



An Roinn Dlí agus Cirt
Department of Justice

Trafficking in Human Beings in Ireland

Annual Report 2022



www.blueblindfold.gov.ie

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INTRODUCTION AND EXECUTIVE SUMMARY

The Department of Justice is pleased to present the fourteenth annual report on Trafficking in Human Beings in Ireland (2022), which covers the period between 1 January and 31 December 2022. The report meets Ireland's reporting obligations under Article 19 of the EU Human Trafficking Directive (2011/36/EU)¹.

- 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 2022
- Chapter 3 provides an overview 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 international cooperation mechanisms
- Chapter 6 describes notable progress made in 2022

In Ireland, there were 42 victims of human trafficking identified by An Garda Síochána in 2022. 24 of these were victims of sexual exploitation and 15 were victims of labour exploitation. There were 2 victims identified trafficked for the purposes of forced criminality and there were 5 minor victims identified. This represents a decrease of 2 identified victims from the 44 victims reported in respect of 2021. As was the case in previous years, in 2022 the 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. In 2021, there were 7,155 victims of trafficking in human beings in the EU according to Eurostat - the statistical office of the European Union. [The statistics presented on Eurostat](#) are based on official figures for persons involved (registered victims, suspected traffickers and convicted traffickers).

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 Department of Justice continues to ensure that funding is available to NGOs who are active in the field of human trafficking. These NGOs play a crucial role in assisting victims of human trafficking to access necessary supports to aid their recovery from their ordeal. The Department of Justice allocated funding totaling €4.6m for more than 60 organizations for 2022 to support victims of crime including victims of trafficking. The €4.6m is an increase of over 20% on the previous total fund of €3.8m, which was made available in 2021.

Following on from the approval of Government, in May 2021, for the creation of a revised National Referral Mechanism, the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022 received Government approval on 27 July 2022. When enacted, the bill will put the revised National Referral Mechanism on a statutory footing, making it easier for victims of trafficking to come forward, be identified, and access support. The Joint Committee on Justice met on 6 December 2022 for Pre-legislative scrutiny of the general scheme.

Zero Tolerance: the Third National Strategy on Domestic, Sexual and Gender-based Violence (DSGBV) was published on 28 June 2022 and is a 5-year strategy for reform to achieve a society which does not accept domestic, sexual and gender-based violence or the attitudes which underpin it. Human trafficking for sexual exploitation is one of the forms of gender-based violence recognised in the Third National Strategy. Women are reported to be victims/survivors in more than 80% of trafficking cases; 79% of reported trafficking in human beings is for sexual exploitation; and women constitute 85% of the victims/survivors of trafficking for sexual exploitation¹.

Actions especially relevant to tackling human trafficking include in the 2022/2023 implementation plan for the Third National Strategy include:

- *Raise awareness of the harm of prostitution and its impact on wider gender equality and make the links to trafficking. This will include national campaigns supporting awareness of the Criminal Law Sexual Offences Act Part 4 on the harm and illegality of purchasing sex.*
- *Resource and co-design work with the specialist services to lead and deliver education/CPD programmes on all forms of DSGBV, with a focus on how DSGBV affects both children and young people and different groups including victims of human trafficking*
- *Provide specialist accommodation for victims of trafficking with special regard to victims of trafficking for sexual exploitation.*
- *Develop a cross-Departmental and inter-agency response to provide employment, education, social protection etc. opportunities, support and advocacy (like those currently provided to identified victims/survivors of trafficking) to enable individuals exit the sex trade.*
- *Implement the actions in Supporting a Victim's Journey which addresses the recommendations from the O'Malley process on reform of sexual offences and other legislation, including the introduction of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill).*
- *Establish clear links and support greater engagement between the DSGBV Strategy and the new Human Trafficking Action Plan under development.*
- *Consider and progress recommendations arising from the Review of Part 4 of the Criminal Law (Sexual Offences) Act 2017 which criminalises payment for sexual activity with a person in prostitution or a trafficked person to ensure efficacy of the legislation in reducing demand and supports prosecuting offenders purchasing sex.*
- *Ensure actions to prevent prostitution and combat trafficking for sexual exploitation are addressed in an integrated manner.*

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.

The Blue Blindfold website was updated in 2020 with a new user friendly interface, revised and updated information and contact details. Further contact information for NGO frontline service providers in the domestic and sexual violence sector were also added.

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

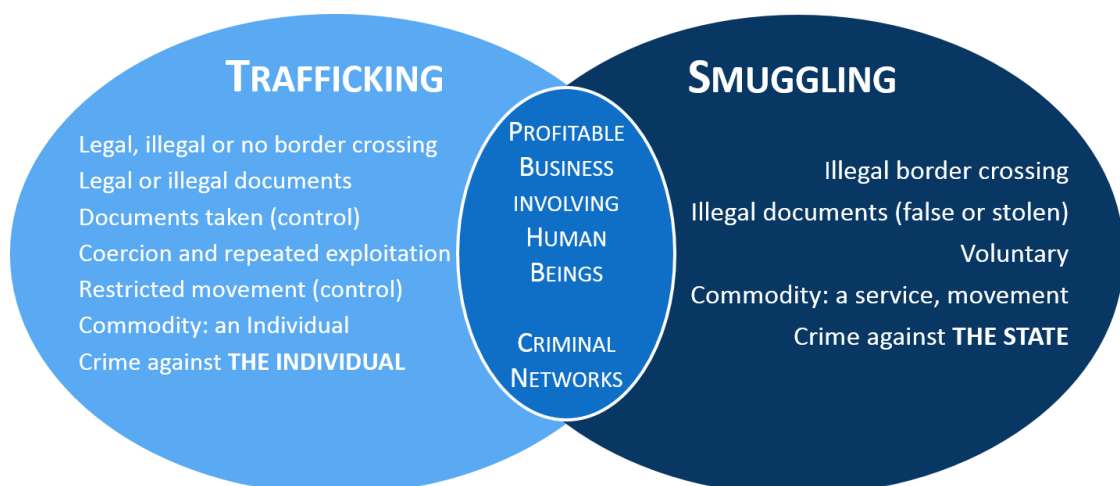
People can be trafficked into different types of work in agriculture, in the manufacturing sector and in the service industry. This can include restaurant and hotel work, domestic work, construction, agriculture and entertainment. They can be trafficked into prostitution, forced begging and forced criminality, 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. 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 report. 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 2022 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.

2022 OVERVIEW

There were 42 victims of human trafficking identified by An Garda Síochána in 2022. 24 of these were victims of sexual exploitation and 15 were victims of labour exploitation. There were 2 victims identified trafficked for the purposes of forced criminality, 1 for suspected organ removal and there were 5 minor victims identified.

| Table 1 Total number of victims identified in Ireland in 2022 | | |
|---|-----|---------|
| | No. | % Total |
| Total Victims Identified | 42 | 100% |
| Adult | 37 | 88% |
| Minor | 5 | 12% |

| Table 2 Source Countries | No. | % Total Approx. |
|--------------------------|-----|-----------------|
| Nigeria | 11 | 30% |
| Czech Republic | 3 | 8% |
| Romania | 3 | 8% |
| Zimbabwe | 2 | 5% |
| Latvia | 4 | 10.5% |
| Vietnam | 3 | 8% |
| South Africa | 2 | 5% |
| Turkey | 1 | 2% |
| Kenya | 1 | 2% |
| Chinese | 1 | 2% |

| | | |
|------------------------------|--|------|
| Democratic Republic of Congo | 1 | 2% |
| Ghana | 2 | 5% |
| Somalia | 1 | 2% |
| Pakistan | 1 | 2% |
| Iraq | 1 | 2% |
| Uganda | 1 | 2% |
| Ukraine | 1 | 2% |
| India | 1 | 2% |
| Total | 40 (not including 2 Irish nationals = 42) | 100% |

| Table 3 Trafficking by Exploitation Type | No. | % Total |
|--|-----|---------|
| Trafficking for sexual exploitation | 24 | 57% |
| Trafficking for labour exploitation | 15 | 35% |
| Trafficking for forced criminality | 2 | 4.7% |
| Trafficking for Organ Removal | 1 | 2.3% |
| Total | 42 | 100% |

2018-2022 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 230 victims detected over the last 5 years with 42 victims identified in 2022.

| Table 4 Suspected victims by year, age and gender | | | | | |
|---|-------|--------|------|-------------|-------|
| Year | Age | Female | Male | Transgender | Total |
| 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 |
| 2020 | Adult | 33 | 5 | - | 38 |
| | Minor | - | - | - | - |
| | Total | 33 | 5 | - | 38 |
| 2021 | Adult | 28 | 16 | - | 44 |
| | Minor | - | - | - | - |
| | Total | 28 | 16 | - | 44 |
| 2022 | Adult | 23 | 14 | - | 37 |
| | Minor | 4 | 1 | - | 5 |
| | Total | 27 | 15 | - | 42 |
| Total | Adult | 145 | 66 | - | 211 |
| | Minor | 14 | 5 | - | 19 |
| | Total | 159 | 71 | - | 230 |

There was a shift in the gender breakdown of victims of human trafficking in Ireland from 2018 to 2022. 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 and in 2020 where males accounted for only 13% of victims and females accounted for 87% of victims. In 2021 and again in 2022 males accounted for 36% of victims and females accounted for 64%.

VICTIMS BY REGION AND EXPLOITATION TYPE

Table 5 provides a breakdown of the 230 victims of human trafficking by region of origin. In the last 5 years, 24% of suspected victims came from the EEA region, with 60% from the Africa region and 7% from the Asia region.

| Year | Region of Origin | Total |
|-------------|------------------|-------|
| 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 |
| 2020 | Africa | 23 |
| | EEA | 9 |

| | | |
|-------|-----------------|------------|
| | South America | 2 |
| | North America | 1 |
| | Middle East | 1 |
| | Non-EEA Europe | 2 |
| 2021 | Africa | 29 |
| | EEA | 9 |
| | Non- EEA Europe | 1 |
| | South America | 1 |
| | Asia | 3 |
| | Ireland | 1 |
| 2022 | Africa | 21 |
| | EEA | 11 |
| | Non- EEA Europe | 1 |
| | South America | 0 |
| | Asia | 6 |
| | Middle East | 1 |
| | Ireland | 2 |
| Total | Africa | 139 |
| | EEA | 56 |
| | South America | 6 |
| | North America | 1 |
| | Middle East | 2 |
| | Asia | 17 |
| | Non-EEA Europe | 5 |
| | Ireland | 4 |
| | Total | 230 |

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.

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

| Table 6 Victims by year, exploitation and gender | | | | | |
|--|--------------|--------|------|-------------|-------|
| Year | Exploitation | Female | Male | Transgender | Total |

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| | | | | | |
|--------------|--------------------|-----|----|---|------------|
| 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 |
| 2020 | Sexual | 24 | 2 | - | 26 |
| | Labour | 8 | 2 | - | 10 |
| | Forced Criminality | 1 | 1 | - | 2 |
| 2021 | Sexual | 24 | 1 | - | 25 |
| | Labour | 4 | 15 | - | 19 |
| 2022 | Sexual | 23 | 1 | - | 24 |
| | Labour | 3 | 12 | - | 15 |
| | Forced Criminality | - | 2 | - | 2 |
| | Other | 1 | - | - | 1 |
| Total | Labour | 24 | 58 | - | 82 |
| | Forced Criminality | 1 | 5 | - | 6 |
| | Sexual | 130 | 6 | - | 136 |
| | Other | 4 | 2 | - | 6 |
| | Total | | | | 230 |

3. EXTENT OF HUMAN TRAFFICKING IN EUROPE

Eurostat, the statistical office of the European Union, reported that in 2021 there were 7,155 registered victims of trafficking in human beings in the EU and 2,517 convicted traffickers.² However, the number of convicted persons remained much lower than the number of those suspected of trafficking in human beings.

2 out of 3 victims of trafficking were female while only 1 out of 5 suspected traffickers was female. In 2021, 59% of registered victims of trafficking in the EU were citizens of Member States.

The highest rates in the EU were observed in Luxembourg (79), the Netherlands (45), Austria (44), Latvia (32), France (27), Estonia, Romania and Finland (26 each) while the lowest rates were observed in the Czech Republic (1), Spain (4) and Croatia (5). To note, higher rates could be linked to a greater capacity of the national system to identify victims, rather than a higher prevalence.

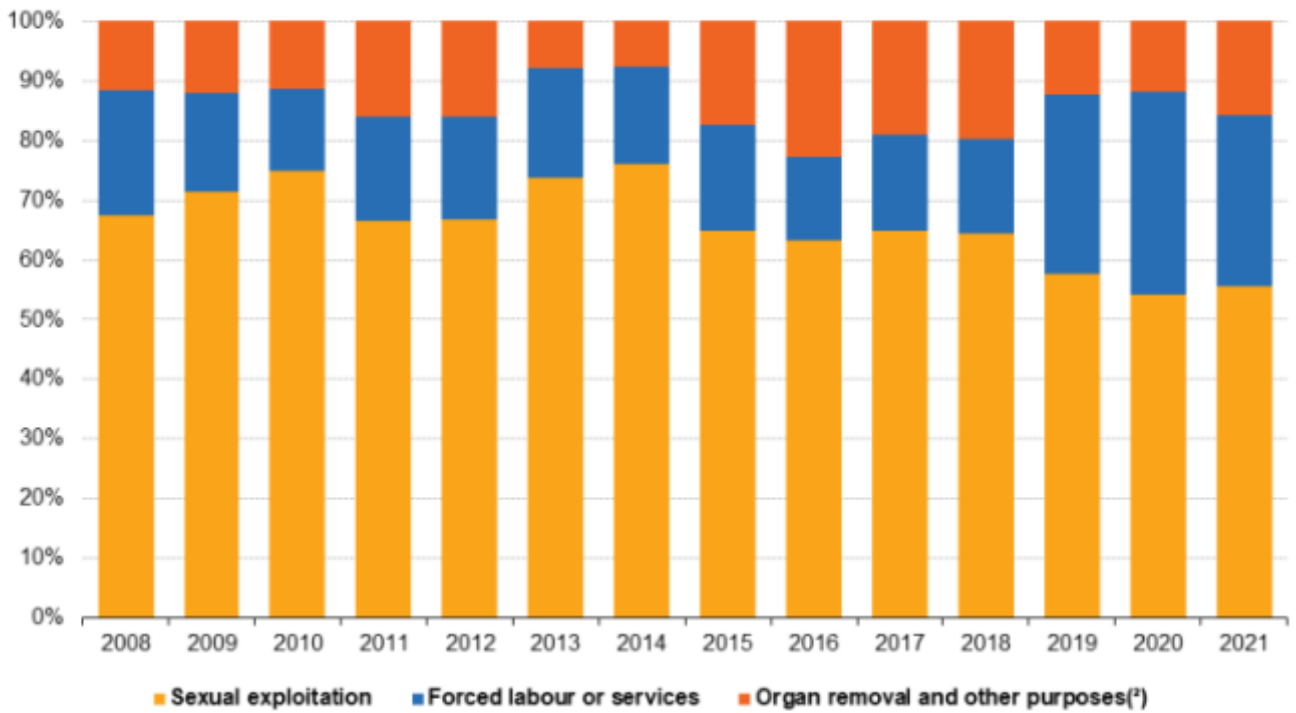


As shown in the above graph, sexual exploitation was still the predominant form of exploitation in 2021, at 55.7 %, although the prevalence is lower than in the 2008-2019 period. Meanwhile, exploitation by forced labour and services was 28.5 % in 2021, slightly lower than in 2019 and 2020, but still higher than in previous years. Organ removal and other exploitative purposes, including use for benefit fraud, criminal activities and forced begging, were at 15.8 % in 2021.

² Full report available at: [Trafficking in human beings statistics - Statistics Explained \(europa.eu\)](https://europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&code=sdg-8.5.2)



Forms of exploitation for registered victims⁽¹⁾ of trafficking in human beings, 2008 - 2021 (%)



(¹) Calculated on responding countries and on known values. No adjustments were made. More than one form of exploitation can be recorded for a victim.

(²) Organ removal and other purposes including use for benefit fraud, criminal activities and forced begging.

Source: Eurostat (crim_thb_vexp)



Figure 5: Forms of exploitation for registered victims of trafficking in human beings, 2008-2021 (%)

Source: Eurostat (crim_thb_vexp)

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 FRAME- WORK 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 2008](#). 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, 1998](#). 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 2013](#). 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>

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-centered 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 others supports.

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 (IOM). IOM 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. IOM 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.

Progress has been made to improve access for victims to State supports (the National Referral Mechanism). On 5 May 2021, Government approved development of a revised National Referral Mechanism for the identification of victims of human trafficking and provision of supports. . This will be discussed in greater detail in Chapter 6: Progress in 2022.

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.

- The **Department of Justice** 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.
- The **Department of Children, Equality, Disability, Integration and Youth** provide full board accommodation and ancillary services through the **International Protection Accommodation Service** (IPAS) for potential and suspected victims of trafficking on the basis of a referral by An Garda Síochána.
- 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.

NATIONAL ACTION PLAN

The Department of Justice are currently working on finalising a new Third National Action Plan to Combat Human Trafficking. The Third National Action Plan to Combat Human Trafficking will aim to build on the work of the first and second Action Plans. The main goal of this Action Plan is to further strengthen the whole-of-government approach to combatting Human Trafficking in the State. It is hoped that this will in turn facilitate more victims to come forward.

The specific goals of this plan are to work towards the abolishment of human trafficking and its demand, to identify and support victims of trafficking, to enforce the rights of victims and bring the perpetrator to justice and to have whole of government co-ordination in supporting victims and decreasing incidents of trafficking.

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. The third plan will build on the work of the first and second plans and will interlink with the introduction of the revised National Referral Mechanism.

5. INTERNATIONAL EVALUATIONS AND COOPERATION

US 'TRAFFICKING IN PERSONS' REPORT 2022

Each year the US Department of State reports on the actions of countries around the world in combatting human trafficking and 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 Trafficking Victims Protection Act (TVPA) of 2000 or 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 2 Watch List and Tier 3.

In 2022 Ireland was removed from the Tier 2 Watch List rating and upgraded to Tier 2⁵. A Tier 2 rating indicates that "governments are not fully meeting the minimum standards but are making "significant efforts". The ranking reflects the difficulties that Ireland (along with other countries) face when attempting to secure convictions in relation to trafficking.

GRETA THIRD EVALUATION OF IRELAND

The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) published its third evaluation report on Ireland's implementation of the Convention on Action against Trafficking in Human Beings on 28 September 2022⁶.

The report noted a number of positive developments since GRETA's last evaluation of Ireland in 2017, including the increased state funding provided to anti-trafficking NGOs and the existence of investigators specialised in trafficking in human beings, as well as the beginning of specialisation on trafficking in human beings within the Office of the Director of Public Prosecution.

The report also urged Ireland to take further action against human trafficking in specific areas - many of which are being worked towards through the development of the revised National Referral Mechanism and the forthcoming National Action Plan.

The Department of Justice submitted a detailed questionnaire in June 2021 and GRETA carried out a site visit to Ireland in December 2021. During the visit, the GRETA delegation held consultations with a number of key stakeholders, including the Minister for Justice and officials from a number of Government departments, An Garda Síochána, the Office of the Director of Public Prosecutions, the Irish Human Rights and Equality Commission, representatives of NGOs, researchers, lawyers and victims of human trafficking.

⁵ [2022 Trafficking in Persons Report - United States Department of State](#)

⁶ <https://rm.coe.int/greta-third-evaluation-report-on-ireland/1680a84332>

INTERNATIONAL COOPERATION

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.

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.

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 with strong links to organised prostitution and human trafficking of persons for sexual exploitation, operating on the island of Ireland.

JOINT AGENCY TASK FORCE (JATF)

In November 2015, the Irish and British governments and the Northern Ireland Executive agreed a series of measures in A Fresh Start, The Stormont Agreement and Implementation Plan, one of which was the creation of a Joint Agency Task Force (JATF) as part of a concerted and enhanced effort to tackle organised and cross-jurisdictional crime.

The JATF is led by senior personnel within An Garda Síochána and the Police Service of Northern Ireland (PSNI), the Revenue Commissioners and HM Revenue and Customs. A number of other organisations including the Criminal Assets Bureau (CAB) and the UK's National Crime Agency are involved in JATF related operational activity.

Based on a strategic assessment of threat risk and harm, six priority areas were identified for targeted activity by the relevant agencies. These are:

1. Rural Crime
2. Drugs
3. Financial Crime
4. Trafficking in Human Beings Including Children
5. Excise Fraud
6. Organised Immigration Crime

The Garda National Protective Service Bureau (GNPSB) is responsible for the priority area of human trafficking and participate in operational activity undertaken to tackle relevant criminality where there is a cross border element identified as part of the work of the JATF. Such participation involves the holding of meetings of relevant representatives of An Garda Síochána through the GNPSB and the PSNI.

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.

The Task force also makes recommendations, resolutions and presentations to Interpol's regional conferences and its General Assembly. Ireland continues to work with Interpol including through use of its '24/7' Databases, to share information and intelligence relating to particular cases and to assist other law enforcement entities, at an international level.

EMPACT (European Multidisciplinary Platform Against Criminal Threats)

EMPACT (European Multidisciplinary Platform Against Criminal Threats), is a security initiative driven by EU Member States to identify, prioritise and address threats posed by organised and serious international crime. EMPACT runs in four-year cycles. It is a multidisciplinary cooperation platform of Member States, supported by all EU institutions, bodies and agencies (such as, Europol, Frontex, Eurojust, CEPOL, OLAF, EU-LISA, EFCA and others). Third countries, international organisations, and other public and private partners are also associated. The Assistant Commissioner assigned to Organised & Serious Crime (OSC) within An Garda Síochána, is assigned the role of National EMPACT coordinator for Ireland.

Human trafficking is a priority crime area within EMPACT. The Garda National Protective Services Bureau (GNPSB) participate in the Human Trafficking Group. Personnel assigned to GNPSB attend EMPACT meetings relating to human trafficking projects.

Operational action plans are prepared with regard to each of the EMPACT priorities, designed to enhance the ability of Member States to deal with issues such as, inter regional travelling criminal networks, trafficking routes, international police cooperation, judicial cooperation and specific operations. Funding for such initiatives is provided through Europol, from the European Commission.

Joint Investigation Team (JIT)

A joint investigation team (JIT) is a team consisting of prosecutors and law enforcement authorities which is established by written agreement between the countries involved; operates for a fixed period, with the power to extend, by consent, and for the purpose of carrying out specific criminal investigations in one or more of the participating countries.

A JIT is described by Eurojust as one of the most advanced tools used in international cooperation in criminal matters, comprising a legal agreement between competent authorities of two or more States for the purpose of carrying out criminal investigations. Made up of prosecutors and law enforcement authorities as well as judges, JITs are established for a fixed period, typically between 12 and 24 months, such as is necessary to reach successful conclusions to investigations.

Once a JIT is set up, the partners can directly exchange information and evidence, cooperate in real time and jointly carry out operations. Further, JITs allow practitioners to be present during investigative measures on each other's territories, and therefore share their technical expertise and human resources more efficiently. Direct contacts and communication enable the JIT members to build personal relations and trust, leading to faster and more efficient cooperation.

An Garda Síochána participated in its first JIT in November 2019 and a number of further JITs since. The aforementioned JITs were established under article 20 of the Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters. The Second Additional Protocol had previously been given effect in Irish law.

Subsequent legislation, including the Criminal Justice (International Cooperation) Act 2019, made further provision in relation to mutual assistance and to better facilitate the participation of members of An Garda Síochána in JITs.

EUROPEAN ARREST WARRANT (EAW)

Up until 2004 the legal basis for extradition in this State was provided for solely by way of the Extradition Act, 1965. Since 2004, surrenders of persons between the Member States of the European Union have operated on the basis of the European Arrest Warrant Act, 2003, which came into effect on 1 January 2004. Extraditions from non-EU States have remained under the provisions of the Act of 1965.

The European Arrest Warrant (EAW) is a simplified cross-border judicial surrender procedure which is applied in all Member States of the European Union. The EAW is issued by a judicial authority in a first Member State (issuing Member State) to a judicial authority in a second requested Member State (executing Member State) for the purposes of a criminal prosecution or the execution of a custodial sentence.

Introduced in January 2004, the EAW is based on the principle of mutual recognition and is founded on trust and direct contact among the judicial authorities of the Member States. Replacing previous extradition tools that required political involvement, the instrument allows for faster and simpler surrender procedures by setting strict time limits for surrendering suspects and convicted persons, providing practitioners with a single standard form and establishing limited possibilities for refusal by the executing State.

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

Senior officials of the Department of Justice attend meetings of the EU Network of National Rapporteurs and Equivalent Mechanisms (NREM). The NREMs' carry out 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 civil society organisations active in this field, and reporting. The network seeks to develop a new EU strategic approach against trafficking in human beings through a comprehensive approach from prevention through protection of victims to prosecution and conviction of traffickers. Measures discussed on a European level to better support the implementation of the Anti-trafficking Directive in Member States, in particular in cross border context, included:

- The support and protection of victims;
- Law enforcement and judicial action and cooperation against the crime;
- Preventing the crime from happening

Other matters discussed included reducing the demand that fosters trafficking, effectiveness of current legislation, breaking the criminal model to supply victims of trafficking for exploitation and protecting and empowering the victims, especially of women and children.

NATIONAL ANTI-TRAFFICKING CO-ORDINATORS AND RAPORTEURS

A member of the Department of Justice attended the annual meeting of National Anti-Trafficking Co-coordinators and Rapporteurs or Equivalent Mechanisms which is co-organised by the Council of Europe and OSCE. These meetings are a platform to strengthen cross-border collaboration and build meaningful partnerships and play a pivotal role in the development and implementation of national anti-trafficking responses.

EUROPEAN NETWORK ON VICTIMS' RIGHTS (ENVR)

Members of the Department of Justice attend European Network on Victims' Rights (ENVR) meetings and workshops covering a broad scope of victim centered topics. The ENVR is a cooperation between Member State experts working under the control of competent government authorities responsible for victims' rights, from all Member States of the EU. The basic aim of the ENVR is to develop sustainable knowledge base especially for professionals and policy makers acting in the field of supporting and protecting crime victims including victims of trafficking.

6. PROGRESS IN 2022

Over the past year measures have progressed to combat trafficking, to create a more victim-centered approach to identifying and supporting victims and to raise awareness and provide training. Highlights include:

- A marked increase in the overall number of files being received by the Office of the Director of Public Prosecutions over the last number of years
- Work advanced on the development of a new Third National Action plan, with a victim centered approach.
- A review of the Atypical Working Scheme for non-EEA fishers was carried out by a group of senior officials from the Departments of Enterprise, Trade and Employment; Justice; and Agriculture, Food and the Marine in 2022.
- The Department of Justice launched a revised and updated Victims Charter; a Victim's Rights Awareness Raising Campaign is in development and funding was granted to expand awareness raising activities of victims' rights in 2022
- Training continues as the government reported providing training to its officials; specifically, the ODPP participated in both virtual and in-person trainings, provided lectures on trafficking to 60 legal practitioners, and helped organize two conferences attended by 300 law enforcement officials and prosecutors, which included a section on prosecuting human trafficking cases. The government also reported funding anti trafficking training to the port authorities, members of trade unions, and the Legal Aid Board (LAB).

INVESTIGATIONS AND PROSECUTIONS

The Garda Síochána Human Trafficking Investigation and Coordination Unit (HTICU) investigated 39 new cases of trafficking in 2022 - 24 for trafficking for sexual exploitation and 15 for labour trafficking (including two cases of forced criminality). HTICU also continued investigating 29 trafficking cases initiated in previous years – 17 for trafficking for sexual exploitation and 12 for labour trafficking.

In 2022, three individuals were charged with offences of human trafficking for the purposes of sexual exploitation contrary to s.4(1)(a) of the Criminal Law (Human Trafficking) Act 2008.

There were no convictions specifically for human trafficking offences in 2022. In respect of related offences, four individuals were convicted under Illegal Immigrants (Trafficking) Act 2000 and Criminal Justice (Smuggling of Persons) Act 2021 and sentenced to terms of imprisonment ranging between 7 months and 5 years. Two individuals were also convicted of offences as above and are awaiting sentence.

REVISE NATIONAL REFERRAL MECHANISM

On 11 May 2021 the Irish Government approved the creation of a revised National Referral Mechanism (NRM) to make it easier for victims of trafficking to come forward, be identified and access support.

At present, An Garda Síochána is the sole competent authority for the purposes of identification of victims of human trafficking. The following agencies will, in addition to An Garda Síochána, become competent authorities for the identification of victims of human trafficking:

- Department of Justice Immigration Services
- Department of Social Protection
- Health Service Executive (HSE)
- Tusla
- Department of Children, Equality, Disability, Integration and Youth International Protection Accommodation Services (IPAS)
- The Workplace Relations Commission

The agencies will together form a National Referral Mechanism Operational Committee, which will make decisions on entry of victims into the NRM. In addition, selected NGOs will be designated as ‘trusted partners’ will also be able to refer victims to the NRM. This will allow an alternative and trusted pathway to enter the NRM, aside from State agencies.

The General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022 received Government approval on 27 July 2022. When enacted, the bill will put the revised National Referral Mechanism on a statutory footing, making it easier for victims of trafficking to come forward, be identified, and access support. The Joint Committee on Justice met on 6 December 2022 for Pre-legislative scrutiny of the General Scheme.

DEVELOPMENT OF A NEW ACTION PLAN

Included in the Department of Justice Action Plan 2022 is an action to work with public sector and civil society stakeholders to review and strengthen our processes and legislative framework to combat human trafficking.

Work on the drafting of a new National Action Plan on Human Trafficking continued throughout 2022. Drafting of the plan involved consultations with reps from Civil Society organisations and Department and Agencies representatives. The plan will be published in Autumn 2023.

The Third National Action Plan to Combat Human Trafficking will aim to build on the work of the first and second Action Plans. The main goal of this Action Plan is to further strengthen the whole-of-government approach to combatting Human Trafficking in the State. It is hoped that this will in turn facilitate more victims to come forward. The specific goals of this plan will be to work towards the

abolishment of human trafficking and its demand, to identify and support victims of trafficking, to enforce the rights of victims and bring the perpetrator to justice and to have whole of government co-ordination in supporting victims and decreasing incidents of trafficking.

REVIEW OF ATYPICAL WORKING SCHEME FOR FISHERS

The Atypical Working Scheme for non-EEA fishers was in operation from 2016 – 2022. Within that period, concerns were raised that scheme was potentially leaving workers vulnerable to labour exploitation as they were linked to a particular employer and challenges could arise.

A review the operation of the Atypical Fishers scheme was conducted in 2021 and 2022. The cross Departmental review determined whether the scheme should continue in its present or an amended form or whether there is a more suitable mechanism for the employment of non-EEA workers on eligible vessels under the current scheme. Consideration of commentary made in relation to the scheme in recent years, including allegations relating to human trafficking was taken into consideration.

Following publication of the review group's report in October 2022, the Atypical Working Scheme for fishers was closed to new applications on 31 December 2022. A key recommendation of the report was for a transition of responsibility for work permission in this sector to the Employment Permits Scheme. This will bring practices within that sector in line with recruitment of non-EEA nationals seeking to work in other sectors. An employee granted an employment permit has all the employment rights of an Irish citizen for the duration of that permit.

All AWS fishers holding a valid permission on the date the scheme closed or with an outstanding application in process at that time, were granted a Stamp 4 immigration permission on an exceptional basis. A Stamp 4 permission allows for unrestricted access to the national labour market on a yearly, renewable basis. It is estimated that approximately 290 individuals were in a position to avail of this measure. A further 45 individuals who had formerly participated in the AWS also received a stamp 4 immigration permission. These individuals can now take up employment without the requirement to hold an Employment Permit and can apply to work in any profession, subject to conditions of the relevant professional or other bodies.

New recruitment of fishers, when required by the sector, will now take place through the employment permits scheme. The full transition to employment permit access is expected to be finalised by the end of 2023. Some of the benefits of the Employment Permit Scheme over the Atypical Scheme are higher salary thresholds for both the General Employment Permit and the Critical Skills Employment Permit; and multi-year permissions - a general employment permit can be issued for an initial period of 2 years and can then be renewed for up to a further three years. After 5 years, the applicant may apply for long term residency, which will provide unrestricted access to the labour market if their application is successful.

NGO FUNDING PROVISION

A key element in combatting human trafficking is to identify potential solutions by working with NGO partners who work with at-risk sectors of the economy and with vulnerable people. These non-profit

partners are dependent on State funding to carry out their work in this area. The Department of Justice manages the evaluation of requests by NGOs for Department of Justice funding while monitoring the implementation of Service Level Agreements.

Government funding continues to be committed to supporting victims of trafficking and victim support services. The Victims of Crime Grant Scheme had a budget of €4,889m in 2022. €5,348m was allocated for awareness raising campaigns (ARCs) in 2021 on victim’s rights and the protections available to victim. €1,091,655 was awarded specifically to Anti Human trafficking organisations.

Such services continue to provide important information and support to victims of crime, including emotional support, court accompaniment, accompaniment to Garda interviews, accompaniment to sexual assault treatment units, counselling and referral to other services. Victims’ services which receive funding include strategic services such as the Crime Victims Helpline, Support after Crime Services and Victim Support at Court as well as specialist services.

Details below of Department of Justice allocated funding to NGO’s and stakeholders in the anti-human trafficking sector. In some cases this includes funding for the provision of legal advice where the victim wishes not to engage with a Government body.

| 2022 Department of Justice Funding to NGOs working with victims of trafficking | |
|---|-------------------|
| Ruhama including COVID | €725,597 |
| Ruhama Exit Pathways | €69,000 |
| MRCI | €114,962 |
| IOM Cultural Mediation Service Project II | €267,903 |
| Immigrant Council of Ireland | €90,677 |
| Total | €1,268,130 |

VICTIMS CHARTER AND AWARENESS RAISING

VICTIMS CHARTER

The Department of Justice launched a revised and updated Victims Charter on 4 February 2021. The Charter, which is a guiding document for victims of crime, has also needed revision to incorporate any other relevant updates required at this point in time in order to modernise the Charter. The full charter is available at www.victimscharter.ie.

During 2022, a Victim's Rights Awareness Raising Campaign was developed and funding granted to expand awareness raising activities of victims' rights with two new initiatives:

1. To work with services that support victims of crime to promote their services locally;
2. To create messaging designed to reach marginalised communities.

VICTIMS FORUM

A new Victims' Forum for state, social and community groups held its first event in March 2022 and the second on 10 November 2022. The forum provides further opportunities for State bodies in the criminal justice system engage closely with frontline organisations who support victims. It facilitates information exchange and examines avenues of improvement in relation to victims' rights. Topics of discussion include subjects relevant to victims' rights advocates and the criminal justice system and invitations are extended to NGOs funded under the Departments' Victims of Crime grant scheme and other relevant NGOs and stakeholders.

CULTURAL MEDIATORS, PROTECT II

In April 2022, the Department of Justice extended the funding agreement to the International Organization for Migration (IOM) and allocated €535,807 to extend the PROTECT II project through to 30th of June 2023. This project strengthens the response of effective access to services amongst vulnerable migrant communities and other minority groups in Ireland through cultural mediators. Cultural mediators serve as a bridge between service providers and migrant and ethnic minority service users. IOM cultural mediators are trained individuals who work with service providers and migrant and ethnic minority beneficiaries, particularly survivors of domestic, sexual and gender-based violence (DSGBV) and trafficking.

PROTECT II aims to support migrants who are victims or at risk of human trafficking and sexual gender-based violence (SGBV) by providing information about their rights if they fall victim and the specialized services that they can avail. The project provides basic training to the cultural mediators on profiles of victims and indicators of trafficking. The project also aims to sensitize professionals and service providers (including Gardaí) working with or for migrants, as well as other stakeholders to better understand the cultural issues and specific needs of victims of human trafficking and SGBV coming from vulnerable and minority groups.

'ANYONE' - AWARENESS RAISING CAMPAIGN

As part of the PROTECT II funding from the Department of Justice, the International Organization for Migration (IOM) are continuing the 'Anyone' awareness raising campaign on Human Trafficking. The overall objective of the initiative is to raise public awareness around the reality of human trafficking in Ireland, and to alert the public to its signs and indicators, as well as the different types of exploitation that exist from sexual exploitation to child

trafficking, forced begging and forced labour. The campaign focused on the fact that human trafficking not only exists outside of Ireland in other countries, but it is a problem that happens here in Ireland. The main message was to emphasise that trafficking can happen anywhere, in small towns and not just in cities and that ‘anyone’ can be a victim of human trafficking while at the same time ‘anyone’ can be involved in trafficking and exploitation.

A new website, www.anyonetrafficked.com, was developed in conjunction with this initiative, to highlight the availability of supports and services for victims from the state as well as community and voluntary organisations active in this sector.

The new phase of the campaign “Anyone Deceived” was launched with a short film accompanied by an introduction from the Minister of Justice on 18 October 2022.