking in Human Beings in Ireland

Annual Report 2019

www.blueblindfold.gov.ie



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INTRODUCTION AND EXECUTIVE SUMMARY

The Department of Justice and Equality is pleased to present the eleventh annual report on Trafficking in Human Beings in Ireland (2019), which covers the period between 1 January and 31 December 2019.

The report meets Ireland's reporting obligations under Article 19 of the EU Human Trafficking Directive (2011/36/EU)¹.

The report is structured in the following way:

- Chapter 1 provides a definition of human trafficking and explains its characteristics
- Chapter 2 provides statistics on the victims of human trafficking identified by Ireland in 2019
- Chapter 3 provides an outline of the extent of trafficking in Europe
- Chapter 4 describes Ireland's State and NGO-led response to the crime of trafficking and the provision of care to its victims
- Chapter 5 notes international assessments of Ireland's efforts to combat trafficking and to provide supports to victims
- Chapter 6 describes notable actions and progress made in 2019 in delivering on the objectives of the National Action Plan against human trafficking.

In Ireland, there were 42 victims of human trafficking identified by An Garda Síochána in 2019. 34 of these were victims of sexual exploitation, 3 were victims of labour exploitation, 2 were victims of both sexual and labour exploitation and 3 were victims of forced criminality. This represents 22 less than the 64 reported in respect of 2018. As was the case in previous years, in 2019 the vast majority of incidents of human-trafficking reported in Ireland relate to sexual exploitation.

However, the actual number is likely to be significantly higher as many victims remain undetected. A statistical study on trafficking in human beings in the EU was published by the European Commission which showed that 20,532 men, women and children were registered as victims of trafficking in the EU in 2015-2016.

There were no convictions for human trafficking offences in 2019, and the difficulties in securing convictions against traffickers are well understood. An Garda Síochána continue to vigorously pursue a number of cases where action was initiated prior to 2019, and commenced action on a number of new cases during 2019.

Each year the US Department of State evaluates the actions of countries around the world in combatting human trafficking. Ireland retained their Tier 2 rating in the 2019 Trafficking in Persons Report which denotes that the Irish government "does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so".

¹ 'Member States shall take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field, and reporting'.

The Second National Action Plan to Prevent and Combat Human Trafficking in Ireland commits the Department of Justice and Equality to ensuring the availability of funding to NGOs who are active in the field of human trafficking. This commitment recognises the role played by NGOs in assisting victims of human trafficking to access necessary supports to aid their recovery from their ordeal. In 2019, funding was provided by the Department to Ruhama for €350,000 and to the Migrant Rights Centre Ireland for €84,500.

At the EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human beings on 4 and 5 December 2019, Ireland announced that the Irish Human Rights and Equality Commission (IHREC) would be designated as our first National Rapporteur for Anti Human Trafficking with IHREC attending the meeting in that capacity for the first time.

EU Anti Human Trafficking Day on 18 October was marked by the Department hosting an event centred on Cork courthouse to commemorate a speech made there in 1845 by Frederick Douglass, the escaped American slave and statesman. The event catered for 150 people and was attended by a number of high-profile people, including: An Tánaiste; Minister Stanton, the Garda Commissioner, the Ambassadors of the US, Romania and Lithuania and members of the Irish Judiciary. This was followed by the 'Light up Cork' event whereby significant buildings in Cork City were highlighted in blue to bring attention to human trafficking.

In 2019, Mary Immaculate College, Limerick, commenced an in-depth research project relating to matters pertaining to human trafficking, with regard to the whole island of Ireland. The project is aimed at identifying high-quality data sets that exist in Ireland pertaining to human trafficking and raising awareness of the nature and scale of trafficking in human beings across the island of Ireland.

The Department continues to maintain the 'Blue Blindfold' website, www.blueblindfold.gov.ie, which provides a user-friendly overview of how the crime manifests in Ireland, how members of the public can spot and report the signs of trafficking, and how the State supports these victims once identified. This report, and its' predecessors are hosted on the website. The 'Blue Blindfold' motif urges the public not to close their eyes to the signs of human trafficking.

Internationally, in 2019 Ireland participated in the EU European Multi-Disciplinary Platform Against Criminal Threats (EMPACT) Joint Action Days. These exercises were carried out in Dublin Airport and focused on identifying potential victims of labour exploitation, sexual exploitation and child trafficking.

Also, in July 2019, the Health Service Executive and the Royal College of Surgeons in Ireland, in partnership with the International Council of Nurses, launched a programme to raise awareness of human trafficking among 20 million nurses across the globe. A comprehensive booklet was launched at the International Council of Nurses' Congress in Singapore and was welcomed by An Tánaiste, the Minister for Health and the Minister for Justice and Equality.

Department of Justice and Equality
May 2020

1. HUMAN TRAFFICKING EXPLAINED

WHAT IS HUMAN TRAFFICKING?

Human Trafficking is a crime and a human rights violation. For a situation to be one of trafficking, three distinct elements (act, means, and purpose) must be fulfilled:

- The ACT of recruitment, transportation, transfer, harbouring or receipt of persons must be done by...
- The MEANS, such as the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability or the giving or receiving of payments, and it must be for...
- The PURPOSE OF EXPLOITATION i.e. sexual exploitation, labour exploitation, forced begging, forced criminality or organ removal.

Child trafficking: an important note:

A child cannot consent to being trafficked, therefore the MEANS element does not apply to children. In the case of a child, the mere ACT of recruiting, transporting, transferring, harbouring or receiving a child for the PURPOSE of exploitation constitutes trafficking.

Similarly, exploitation of a child in and of itself, without the 'Act' element, while constituting another criminal offence, will rarely amount to human trafficking.



Victims of trafficking are often invisible to the public eye

The presence of the three distinct elements is observed in the definition of human trafficking as set out in both the **Council of Europe Convention on Action against Trafficking in Human Beings** and the **UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the UN Convention Against Transnational Organised Crime**:

“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.”

In Ireland, these definitions have been incorporated into the **Criminal Law (Human Trafficking) Act 2008** and the **Criminal Law (Human Trafficking) (Amendment) Act 2013**.

WHY DOES IT HAPPEN AND WHERE DOES IT HAPPEN?

Trafficking in human beings is a high profit–low risk crime based upon the principles of supply and demand. Criminal networks or individuals take advantage of a series of what are known as ‘push and pull’ factors, which explain why vulnerable individuals who lack opportunities and seek better living conditions in their own or a foreign country, end up being part of a human trafficking chain. This, in combination with the demand for cheap labour and sexual services, fuels human trafficking.



Poverty is a risk factor for people becoming victims of trafficking

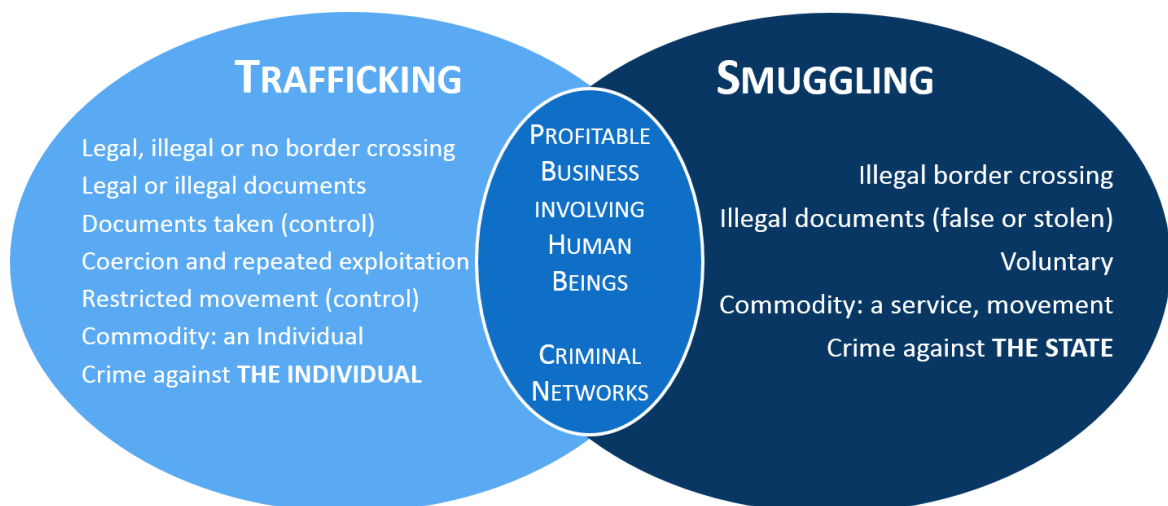
People can be trafficked into different types of work in agriculture, in the manufacturing sector and in the service industry. This can include restaurant and hotel work, domestic work, construction, agriculture and entertainment. They can be trafficked into prostitution, forced begging and forced criminality, sometimes in the form of cultivating or dealing in illegal drugs.

PEOPLE SMUGGLING VS. HUMAN TRAFFICKING

It is important to note the distinction between people trafficking and people smuggling. The relevant distinction is that being **trafficked is involuntary**, whereas people smuggling involves the consent of the individual being smuggled.

What begins as smuggling may become a trafficking situation when a person who has been smuggled is then subjected to exploitation through force, coercion, deception, etc., during or after the smuggling event.

- People smuggling involves migrants being facilitated with entry into a State through illegal means whereas trafficking must have the threat or use of force, coercion or deception against a (adult) victim.
- People smuggling facilitates an individual’s illegal entry into the State whereas victims of trafficking can enter into the State both legally and illegally.
- People smuggling must take place across international borders but there is no requirement that a person must have crossed a border for trafficking to take place – it can and does take place within national borders.
- People smuggling, while often undertaken in dangerous or degrading conditions, involves migrants who have consented to the smuggling. Trafficking victims, have either never consented or, if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abusive actions of the traffickers.
- People smuggling ends with the arrival of the migrants at their destination; unlike trafficking it does not involve the ongoing exploitation of victims.



2. EXTENT OF HUMAN TRAFFICKING IN IRELAND

A note on statistics:

Estimating the prevalence of trafficking is difficult due to the low numbers of identified victims each year, and the characteristics of human trafficking, including its clandestine nature and its overlap with other illegal activities. In addition, due to the relatively small number of victims in a given year, one-off incidents involving large numbers of victims can have a significant impact on the overall figures.

Therefore the statistical reports in this section provide a detailed analysis of the information that is available to authorities, rather than a precise account of the extent of the phenomenon in Ireland.

The 2019 annual report follows the approach to classification from the previous years in relation to victims of crimes prosecuted under section 3(2) of the Child Trafficking & Pornography Act 1998 (as amended by Criminal Law (Human Trafficking) Act 2008). Based on international best practice, these victims are not counted as victims of trafficking.

2019 OVERVIEW

There were 42 victims of human trafficking identified by An Garda Síochána in 2019. 34 of these were victims of sexual exploitation, 3 were victims of labour exploitation, 2 were victims of both sexual and labour exploitation and 3 were victims of forced criminality.

Table 1 Total number of victims identified in Ireland in 2019		
	No.	% Total
Total Victims Identified	42	100%
Adult	33	79%
Minor	9	21%
Offence occurred in Ireland	20	48%
Offence occurred outside Ireland	22	52%

In relation to victims for whom the crime occurred outside of Ireland, these people were admitted to the system of State supports known as the National Referral Mechanism and provided with the same services as if the crime had occurred within the country.

Table 2 Source Countries	No.	% Total
Nigeria	17	40%
Romania	3	7%
Albania	2	5%
Kenya	2	5%
Vietnam	2	5%
DR Congo	2	5%
Sierra Leone	2	5%
Zimbabwe	2	5%
Other	10	23%

Table 3 Trafficking by Exploitation Type	No.	% Total
Trafficking for sexual exploitation	34	81%
Trafficking for labour exploitation	3	7%
Trafficking for sexual and labour exploitation	2	5%
Trafficking for forced criminality	3	7%
Total	42	100%

2015-2019 DATA

The tables that follow outline the number of victims that have been identified in Ireland over the last 5 years, the nature of the exploitation they have been subject to and their region of origin.

VICTIMS BY YEAR, AGE AND GENDER

Table 4 shows the number of suspected victims of human trafficking identified by An Garda Síochána by year of detection, age and gender. There have been 318 victims detected over the last 5 years with 42 victims identified in 2019.

Table 4 Suspected victims by year, age and gender					
Year	Age	Female	Male	Transgender	Total
2015	Adult	35	19	1	55
	Minor	6	1	-	7
	Total	41	20	1	62
2016	Adult	38	36	-	74
	Minor	1	-	-	1
	Total	39	36	-	75
2017	Adult	42	30	-	72
	Minor	3	-	-	3
	Total	45	30	-	75
2018	Adult	30	29	-	59
	Minor	3	2	-	5
	Total	33	31	-	64
2019	Adult	31	2	-	33
	Minor	7	2	-	9
	Total	38	4	-	42
Total	Adult	176	116	1	293
	Minor	20	5	-	25
	Total	196	121	1	318

Over the last 3 years there has been a downward trend in the number of victims detected annually. However, given the relatively small numbers of victims detected in Ireland, one off incidents where a large number of victims are detected in one instance can influence any given year.

There was a shift in the gender breakdown of victims of human trafficking in Ireland from 2018 to 2019. In 2018, males accounted for 49% of victims and females accounted for 51% of victims. This drastically changed in 2019 where males accounted for only 6% of victims and females accounted for 94% of victims.

VICTIMS BY REGION AND EXPLOITATION TYPE

Table 5 provides a breakdown of the 318 victims of human trafficking by region of origin.

Table 5 Suspected victims by year and region of origin		
Year	Region of Origin	Total
2015	Africa	20
	EEA	36
	South America	1
	Asia	3
	Non-EEA Europe	1
	Other	1

2016	Africa	17
	EEA	47
	South America	4
	Asia	6
	Non-EEA Europe	1
2017	Africa	28
	EEA	22
	South America	4
	Asia	19
	Ireland	2
2018	Africa	35
	EEA	19
	South America	2
	Asia	6
	Non-EEA Europe	1
	Ireland	1
2019	Africa	31
	EEA	8
	South America	1
	Asia	2
Total	Africa	131
	EEA	132
	South America	12
	Asia	36
	Non-EEA Europe	3
	Ireland	3
	Other	1
	Total	318

In the last 5 years, 42% of suspected victims came from the EEA region, with 31% from the Africa region and 11% from the Asia region.

VICTIMS BY YEAR, EXPLOITATION AND GENDER

The Criminal Law (Human Trafficking) (Amendment) Act 2013 came into effect in August 2013 and expanded the definition of human trafficking to include exploitation of a person for the purpose of forced begging and for forced participation in criminal activities for financial gain. These specific categories of alleged exploitation were previously recorded as ‘uncategorised exploitation’ or ‘labour exploitation’.

Table 6 below illustrates the trend in exploitation type in Ireland.

Table 6 Victims by year, exploitation and gender					
Year	Exploitation	Female	Male	Transgender	Total
2015	Sexual	30	1	1	32
	Labour	8	15	-	23
	Forced Criminality	1	4	-	5
	Sexual & Labour	2	-	-	2
2016	Sexual	32	-	-	32
	Labour	6	32	-	38
	Forced Criminality	-	4	-	4
	Sexual & Labour	1	-	-	1
2017	Sexual	28	3	-	31
	Labour	11	24	-	35
	Forced Criminality	5	3	-	8
	Forced Begging	1	-	-	1
2018	Sexual	26	1	-	27
	Labour	7	28	-	35
	Forced Criminality	-	2	-	2
2019	Sexual	33	1	-	34
	Labour	2	1	-	3
	Other*	3	2	-	5
Total	Sexual	149	6	1	156
	Labour	34	100	-	134
	Forced Criminality	6	13	-	19
	Sexual & Labour	3	-	-	3
	Forced Begging	1	-	-	1
	Other	3	2	-	5

*Other denotes a mixture of Forced Criminality and Labour and Sexual exploitation

3. EXTENT OF HUMAN TRAFFICKING IN EUROPE

The latest major statistical study² on trafficking in human beings in the EU was published by the European Commission in December 2018. It presents a compilation of statistics at the EU Member State level on trafficking in human beings. This data collection exercise approached all 28-Member States and covers the years 2015 and 2016 and updates the 2014 data collection as relevant.

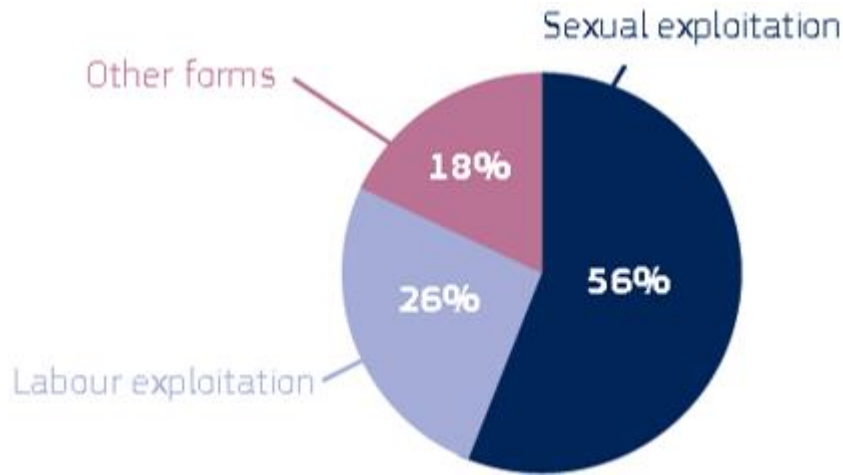
The report showed that 20,532 men, women and children were registered as victims of trafficking in the EU in 2015-2016. However, the actual number is likely to be significantly higher as many victims remain undetected.

Women and girls continue to be most vulnerable to trafficking at 68% while children alone represent 23% of registered victims.



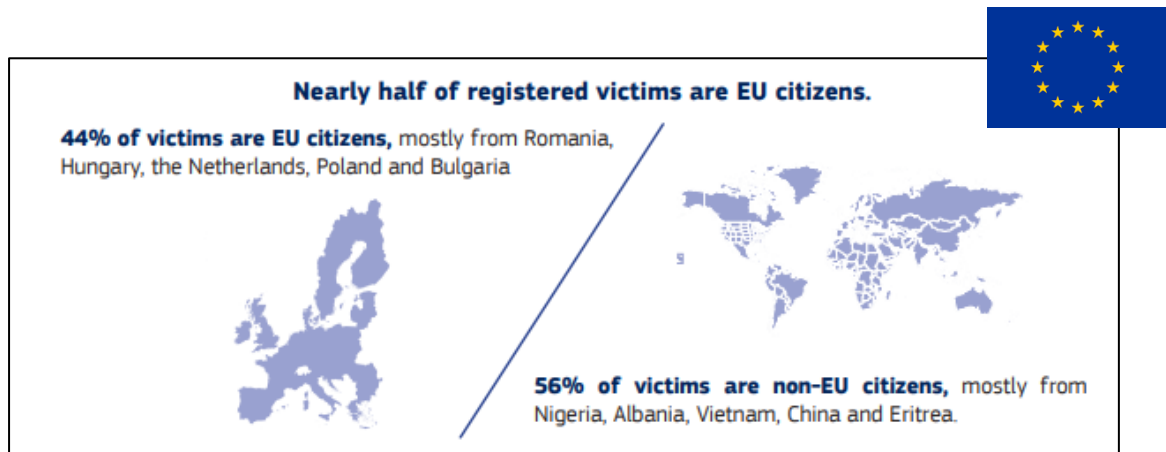
Sexual exploitation is the most common form of exploitation, accounting for over half (56%) of registered victims of trafficking in human beings. Labour exploitation was the purpose of trafficking for around one quarter (26%) of the registered victims. ‘Other’ forms account for 18%.

² Full report available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_data-collection-study.pdf ; factsheet available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_agenda-on-security-factsheet-report-thb_en.pdf



The level of prosecutions and convictions are low, with 5,979 prosecutions and 2,927 convictions reported. Only 18 reported convictions for knowingly using services provided by victims.

The Commission noted that while the judgement of experts was that there were no discernible trends, they did note the continuing stability in some data, e.g.: 95% of the victims of sex exploitation are female and 75% of prosecutions relate to sex trafficking.



4. IRELAND'S RESPONSE TO HUMAN TRAFFICKING

INTERNATIONAL LAW

Ireland's national legislation has its foundation in the global and European commitment to fight human trafficking. The key international instruments are:

- The UN **Palermo Protocol** of the year 2000: A Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime³.
- The **Council of Europe Convention** against Human Trafficking: A 2005 Council of Europe Convention on Action against Trafficking in Human Beings ratified July 2010⁴.
- **EU Directive 2011/36/EU**

THE LEGAL FRAMEWORK IN IRELAND

Ireland's legislation, combined with administrative measures for victim support, fully implements these international treaties.



The key legal instruments in Ireland are:

- The Criminal Law (Human Trafficking) Act 2008⁵. This is the main human trafficking Act which defines the crime and its penalties, with the exception of child sex trafficking. The Act criminalises: the trafficking of adults; child trafficking for purposes other than sexual exploitation (dealt with by 1998 Act – see below); prostituting a trafficked person; and the payment for sex with a trafficked person.
- Child Trafficking and Pornography Act, 1998⁶. This Act covers child trafficking, child sex abuse and child pornography. In relation to human trafficking, the legislation criminalises child trafficking for sexual exploitation.
- The Criminal Law (Human Trafficking) (Amendment) Act 2013⁷. The 2013 amending Act modified the definition of Labour Exploitation to bring it into line with ILO definitions of forced labour and gave effect to the EU Directive 2011/36/EU.

³ <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>

⁴ <https://rm.coe.int/168008371d>

⁵ <http://www.irishstatutebook.ie/eli/2008/act/8/enacted/en/print.html>

⁶ <http://www.irishstatutebook.ie/eli/1998/act/22/enacted/en/print.html>

⁷ <http://www.irishstatutebook.ie/eli/2013/act/24/enacted/en/print.html>

STATE SUPPORTS FOR VICTIMS

IDENTIFICATION OF VICTIMS

A victim of trafficking may access help in a number of ways. They may come forward themselves to An Garda Síochána or another State service. They may be rescued by An Garda Síochána in a police operation. They may approach an NGO (some of which are State-funded), such as Ruhama or the Migrant Rights Centre Ireland. These NGOs also provide ongoing support to victims of human trafficking. Victims may also be encountered by the Health Service Executive, Tusla, the Workplace Relations Commission, embassies and members of the public. The importance of public awareness is crucial to recognising potential victims of trafficking. More information on the indicators of human trafficking may be found on the Blue Blindfold website (www.blueblindfold.gov.ie).

Potential victims are referred to An Garda Síochána to be identified as such, and to enter the National Referral Mechanism, the name given to the State supports.

NATIONAL REFERRAL MECHANISM AND ADMINISTRATIVE STRUCTURES FOR SUPPORT

Ireland provides a victim-centred system of State supports for victims of human trafficking that have been identified by An Garda Síochána. These supports are available through the National Referral Mechanism, which is a framework through which the State fulfils its obligations to protect and promote the human rights of trafficking victims, working in partnership with civil society. These include accommodation, medical services, legal aid and advice, amongst other supports.

Where victims of trafficking, or those acting on their behalf, do not wish to engage with An Garda Síochána, they do not enter the National Referral Mechanism and cannot avail of all services provided directly by the State. However, the Department of Justice and Equality recognises the reluctance that some victims may have in coming forward, and so provides funding to several NGOs to provide support and services to potential victims outside the National Referral Mechanism. Progress has been made to improve the access of victims to State supports (the National Referral Mechanism). Alternative methods for the identification of victims of trafficking has been proposed at Ministerial level with further discussions ongoing.

At any stage of the process, or if the victim is a non-EEA national without an investigative or personal need to remain in the State, their return home is facilitated by the International Organisation for Migration. The International Organisation for Migration runs assisted voluntary return and reintegration programmes. This assistance is available to victims of trafficking regardless of nationality who wish to return home voluntarily but do not have the means, including the necessary documentation, to do so. The Organisation for Migration has offices in many countries, most of which have developed a strong network of support ranging

from housing facilities, to medical assistance, all aiming to support victims in the difficult process of reintegration.

Full details on the National Referral Mechanism may be found at www.blueblindfold.gov.ie, where formal written procedures are published to guide public officials in the identification and protection of victims of trafficking such as:

- A Statement of Roles and Responsibilities⁸ is in place outlining the roles and responsibilities of State agencies and NGOs. The Statement describes the process of identification, the range of available services and assistance measures, information on access to these services, and the part played by relevant organisations at different stages.
- Administrative Immigration Arrangements⁹ are in place to provide a means to remain in the State pending a trafficking investigation for Non-EEA suspected victims of trafficking who do not otherwise have such permission. This temporary protection can evolve into permanent residence.
- A Guide to Procedures for Victims of Trafficking in Ireland¹⁰ provides information to victims of trafficking in relation to their rights.

PARTICIPATING ORGANISATIONS

The close co-operation between stakeholders in the fight against trafficking is recognised internationally as a key element of a successful anti-trafficking strategy. Three dedicated State bodies focus directly on human trafficking.

The **Department of Justice and Equality** coordinates policy on human trafficking in Ireland and works in collaboration with other Irish government agencies, and non-government organisations.

The **Human Trafficking Investigation & Co-ordination Unit** (HTICU) is part of the Garda National Protective Services Bureau (GNPSB) and officers of this Unit have particular expertise in regard to trafficking in human beings.

The **Anti-Human Trafficking Team** (AHTT) of the Health Service Executive (HSE) delivers an individual care plan for each victim of human trafficking.

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<http://www.blueblindfold.gov.ie/en/BBF/Statement%20of%20Roles%20and%20Responsibilities.pdf/Files/Statement%20of%20Roles%20and%20Responsibilities.pdf>

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<http://www.blueblindfold.gov.ie/en/BBF/Administrative%20Immigration%20Arrangements%20for%20the%20Protection%20of%20Victims%20of%20Human%20Trafficking%20-%20March%202011.pdf/Files/Administrative%20Immigration%20Arrangements%20for%20the%20Protection%20of%20Victims%20of%20Human%20Trafficking%20-%20March%202011.pdf>

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<http://www.blueblindfold.gov.ie/en/BBF/Guide%20to%20Procedures%20June%202015.pdf/Files/Guide%20to%20Procedures%20June%202015.pdf>

The **International Protection Accommodation Service (IPAS)** provides potential and suspected victims with accommodation, on the basis of a referral by An Garda Síochána.

Potential and suspected victims who are in the asylum process remain in IPAS accommodation while a determination is being made in relation to their claim for asylum or associated processes (e.g. application for Leave to Remain or Subsidiary Protection).

Solicitors of the **Legal Aid Board** provide legal aid and advice to trafficking victims.

Ruhama is a Dublin-based NGO which works on a national level with women affected by prostitution and other forms of commercial sexual exploitation. Ruhama provides a service to women who are currently involved in on-street and off-street prostitution, women who are exiting prostitution, women who are victims of sex trafficking and women who have a history of prostitution.

Migrant Rights Centre Ireland (MRCI) is a national organisation working to promote justice, empowerment and equality for migrant workers and their families. The Migrant Rights Centre Ireland provides information, advocacy and legal support to migrants and their families all over Ireland. The organisation works to identify and support victims of trafficking for labour exploitation and supports the growth and development of a number of action groups that enable vulnerable migrant workers to work together and improve working conditions in specific sectors.

Other organisations active in the provision of services to victims of trafficking include:

Immigrant Council of Ireland (ICI) works to secure improvements in the rights and protections of migrants and their families in Ireland through working on policy and awareness on issues of migration, integration and human trafficking. The Immigrant Council of Ireland has an independent law centre and operates a helpline for immigration queries.

Sexual Violence Centre Cork (SVCC) is a Cork-based organisation working towards the elimination of sexual violence in society by raising awareness about the prevalence, incidence and dynamics of interpersonal violence within society. Its services include crisis support counselling, advocacy, a telephone helpline and a Sexual Assault Treatment Service (SATS).

Doras Luimní is an organisation that works to support and promote the rights of migrants living in Limerick and the wider Mid-West region. The organisation provides specialised direct support to victims of human trafficking and to women engaged in, or exiting from prostitution.

The **International Organisation for Migration (IOM)** is an international organisation whose primary responsibility lies in assisting persons in returning to their country of origin if they so wish. Assistance is provided to both EU and non-EU nationals alike.

COMBATTING THE CRIME OF HUMAN TRAFFICKING

There were no convictions for human trafficking offences in 2019, and the difficulties in securing convictions against traffickers are well understood. Despite best efforts, each of the prosecutions initiated in recent years have collapsed because of issues related to witnesses. An Garda Síochána continue to vigorously pursue a number of cases where action was initiated prior to 2019, and commenced action in 2019 in a number of new cases.

Due to the international nature of this crime, An Garda Síochána also participate in international actions against trafficking and significant activity in this sphere is noted below.

EUROPEAN MULTI-DISCIPLINARY PLATFORM AGAINST CRIMINAL THREATS (EMPACT)

In 2018 An Garda Síochána joined the EU Cycle 2018–2021 EMPACT Group for Human Trafficking. The EMPACT Group meets at Europol in The Hague and is the Multidisciplinary Platform against Criminal Threats. It is part of an intelligence-led policing approach to tackling organised crime and human trafficking is one of its priority areas. Ireland is also a member of the EMPACT group ETUTU, which focuses on human trafficking from Nigeria into the European Union.

As part of the EMPACT Joint Action Days 2019, Ireland participated in a week of action focusing on Child Trafficking/Exploitation at Dublin Airport. Immigration Control Officers carried out intensified checks at passport control and were trained in how to pay particular attention to minors who were accompanied by adults other than immediate family members.



Also during the EMPACT Week of Action the Human Trafficking Investigation & Co-ordination Unit assisted the Border Management Unit at Dublin Airport as part of an initiative targeting seafarers joining fishing vessels.

Other international activities in 2019 included regular exchanges of information through the Interpol Channel with other Interpol members in the field of human trafficking, and co-operation with the Police Service of Northern Ireland in a number of investigations into human trafficking and organised prostitution.

THE HUMAN TRAFFICKING AND EXPLOITATION PROJECT ON THE ISLAND OF IRELAND (HTEPII)

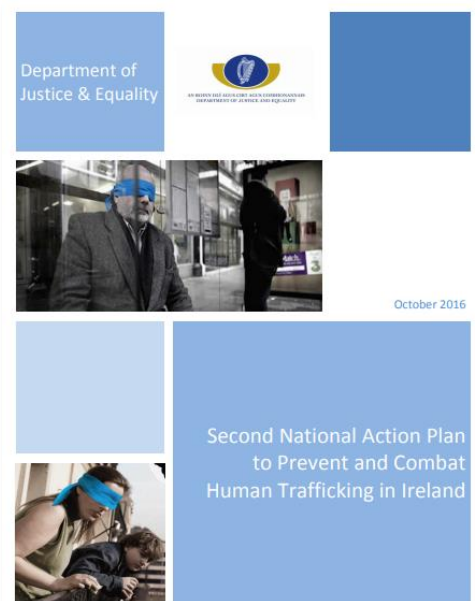
In 2019, a research project, undertaken by Mary Immaculate College, Limerick, commenced in-depth research relating to matters pertaining to human trafficking, with regard to the island of Ireland. The project is aimed at identifying high-quality data sets that exist in Ireland pertaining to human trafficking; enhancing existing information; collaborating with NGOs; analysing human trafficking and slavery information data; holding workshops to disseminate awareness-raising information to bodies such as schools and institutions and delivering a report and handbook. The research project is allied to the objectives of the Santa Marta Group in raising awareness of the nature and scale of trafficking in human beings in Ireland. The project also aligns with the objectives of the Second National Action Plan to Prevent and Combat Human Trafficking in Ireland.

NATIONAL ACTION PLAN

A Second National Action Plan to Prevent and Combat Human Trafficking in Ireland was published in October 2016 and identified 65 separate actions to combat trafficking and assist victims. These actions were built on the response delivered under the First National Action Plan and on international and domestic experience to date and provides for new initiatives in order to address human trafficking in all its forms.

This National Action Plan complements our commitments under Ireland's Second National Action Plan on UNSCR 1325 on Women Peace and Security and those set out in the Working Outline of the National Plan on Business and Human Rights.

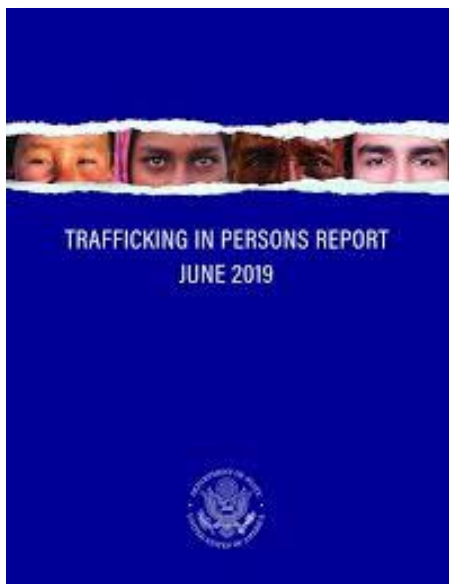
Work continues to proceed on the implementation of the plan. Many of the actions have been delivered, work to complete others is underway and new policy instruments are continually reviewed and introduced.



5. INTERNATIONAL EVALUATIONS AND COOPERATION

US ‘TRAFFICKING IN PERSONS’ REPORT 2019

Each year the US Department of State evaluates the actions of countries around the world in combatting human trafficking. The US places each country into one of four tiers. The placement is based on the extent of governments’ efforts to meet the standards set by the US Trafficking Victims Protection Act for the elimination of human trafficking, which are generally consistent with the Palermo Protocol. Tier 1 is the highest ranking, the other tiers being Tier 2, Tier 2w and Tier 3.



The 2019 Trafficking in Persons Report¹¹ saw Ireland maintain its Tier 2 rating.

The report noted that the Irish Government “demonstrated overall increasing efforts compared to the previous reporting period” and that “efforts included beginning coordination with stakeholders to develop a new national identification and referral mechanism and identifying a greater number of victims”. The report also made a number of recommendations to be implemented which would improve victim services and make Ireland a

more hostile country for traffickers to exploit their victims in.

SANTA MARTA GROUP

The Santa Marta Group was established in 2014 and is an alliance of international police chiefs and bishops from around the world working together with civil society to eradicate human trafficking and modern day slavery. Within the Santa Marta Group, Ireland leads the North Atlantic Maritime Project, in which the United Kingdom, Spain and Portugal, also participate. This project relates to human trafficking in the maritime industry in the North Atlantic.

¹¹ <https://www.state.gov/reports/2019-trafficking-in-persons-report/>

CROSS BORDER CO-OPERATION

The Irish authorities are working closely with law enforcement colleagues in Northern Ireland to ensure that we have a whole of island approach to organised criminal activity and there is a commitment to progress cross border investigations and cross agency training. Specialised training took place for An Garda Síochána in April 2019, involving the Police Service of Northern Ireland, FBI and US Justice Department Officials, a US prosecutor and members of the Department of Justice and Equality.

A number of operations which have a cross-border dimension are currently being undertaken by An Garda Síochána, involving participation by the Police Service of Northern Ireland. The relevant investigations involve both Police organisations targeting Organised Crime Groups who are suspected to be involved in the organisation of prostitution.

INTERPOL TASK FORCE ON HUMAN TRAFFICKING (ITHT)

Ireland continues to participate in an Interpol Task Force on Human Trafficking. This is an international working group for law enforcement specialists dedicated to preventing trafficking in human beings at a global level. Through shared intelligence, research, education and learning, the Task Force seeks to progress and improve investigative methods in relation to human trafficking.

EU NETWORK OF NATIONAL RAPORTEURS OR EQUIVALENT MECHANISMS ON TRAFFICKING IN HUMAN BEINGS

On 13 and 14 May 2019, the Department of Justice and Equality attended a meeting of the EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human beings held in Brussels. EU member states have an obligation to establish national rapporteurs or equivalent mechanisms (NREMs). The NREMs' tasks are essential, as they include the carrying out of the assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant NGOs active in this field, and reporting.

EUROPEAN NETWORK ON VICTIMS' RIGHTS (ENVR)

From 23 to 25 October 2019, the Department of Justice and Equality participated in the Autumn Expert Meeting and Seminar of the European Network on Victims' Rights (ENVR). ENVR is an informal network consisting of European Union Member State professionals acting in the field of victims' rights, including those rights for victims of human trafficking. ENVR focuses on making European Union legislation applicable in practice through maintaining a living network among Member State professionals.

6. PROGRESS IN 2019 - PROJECTS UNDER THE NATIONAL ACTION PLAN

ESTABLISHMENT OF NATIONAL RAPPORTEUR FOR ANTI-HUMAN TRAFFICKING

The Irish Human Rights and Equality Commission is being designated as Ireland's independent National Rapporteur for Anti-Human Trafficking under article 19 of the EU Human Trafficking Directive. The National Rapporteur's responsibilities will include monitoring the implementation of anti-trafficking policy at the national level and playing a key role in data collection on trafficking in human beings at national level. The Department of Justice and Equality is currently drafting secondary legislation to confirm this designation and expect this to be completed shortly.

HIGH LEVEL WORKING GROUP ON HUMAN TRAFFICKING

In November 2019 the Department of Justice and Equality, the Office of the Director of Public Prosecutions and An Garda Síochána established a High Level group to keep all issues relevant to the legislative and operational framework for investigation and prosecution of cases that involve human trafficking under review, and to recommend any necessary improvements, including to the legislation, and to the training of investigating personnel.

PROVISION OF SPECIALISED ACCOMMODATION

At present, it is the practice that victims of trafficking are placed in full board accommodation and ancillary services delivered by the International Protection Accommodation Services. While this accommodation is flexible, secure, and works well with other state actors, it is recognised that best practice thinking is to place victims in specialist centres where they may receive specialist care and support each other.

Throughout 2019, the Department of Justice and Equality have been engaging with NGOs to see if an NGO-led solution to the accommodation issue is practical, in particular for female victims of sexual exploitation, a particularly vulnerable group. Agreement in principle has been reached with an NGO and the Department expects to be in a position to finalise an agreement with the NGO concerned in the near future.

VICTIM IDENTIFICATION PROCESS

The current process for victim identification requires victims to liaise with An Garda Síochána before receiving access to State-delivered supports, which is thought may deter possible victims from coming forward to seek identification.

A fundamental shift to this approach is being developed where the identification of victims will not solely be the responsibility of An Garda Síochána and instead more central roles will be given to other State agencies. Although this change project is expected to be challenging, the Irish Government believes it will move the State response considerably forward in providing an integrated, victim-centred approach to delivering services to these victims, often vulnerable women, who seek to escape from criminal exploitation.

AWARENESS RAISING EVENTS

PROGRAMME TO RAISE AWARENESS OF HUMAN TRAFFICKING AMONG WORLDWIDE COMMUNITY OF NURSES

On 4 July 2019, the Irish Government welcomed the launch of a programme to raise awareness of human trafficking among the worldwide community of nurses. The initiative was a partnership between the International Council of Nurses, the Health Service Executive and the Royal College of Surgeons in Ireland to raise awareness of human trafficking among 20 million nurses across the globe. A comprehensive booklet was launched at the International Council of Nurses' Congress in Singapore which was attended by more than 5,000 nurses representing the national nursing bodies of over 120 countries.

EU ANTI-HUMAN TRAFFICKING DAY

On the eve of the EU Anti Human Trafficking Day, 17 October 2019, the Department of Justice and Equality partnered with Mercy Efforts for Child Protection against Trafficking within the Hospitality Sector (MECPATHS) on an anti-human trafficking event centred on Cork courthouse. This event commemorated a speech made there in 1845 by Frederick Douglass, who was an escaped American slave, social reformer, abolitionist, orator, writer, and statesman. The event was supported by University College Cork, Cork Court Services and the Cork Sexual Violence Centre.

The Department of Justice and Equality made presentations on the situational analysis of human trafficking in Ireland and the importance of collaboration in countering human trafficking. The event catered for 150 people and was attended by a number of high-profile people, including: An Tánaiste; Minister Stanton, the Garda Commissioner, the Ambassadors of the US, Romania and Lithuania and members of the Irish Judiciary.

Also, as part of the MECPATHS proceedings the 'Light up Cork' event took place whereby significant city buildings in Cork City were highlighted in blue between the 17th and 18th of

October. Buildings included University College Cork (Quad), City Hall, The Imperial Hotel and Shandon Bells.

BLUE BLINDFOLD WEBSITE

On 6 April 2018 the Minister for Justice and Equality, Charlie Flanagan TD, launched a revamp of the 'Blue Blindfold' website, www.blueblindfold.gov.ie. The blueblindfold.gov.ie site provides a user-friendly overview of how the crime manifests in Ireland, how members of the public can spot and report the signs of trafficking, and how the State supports these victims once identified. The 'Blue Blindfold' motif urges the public not to close their eyes to the signs of human trafficking.

In 2019, 67 e-mails were received through the 'Blue Blind-Fold' web-site involving information being provided relevant to alleged incidents of human-trafficking.

TRAINING

TRAINING ACTIVITIES

Ireland endeavours to achieve best practice in its victim-centred approach to combating human trafficking. For this purpose, the relevant authorities in Ireland fund and deliver a variety of specialised anti-human trafficking training to State officials. Particular emphasis in this training is placed on the identification and provision of appropriate assistance to suspected victims of human trafficking. An Garda Síochána plays a leading role in this process.

To date, a total of 1,489 members of An Garda Síochána have been provided with training to empower personnel operating at the 'frontline' to identify human trafficking and undertake relevant investigations.

The Human Trafficking Investigation & Co-ordination Unit provides human trafficking related training to probationer members of An Garda Síochána as part of the core training curriculum which is delivered to them at the Garda Training College in Templemore, Co. Tipperary. The purpose is to create awareness among Probationer Gardaí regarding the importance of recognising the vulnerability of persons involved in the sex trade and the appropriate manner in which to engage with them.

In 2019, the Human Trafficking Investigation & Co-ordination Unit also delivered a 3 day human trafficking related course, in conjunction with the International Organisation for Migration and other NGO frontline service providers, at An Garda Síochána Training College.

Training for new personnel attached to each Divisional Protective Service Unit commenced in the Garda College on 7 January 2019. These are new specialised Garda Units tasked with

improving services to victims of human trafficking and other serious crimes involving sexual violence.

In 2019 the Garda national Immigration Bureau continued to deliver bespoke training courses to over 100 Garda immigration officers who are deployed in all An Garda Síochána Divisions.

In 2019, An Garda Síochána and the Police Service of Northern Ireland jointly participated in human trafficking related training which facilitates the development of a common knowledge base and to share best practice, with the purpose of preventing and combating Human Trafficking in both Ireland and Northern Ireland.

In April 2019 the Border Management Unit at Dublin Airport received specialised training in the area of human trafficking focusing on the exploitation of seafarers trafficked to join fishing vessels. Following this, in June, the Border Management Unit received training focused on child trafficking and exploitation. Immigration Control Officers were trained in how to pay particular attention to minors who were accompanied by adults other than immediate family members.

Additionally in March 2019, the Human Trafficking Investigation & Co-ordination Unit delivered a Presentation on the Phenomenon of Human Trafficking to the Kings Inns Advanced Diploma on Immigration and Asylum Course. Participants included Solicitors, State Officials along with Civil Society. A similar presentation was presented to Social Workers working in Residential Care Units for Asylum Seekers, also in March 2019.

RESEARCH

HTEPII PROJECT

The Human Trafficking and Exploitation Project on the Island of Ireland (HTEPII - the Santa Marta project) began in June of 2018, led by Mary Immaculate College of Education. This research project is part-funded by An Garda Síochána and is supported by the Department of Justice and Equality. The project is expected to conclude in 2020.

The project is aimed at identifying high-quality data sets that exist in Ireland on human trafficking; enhancing existing information; collaborating with NGOs; analysing human trafficking and slavery information data; holding workshops to disseminate awareness-raising information to bodies such as schools and institutions; and delivering a report and handbook.

VICTIM PERSPECTIVES OF TRAFFICKING FOR THE PURPOSES OF SEXUAL EXPLOITATION IN IRELAND

Agreement on the scope of a research project was reached with Maynooth University in January 2019 with a view to providing funding for a research project which will examine victim perspectives of trafficking for the purposes of sexual exploitation in Ireland, their view and understanding of the judicial system and the Criminal Law (Sexual Offences) Act 2017 and to

map the legal, policy and theoretical context of sex trafficking in Ireland. This project is expected to report in 2020.

REVIEW OF THE CRIMINAL LAW (SEXUAL OFFENCES) ACT 2017

Preparatory work began in 2019 on the review of Section 25 of the Criminal Law (Sexual Offences) Act 2017, which created the offence of the purchase of sexual services. The review will assess the impact and effectiveness of this provision. Prostitution in Ireland is inextricably linked with the exploitation of vulnerable women and children and there will be express conditions to explore the link between prostitution and human trafficking. The review is due to be commissioned by end of 2020.

FUNDING

DEPARTMENT OF JUSTICE AND EQUALITY FUNDING

The Second National Action Plan to Prevent and Combat Human Trafficking in Ireland commits the Department to ensuring the availability of funding to NGOs who are active in the field of human trafficking. This commitment recognises the role played by NGOs in assisting victims of human trafficking to access necessary supports to aid their recovery from their ordeal.

Funding is available on an annual basis to organisations that:

- Operate a structured process for assessment, preliminary identification of potential victims and referral to the National Referral Mechanism
- Assist individuals from exiting trafficking situations
- Provide support to victims to access compensation, housing, health, and crisis supports
- Carry out case management and supervision, including reporting to the Department of Justice and Equality on a scheduled basis
- Deliver other relevant activities

In 2019 funding was provided by the Department to the following NGOs:

Ruhama

€350,000 was provided to Ruhama to

- enable it to offer support, assistance and opportunities to women who have been the victims of human trafficking for the purpose of sexual exploitation, and
- offer assistance and opportunities to explore alternatives to prostitution and long term recovery from the trauma of sex trafficking
- work to change public attitudes, practices and policies which allow the exploitation of women through prostitution.

Ruhama supports an average of 300 women per year affected by prostitution or sex trafficking.

Migrant Rights Centre Ireland

€84,500 was provided to the Migrant Rights Centre Ireland. The emergence of precarious working conditions and the associated risk of human trafficking in certain sectors places Migrant Rights Centre Ireland in a central role in raising awareness among migrant communities and recognising trafficking indicators among that community. The Migrant Rights Centre Ireland also provides training to a wide range of professionals and agencies on the issues of trafficking for labour exploitation.