

# **A Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine**

*Under the lead of the EU Anti-trafficking Coordinator*

## **1. Introduction**

As of 6 May 2022, over 5.4 million people have arrived in the European Union since the beginning of the war in Ukraine on 24 February 2022. The vast majority of the persons fleeing Ukraine are women and children. Over 13 000 unaccompanied and separated children have been registered in the EU so far.

People fleeing the war have been received with an outpouring solidarity in the neighbouring countries, as well as in other Member States. Thousands of volunteers and civil society organisations offered immediate assistance in the form of accommodation, transportation, health assistance and childcare. Without such solidarity, it would not have been possible to provide the necessary support to the refugees. However, it also became clear that malicious individuals and organised crime groups are trying to take advantage of the situation. Hence, it was necessary to address the security and safety of those arriving to the European Union from the very beginning in order to create a safe environment for their reception.

All relevant stakeholders have recognised that the threat of trafficking in human beings is high and imminent. Investigations have been opened in several Member States on potential cases.

Criminal organisations had been active at the proximity of the EU border with Ukraine already since before the war. The vulnerable situation of people fleeing Ukraine further increased opportunities for traffickers to exploit human tragedies for their financial gain. Consequently, on 27 March 2022, Europol issued an Early Warning Notification to alert Member States of the risks of criminal networks taking advantage of the crisis to recruit people fleeing Ukraine for sexual or labour exploitation as well as other purposes, such as begging or forced criminality<sup>1</sup>. In addition, there are indications of a growing demand for the services exploited from victims of trafficking in human beings both offline, for instance in the context of offers for private accommodation, and online, including on social media and the dark web. Unaccompanied minors and children evacuated from care institutions are also at particular risk of being exploited by traffickers.

The threat landscape is evolving very quickly. That is why anticipation, flexibility and fast responsiveness of all the relevant actors are crucial to prevent trafficking from happening in the first place. However, trafficking in human beings is not an instantly visible crime. It often takes weeks or even months to detect the crime and identify victims. Therefore, it is crucial to

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<sup>1</sup>[https://www.europol.europa.eu/cms/sites/default/files/documents/Early\\_Warning\\_Notification\\_War\\_in\\_Ukraine\\_%E2%80%93\\_refugees\\_arriving\\_to\\_the\\_EU\\_from\\_Ukraine\\_at\\_risk\\_of\\_exploitation\\_as\\_part\\_of\\_THB.pdf](https://www.europol.europa.eu/cms/sites/default/files/documents/Early_Warning_Notification_War_in_Ukraine_%E2%80%93_refugees_arriving_to_the_EU_from_Ukraine_at_risk_of_exploitation_as_part_of_THB.pdf)

put in place actions addressing the mid-and longer-term impact of the war on trafficking in human beings and victims' needs.

Since the first day of the war, the EU has been at the forefront of efforts to prevent and combat potential cases of trafficking in human beings. It has put forward numerous initiatives to reduce the vulnerability of people fleeing Ukraine and to prevent them from being exploited by traffickers. The opportunities for traffickers to offer assistance with illegal border crossing and transportation were hampered by the fact that Ukrainian nationals were not required to obtain a short-stay visa to enter the EU. Their journey was eased by the freedom of movement within the Schengen area. Moreover, third-country nationals were also allowed to enter under certain conditions. Facilitation of travel has provided a first and important step to protect people fleeing the war from all forms of exploitation.

On 4 March 2022, the Temporary Protection Directive was activated for the first time ever<sup>2</sup>. It grants temporary protection to Ukrainian nationals, and non-EU citizens permanently residing in Ukraine before the war, who fled the country after 24 February 2022, and allows Member States to extend this protection to other categories of persons. This includes the right of immediate access to the labour market, education, health and social care. On 18 March 2022, the European Commission presented operational guidelines<sup>3</sup> to assist Member States in applying the Directive. The guidelines explain the measures to prevent and combat trafficking in human beings and the procedures related to the identification, registration and referral of unaccompanied and separated minors to the child protection services. The European Commission set up the Solidarity Platform in order to support Member States in applying the Temporary Protection Directive and with a view to coordinating cooperation between Member States, Schengen Associated Countries, EU Agencies and International Organisations.

Since the beginning of Russia's military aggression against Ukraine, the European Commission has worked very closely with the European External Action Service, relevant EU Agencies and Member States under the framework of the Migration Preparedness and Crisis Blueprint Network in order to consolidate all relevant information to monitor and anticipate migration flows related to the Ukrainian crisis and to provide an up-to-date situational awareness picture.

On 23 March 2022, the European Commission adopted Communication on welcoming those fleeing the war in Ukraine: Ready Europe to meet the needs<sup>4</sup>, which addresses the specific vulnerability of women, children, elderly people and persons with disabilities to the risks of trafficking in human beings when arriving in the EU.

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<sup>2</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4.3.2022.

<sup>3</sup> Communication from the Commission on Operational guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection 2022/C 126 I/01, OJ C 126I, 21.3.2022, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022XC0321%2803%29&qid=1647940863274>

<sup>4</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on Welcoming those fleeing war in Ukraine: Ready Europe to meet the needs, COM/2022/131 final, available at [https://ec.europa.eu/info/sites/default/files/communication\\_welcoming\\_those\\_fleeing\\_war\\_in\\_ukraine.pdf](https://ec.europa.eu/info/sites/default/files/communication_welcoming_those_fleeing_war_in_ukraine.pdf)

In its conclusions<sup>5</sup> of 24-25 March, the European Council underlined that particular attention should be paid to the needs of the most vulnerable and measures to prevent and detect human trafficking.

## **2. The EU anti-trafficking framework**

The EU has a robust legal and policy framework to address trafficking in human beings. The EU Anti-trafficking Directive (Directive 2011/36/EU)<sup>6</sup> and the national legislation transposing it in the legal systems of Member States are applicable to the situation of persons fleeing Ukraine. The national legislation transposing the EU Anti-trafficking Directive includes measures to reduce the risks of, and the demand for, all forms of exploitation related to trafficking in human beings.

The EU Strategy on Combatting Trafficking in Human Beings (2021-2025)<sup>7</sup>, presented by the European Commission on 14 April 2021, provides for a comprehensive response to combatting the crime, from prevention through protection of victims to prosecution and conviction of traffickers. The Strategy focuses on four areas of actions: (i) reducing the demand that fosters trafficking in human beings, (ii) breaking the criminal business model to halt victims' exploitation, (iii) protecting, supporting and empowering the victims, especially women and children, and (iv) the international dimension, which aims to advance international cooperation in relation to the three other strands mentioned above. With its concrete and comprehensive approach, the Strategy provides for a solid ground to address the specific challenges emerging from the war in Ukraine.

The EU Anti-Trafficking Coordinator works closely with the EU Network of National Rapporteurs and Equivalent Mechanisms, representatives of Ukraine and Moldova, the EU Civil Society Platform against trafficking in human beings (which includes civil society organisations from the EU Member States and Ukraine), as well as with the Justice and Home Affairs Agencies<sup>8</sup> and the European Labour Authority to exchange information and discuss the emerging challenges and actions needed to prevent and combat trafficking in human beings and to protect victims. This cooperation will continue, including in the context of the extraordinary meetings of the different networks.

## **3. A common Anti-Trafficking Plan to prevent human trafficking and help victims among those fleeing the war from Ukraine**

One of the points of the 10-Point Plan for stronger European coordination on welcoming people fleeing the war from Ukraine<sup>9</sup>, presented at the Justice and Home Affairs Council on 28 March

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<sup>5</sup> European Council meeting (24 and 25 March 2022) – Conclusions, <https://data.consilium.europa.eu/doc/document/ST-1-2022-INIT/en/pdf>

<sup>6</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, 15.4.2011.

<sup>7</sup> COM/2021/171 final.

<sup>8</sup> [Intensifying a coordinated response \(europa.eu\)](https://europa.eu)

<sup>9</sup> Commission's [10-Point Plan For stronger European coordination on welcoming people fleeing the war from Ukraine](#)

2022, is the development of a **Common Anti-Trafficking Plan on preventing human trafficking and helping victims**. **Point 6** of the Plan envisages that the Solidarity Platform, under the lead of the EU Anti-Trafficking Coordinator, will work with Member States and EU Agencies, including the European Labour Authority, to develop a shared anti-trafficking plan to address the risks of trafficking and support potential victims. The plan will be based on the EU Strategy on Combatting Trafficking in Human Beings (2021-2025) and will address the specific challenges emerging from the Ukrainian war, for example providing information to the arriving people, setting up dedicated helplines, providing training to frontline officers to identify victims, coordinated labour inspections in high risk sectors and enhanced monitoring offline and online risks with the support of Europol.

Moreover, according to **Point 5** of the 10-Point Plan concerning **Common solutions to protect children on the move at every point from war zone to safe home**, the European Commission, in cooperation with the EU Asylum Agency, will develop standard operating procedures and uniform guidance for the reception and support of children, paying particular attention to the needs of children with disabilities, unaccompanied minors and separated children, including the swift identification and registration in Member States of arrivals and destination, accommodation, transfers and prevention of trafficking.

The implementation of the **other points of the 10-Points Plan is also relevant** in the context of addressing trafficking in human beings, for example as regard the registration, transport and information hubs, reception, care and accommodation, contingency plans to address medium to long-term needs, internal security implications of the war in Ukraine, as well as adequate resources and funding. In particular, the organisation of transport and information hubs and the “Safe Home” initiative will help creating a secure environment for people fleeing from the war allowing them to liaise only with trusted individuals and entities. This will also substantially contribute to reducing the risks of human trafficking.

Moreover, given the fact that the majority of persons fleeing Ukraine are women and children, a **gender and child rights based approach** will be taken into account in the implementation of all the actions.

The Common Anti-Trafficking Plan is drawn up jointly by the European Commission, the European External Action Service, the relevant EU Agencies and Member States in the context of the Solidarity Platform. It builds, among others, on information obtained by the EU Anti-Trafficking Coordinator from the National Rapporteurs and Equivalent Mechanisms, the members of the EU Civil Society Platform and EU Agencies, International Organisations, as well as during her visits to Poland and Romania. It also reflects discussions with the competent authorities in Ukraine and Moldova. Most of the actions are already ongoing. The Plan is articulated along five main objectives and provides for a set of concrete actions and recommendations to be implemented by the relevant actors.

**a. Strengthening awareness raising on the risks of trafficking in human beings and setting up helplines**

Strengthening awareness of the risks of human trafficking among the refugees, taking into account their specific vulnerabilities, is key to preventing people from falling victims of this crime. Member States and civil society organisations have already put in place awareness raising measures in relevant languages, which specifically target refugees from Ukraine. These

include provision of relevant information through **emergency helplines and material, such as leaflets and posters**, distributed at border checkpoints, in railway and bus stations, public transport, shelters and reception facilities, registration centres and other places where people fleeing Ukraine are likely to be reached. In addition, such information should be brought to the attention of refugees in other transport hubs such as for example airports and ports, and in all reception ‘hubs’ in the Member States. Member States have also set up **webpages, apps and awareness raising campaigns** conducted through national media, e.g. radio, television or text messages as well as official channels in social media.

The European Commission launched a **dedicated website**<sup>10</sup> in several languages (English, Ukrainian and Russian) for people fleeing the war in Ukraine. The section ‘Stay Safe when travelling in the EU’, which is regularly updated, contains practical advice to refugees on how to avoid falling into the hands of traffickers. The European Commission will make sure that all information, including contacts of dedicated helplines and civil society organisations in the Member States, is up-to-date and easily accessible. This includes compiling a list of all the relevant helplines in a single webpage on the European Commission’s website. The EU Agency for Asylum also produced leaflets with advice to refugees, both adults and children, on how to move safely and not fall into the hands of criminals. The information is available both in English and in Ukrainian<sup>11</sup>.

In addition, the EU Anti-Trafficking Coordinator facilitates the **exchange of information aimed at raising awareness** on the risks of trafficking between Member States and NGOs through the EU Network of National Rapporteurs and Equivalent Mechanisms and the EU Civil Society Platform against trafficking in human beings.

More efforts are needed to ensure that the **private sector** is aware of the risks of trafficking in human beings and contributes to awareness raising, especially in high-risk sectors, such as the agriculture, construction, hospitality, cleaning, care or domestic work, amongst others.

#### **Actions for the European Commission and EU Agencies:**

- Compile, with the support of Member States, and publish online a **list of dedicated emergency anti-trafficking helplines** to help potential victims of trafficking in human beings (*in progress*);
- **Further develop and promote the dedicated webpage** on the European Commission website addressing people fleeing Ukraine (*ongoing*);
- Continue the **exchanges in the context of the EU Network of National Rapporteurs and Equivalent Mechanisms and EU Civil Society Platform** and enhance the use of the electronic Platform to share relevant information on awareness raising measures (*ongoing exchanges; enhanced use of the e-Platform by the end of June*);

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<sup>10</sup> [Information for people fleeing the war in Ukraine | European Commission \(europa.eu\)](https://european-commission.europa.eu/information-for-people-fleeing-the-war-in-ukraine)

<sup>11</sup> <https://www.euaa.europa.eu/euaa-response-war-ukraine-vidpovid-euaa-agentstvo-evropeyskogo-soyuzu-z-pitan-pritulkuna-viynu-v>

- **Work with the private sector**, in cooperation with the relevant EU Agencies and International Organisations, to raise awareness on the risks and to prevent trafficking, in particular for labour exploitation (*ongoing*).

#### **Recommendations for the Member States:**

- **Provide continuous and centralised official information** on the risks of trafficking, including online, in languages that persons fleeing Ukraine are able to understand (such as Ukrainian, Russian or English) and, for the cases of unaccompanied and separated children, in a child-friendly and age-appropriate manner;
- **Disseminate the information broadly**, e.g. at border checkpoints, in railway and bus stations, public transports, airports and other transport ‘hubs’, shelters, reception facilities and registration centres, as well as via social media;
- **Set-up or improve the functioning of existing emergency anti-trafficking helplines or other emergency helplines** that can be contacted in multiple languages, including Ukrainian and Russian, 24/7 or improve the functioning of existing helplines so that potential victims of trafficking can be referred to appropriate services, which are gender-sensitive and child-specific;
- **Inform refugees working in high-risk sectors** for trafficking for labour exploitation about their labour rights under national and international law;
- **Develop awareness raising activities to target the demand** that fosters trafficking for all forms of exploitation;
- **Involve civil society organisations and the private sector** in all relevant awareness raising measures.

#### **b. Reinforcing prevention against trafficking in human beings**

In addition to awareness raising activities on the risks of human trafficking, it is important to put in place preventive measures to reduce the risks for people arriving to the EU of falling into the hands of traffickers. Such measures should be put in place from the moment of the arrival and throughout the stay in the EU.

It is crucial to ensure that organisations, **entities and individuals** (including volunteers) that intend to provide accommodation, transport and other types of assistance **are registered**. **Subsequent checks may be carried out** where possible and needed in order to make sure that no exploitation is taking place at a later stage. Increasing the presence of law enforcement authorities, civil society organisations and volunteers at border crossing points, public transport stations, registration centres, shelters and reception facilities, amongst others, as well as their capacity to detect and handle potential cases of trafficking also work as deterrents.

Furthermore, in some Member States, relevant authorities perform **security checks of the entities and individuals offering accommodation and check the suitability of the offered accommodation, when allowed under national law**. A security check may include the check of individuals in law enforcement databases or the requirement of a clean criminal record.

Providing adequate **training** to staff working for helplines can enable them to detect signs of trafficking in human beings and to refer potential victims to appropriate services. Recruitment of Ukrainian and Russian-speaking staff would help in addressing language barriers and detecting possible situations of trafficking.

Moreover, **monitoring the growing demand online**, notably for sexual services, is crucial in order to prevent the online exploitation of the victims. The Europol Internet Referral Unit has started to monitor online platforms, including social media and online market places to check the developments of the demand for services exploited from victims of trafficking and conducts of potential traffickers. The European Commission will carry out a dialogue with relevant **internet platforms and technology companies** in order to discuss how they can help reducing the use of online platforms, including social media, for the recruitment and exploitation of victims, notably via online awareness raising campaigns and content monitoring.

The European Commission will also work with the Member States, in cooperation with the EU Agencies, to improve the capacity of **labour inspectorates** or comparable authorities to detect labour exploitation when carrying out inspections, in order to refer trafficking victims to the competent authorities.

**Children and unaccompanied minors** are at a particularly high risk. Registration at the first point of entry is key to ensure that the best interests of the child are respected at all stages. In the Temporary Protection Guidelines, the Commission recommends that Member States of first entry register unaccompanied and separated children, the adults travelling with them and the declared country of destination. Children should be traceable from the moment they leave Ukraine to the moment of arrival in their country of destination. In order to prevent the risks of traffickers targeting unaccompanied minors at the border, national laws and procedures for vetting and monitoring procedures for foster families and other hosts should be applied, in line with the best interests of the child. Member States should ensure that unaccompanied children are assigned a guardian, as required by Article 16 of the Temporary Protection Directive<sup>12</sup>. Member States are also encouraged to cooperate with international organisations with child protection expertise.

**Civil society organisations** should be closely involved throughout all the above-mentioned measures.

The **EU Agencies** have already provided considerable support to the Member States to prevent human trafficking. In addition to monitoring the situation on the ground and producing threat assessments, the EU Agencies have deployed staff in the frontline Member States and other Member States to support law enforcement authorities and border guards, including through cross-checking data, delivering training to detect potential cases of trafficking in human beings and developing awareness raising material. The EU Agency for Asylum supports national authorities in the application of the Temporary Protection Directive by providing information to the refugees. The EU Agency for Law Enforcement Training (CEPOL) has hosted a series of webinars to anticipate the impact of the Ukrainian conflict on the work of EU law

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<sup>12</sup> Article 16 of the EU Anti-trafficking Directive (Directive 2011/36/EU) provides for an obligation on Member States to take the necessary measures to ensure that, where appropriate, a guardian is appointed to unaccompanied child victims of trafficking in human beings.

enforcement officials. These webinars contributed to raising awareness on the challenges and risks generated by the current refugee crisis as well as to sharing good practices and relevant measures to prevent and address trafficking in human beings. Moreover, CEPOL is updating the materials of all training activities under its 2022 Trafficking in Human Beings portfolio to cover the latest changes in the area of human trafficking in the context of the Ukrainian crisis, with the involvement of the European Commission, Europol, Frontex, the EU Agency for Fundamental Rights and other EU Agencies and International Organisations.

#### **Actions for the European Commission and EU Agencies:**

- **Monitor the situation** related to trafficking in human beings, in cooperation with Member States, the EU Agencies and International Organisations, which are on the ground (*ongoing*);
- **Provision of information by Europol to Member States and the European Commission** based on collected intelligence about the threat assessment for the area of trafficking in human beings (e.g. suspicions, investigations and modus operandi) (*ongoing*);
- **Training of frontline officers and other relevant practitioners** on trafficking in human beings **organised by the EU Agencies**, including by CEPOL, Europol, the EU Asylum Agency, the European Labour Authority and Frontex (*ongoing*);
- **Development of indicators by Europol** about potential victims of human trafficking or on modi operandi, which are adapted to the context of the war in Ukraine (*by the end of May*);
- **Collection by Europol of information regarding the exploitation of victims on online platforms and social networks and monitoring of these platforms** to identify potential activities related to trafficking in human beings (*ongoing*);
- **Launch a dialogue with the digital industries** under the EU Internet Forum to encourage online platforms and social media to raise awareness on the risks of, prevent and detect trafficking in human beings (*before the end of May*);
- **Support the exchange of information on risks, challenges and policy tools relevant for preventing undeclared work and labour exploitation** among displaced persons between labour inspectorates or comparable authorities, social partners and other authorities at the European Platform tackling undeclared work (*as of 19 May*).

#### **Recommendations for the Member States:**

- **Register all individuals, entities and organisations**, which provide or intend to provide accommodation and transport;
- Subject to national law, **carry out security background checks** of entities and individuals offering transportation or accommodation or require a clean criminal record to carry out such activities;
- **Share the national list of established civil society organisations** amongst each other to avoid the infiltration of criminals;



- **Provide training to staff** working for helplines and in registration centres in order to be aware of the risks of trafficking in human beings, to improve their capability to detect potential victims of trafficking and to refer them to the appropriate protection, support and assistance services;
- **Strengthen the capacity of all relevant stakeholders** to identify and curb the demand for services exploited from victims of trafficking, including through web monitoring;
- **Develop prevention and awareness raising measures** targeting, and in cooperation with, **the private sector**, in particular employers in high risk sectors and online platforms;
- **Work with telecom operators to send text messages to people fleeing Ukraine** as soon as they arrive on the territory of a Member State to draw their attention to the risk of trafficking;
- **Register unaccompanied and separated children at first entry** into the EU, and ensure that their whereabouts are known until their arrival in the country of destination;
- **Register all children, and in particular unaccompanied and separated children**, in the country where they will take **residence**;
- **Refer unaccompanied and separated children to child protection authorities** in countries of destination, to initiate procedures for the placement in care and guardianship for the children as soon as possible;
- **Carry out checks and ensure proper vetting for all adults** working with the children, and in particular of future foster families;
- **Report on operational developments linked to trafficking in human beings via the Migration Preparedness and Crisis Blueprint Network** on the basis of the questions shared in the questionnaire.

### **c. Enhancing the law enforcement and judicial response to trafficking in human beings**

**Point 9** of the 10-Point Plan highlights that the European Multidisciplinary Platform Against Criminal Threats (EMPACT) community and Europol will support Member States' cooperation and investigations, and sustain the sharing of relevant security information. The European Commission encourages the **EMPACT** community working in the framework of the operation action plan (OAP) to tackle trafficking in human beings, with the involvement of the Member States, the EU Agencies and other partners, to further strengthen actions in order to address trafficking in human beings in relation to people fleeing Ukraine.

**Europol** has deployed agents to the frontline countries to support law enforcement authorities and border guards in collecting and assessing information in order to enhance the detection of the crime of trafficking in human beings, crosschecking data with Europol database, and providing operational and strategic analysis accordingly. Europol has also set up a Temporary Trafficking in Human Beings Task Management Group with frontline Member States, Ukraine and Moldova, which aims to discuss the most recent information and issues in relation to the war in Ukraine. The Task Management Group is open to other Member States, such as countries of destination of potential victims of trafficking in human beings, and partners, if

relevant. Europol has also put in place a secured dedicated Virtual Command Post (VCP) channel for immediate exchange of any relevant operational information regarding suspicions of trafficking in human beings between Ukraine and frontline countries, as well as other Member States and operational partners.

Cooperation amongst the competent national authorities is essential to allow **early detection of possible cases** of trafficking in human beings. On 2 March 2022, the European Commission adopted a Communication of providing operational guidelines for external border management to facilitate border crossings at the EU-Ukraine borders<sup>13</sup>. Border guards should fully use all relevant international and national databases including Schengen Information System (SIS), the Interpol notices and Europol's databases and systematically report missing children, potential victims of trafficking in human beings and suspects.

Law enforcement authorities should intensify their efforts to cooperate with **labour inspectors** or comparable authorities and/or social partners as well as with EU agencies, in particular Europol and, within its mandate, the European Labour Authority, to carry out concerted and joint inspections in high-risk sectors to identify victims and their exploiters.

**Eurojust** disseminated an Information Note to all Member States: (i) to raise awareness of their judicial authorities about the risk of trafficking in human beings related to the war in Ukraine and the measures taken so far by the Member States, the EU institutions and agencies and EMPACT Trafficking in Human Beings; (ii) to encourage the competent authorities to exchange information and open investigations on trafficking in human beings when suspicions of exploitation of Ukrainian refugees arise, in particular in respect to unaccompanied minors; and (iii) to offer the availability of Eurojust to assist such trafficking in human beings investigations at the earliest stage to enhance the exchange of information and speed up judicial cooperation, including with Ukraine.

Law enforcement and judicial authorities should cooperate as early as possible when an **investigation for trafficking in human beings is initiated**, in order to make sure that the information collected is admissible as evidence in court and that traffickers are brought to justice. Relevant information on cross-border cases should be shared in accordance with EU and national legislation through the EU law enforcement and judicial cooperation channels including Europol and Eurojust. When the new Schengen Information System becomes operational, Member States will be able not only to include more useful data in the alerts on missing persons, but also to enter alerts on vulnerable persons, including victims or persons at risk of becoming victims of trafficking in human beings, and to mark them accordingly.

#### **Actions for the European Commission and EU Agencies:**

- **Strengthen the actions under the EMPACT – Operation action plan ‘Trafficking in Human Beings’**, in cooperation with Member States and EU Agencies, especially Europol, and all relevant partners, including for web monitoring and the involvement of the civil society (*ongoing*);

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<sup>13</sup> Commission Communication providing operational guidelines for external border management to facilitate border crossings at the EU-Ukraine borders 2022/C 104 I/01, OJ C 104I, 4.3.2022, available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOC\\_2022\\_104\\_I\\_0001](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOC_2022_104_I_0001)

- **Enhance cooperation with the EU Agencies**, in particular Europol and, within their mandate with the European Labour Authority, and the EU Fundamental Rights Agency, and encourage a multi-disciplinary, multi-agency approach of enforcement actions enabling the efficient detection, reporting and fight against trafficking in human beings for all forms of exploitation (*ongoing*);
- **Enhance cooperation between Europol and law enforcement authorities and the non-governmental organisations** to strengthen information sharing with a view to identify trafficking in human beings cases and for the protection of potential victims (*ongoing*).

#### **Recommendations for the Member States:**

- **Make full use of existing instruments for operational cooperation**, such as in the framework of EMPACT, with the support of the EU Agencies, to address the risks of trafficking related to the war in Ukraine;
- **Report all suspicious cases and launched investigations to Europol** via SIENA to enhance the threat picture and risk analysis;
- **Make full use of the existent Schengen Information System (SIS), the Interpol notices and Europol's databases** and systematically report suspects of human trafficking, missing children and potential victims;
- **Systematically exchange data on investigations on human trafficking** related to the war in Ukraine with Europol and Eurojust;
- **Improve the capacity of labour inspectorates** or comparable authorities **and/or social partners and facilitate multi-agency cooperation** for detecting victims and reporting cases of trafficking in human beings in the context of labour inspections.

#### **d. Improving the early identification, support and protection of victims of trafficking in human beings**

Data at EU level shows that trafficking in human beings is a form of gender-based violence. 75% of all victims in the EU and 92% of the victims trafficked for sexual exploitation, are women and girls<sup>14</sup>. As the vast majority of people fleeing Ukraine are women and children, a strong gender approach is needed in the assistance, support and protection of victims who may be identified in the context of the crisis, including in relation to measures taken in the framework of the fight against gender-based violence.

In addition to enabling law enforcement and prosecution authorities to better investigate and punish traffickers, the **early identification of victims** is crucial to promptly assist, support and protect victims of trafficking in human beings. Frontline officers, such as border guards, immigration and asylum authorities, police officers, labour inspectors or comparable

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<sup>14</sup> European Commission, [Third report on the progress made in the fight against trafficking in human beings](#) (2020) and its accompanying [Staff Working Document](#), and [Study on Data collection on trafficking in human beings in the European Union](#) (2020)

authorities, child protection authorities, social workers, healthcare and education sectors, inspector services and civil society organisations are crucial in this respect.

In line with the Anti-trafficking Directive, Member States have put in place **mechanisms aimed at identifying potential victims** at an early stage and directing them to protection, assistance and support services. Member States should ensure that their National Referral Mechanism or other mechanisms are fully operational. Cooperation between the asylum, border, law enforcement and judicial authorities should be ensured both internally and with other Member States, as well as with Ukraine and Moldova, including in the context of existing transnational referral mechanisms<sup>15</sup>. The EU Agency for Asylum is developing a Vulnerability Package, including a tool for identification of persons with special needs (ISPN), a Special Needs and Vulnerability Assessment (SNVA) tool and a Referral Toolkit, which aims at providing support to relevant national authorities with the referral of vulnerable people in need of international protection.

If concrete cases of trafficking in human beings are detected, the victims should be granted the **assistance, support and protection measures** set forth in the EU Anti-trafficking Directive as soon as the authorities have a reasonable-grounds indication for believing that the person may have been exploited. Assistance, support and protection must be provided unconditionally, regardless of their willingness to cooperate in criminal investigations, prosecutions or trials. This has to include at least standards of living capable of ensuring victims' subsistence through measures such as the provision of appropriate and safe accommodation and material assistance, as well as necessary medical treatment including psychological assistance, counselling and information, and translation and interpretation services where appropriate. In cases involving child victims, their best interests have to be a primary consideration and they should receive immediate access to assistance, support and protection. Member States shall also ensure durable solutions for unaccompanied minors based on their best interests.

National authorities are strongly encouraged to work with **civil society organisations** for the purpose of early identification of, assistance and support to victims.

The European Commission is currently evaluating the EU Anti-trafficking Directive. Based on the outcome of the evaluation, it will consider reviewing it. Possible lessons learned from the crisis related to the war in Ukraine will be taken into account in case of legislative amendments to the Directive<sup>16</sup>.

Addressing the **long-term needs** of possible victims of trafficking among people fleeing the war in Ukraine is essential. Following their identification and referral to assistance and support,

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<sup>15</sup> See the European Commission's [Study on Reviewing Member States' National and Transnational Referral Mechanisms](#) (2020)

<sup>16</sup> The European Commission is also working on the revision of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, which is the horizontal instrument, applicable to all victims of crime. The aim is to ensure that victims of crime can fully rely on their rights in the EU. In addition, on 8 March 2022, the European Commission adopted a proposal for a directive on combating violence against women and domestic violence, which sets out targeted measures regarding this group of victims of crime (COM/2022/105 final).

victims of trafficking should be provided with opportunities to rebuild their lives and have access to re-integration and rehabilitation programmes. The European Commission will continue to facilitate and promote **programmes supporting victims in their recovery and re-integration** such as health, psychological or legal specialised services, and facilitating access to education and economic opportunities, including through the Asylum, Migration and Integration Fund and Internal Security Fund. The two calls published by the European Commission on 17 February on assistance, support and integration of third country national victims of trafficking in human beings<sup>17</sup> under the Asylum, Migration and Integration Fund and on actions against trafficking in human beings<sup>18</sup> under the Internal Security Fund could support some of the actions of the Common Anti-Trafficking Plan.

#### **Actions for the European Commission and EU Agencies:**

- **Promote and provide gender-sensitive and child-rights based training and capacity building of relevant practitioners for the identification of victims of trafficking** amongst refugees fleeing Ukraine, taking into account specific vulnerabilities, including through existing funding under the Internal Security Fund and Asylum, Migration and Integration Fund (*ongoing*);
- **Update, with the support of the National Rapporteurs and Equivalent Mechanisms, the country pages on the Anti-trafficking website<sup>19</sup>** with the contact details of the relevant national authorities and civil society organisations, which can take part in transnational referral mechanisms (*by the end of June*);
- **Continue to support Member States in the implementation of the Anti-trafficking Directive and monitor its implementation**, especially when it comes to the provisions on victims' rights (*ongoing*).

#### **Recommendations for the Member States:**

- **Ensure that appropriate mechanisms aimed at the early identification of victims and their referral to assistance and support**, including national referral mechanisms, are in place and fully operational;
- **Provide gender-sensitive training of all frontline practitioners** likely to come into contact with victims of trafficking in human beings, also taking into account the specific needs of children;
- **Provide relevant information on available services** for victims or potential victims of trafficking, **as well as on their rights**, taking into account gender and age-specific needs;
- **Ensure programmes providing for the longer-term needs of the victims, including by supporting them in their recovery and re-integration** into the host Member States, in close cooperation with civil society organisations;

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<sup>17</sup> [Funding & tenders \(europa.eu\)](#)

<sup>18</sup> [Funding & tenders \(europa.eu\)](#)

<sup>19</sup> [Together Against Trafficking in Human Beings \(europa.eu\)](#)

- **Ensure internal and cross-border cooperation** among national agencies in charge of asylum and temporary protection procedures, border guards, law enforcement and judicial authorities.

**e. Addressing the risks of trafficking in human beings in non-EU countries, especially Ukraine and Moldova**

Ukraine was already among the top five non-EU citizenships of victims of trafficking in human beings registered within the EU before the war, mainly for sexual and labour exploitation<sup>20</sup>. In 2021, the International Organisation for Migration in Ukraine identified and assisted over 1000 victims of trafficking.

**Eurojust** can assist with cross-border judicial cooperation at the EU level and with Ukrainian judicial authorities, whenever cases of trafficking in human beings related to the war in Ukraine are referred to the Agency. Eurojust and Ukraine signed a Cooperation Agreement in June 2016, with the first Ukrainian Liaison Prosecutor taking up her duties in August 2018.

**Frontex** has already started to reinforce Moldova's capacity by deploying specialised officers on prevention, detection and combatting trafficking in human beings under the Joint Operation in Moldova.

**Ukraine and Moldova should systematically exchange data on investigations on human trafficking** related to the war in Ukraine with Europol and Eurojust, and respective Common Security and Defence Policy (CSDP) missions.

The **EU Advisory Mission (EUAM) Ukraine** under the Common Security and Defence Policy produced awareness raising leaflets that have been provided to Ukrainian competent authorities and NGOs for distribution at border crossing points. In parallel, the mission facilitates the exchange of information between the responsible Ukrainian authorities and EU Agencies (Europol and Frontex), as well as Interpol and law enforcement authorities in the Member States in the area of combatting trafficking of human beings. This exchange aims at having a better understanding of the situation, thereby enabling EU agencies to coordinate activities and formulate tailored responses on the ground.

The **EU Border Assistance Mission (EUBAM)** to Ukraine and Moldova adapted its activities in response to the current flows at the borders between Moldova and Ukraine. Its mandate is not focused on, but includes and relates to trafficking in human beings, notably when it comes to assisting and helping vulnerable migrants in border crossing.

The European Commission and the European External Action Service will continue to cooperate with non-EU neighbouring countries, in particular Ukraine as a country of origin, and Moldova as a country of origin, transit and destination, including through respective EU Delegations and EU missions, as well as with International Organisations, such as the Organization for Security and Co-operation in Europe and UN agencies (e.g. the United Nations Office on Drugs and Crime, the International Organisation for Migration, UNHCR).

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<sup>20</sup> European Commission, [Third report on the progress made in the fight against trafficking in human beings](#) (2020)

## **Actions for the European Commission, the European External Action Service and EU Agencies:**

- **Continue to support the EU-funded awareness raising campaign organised in Ukraine** and at the borders with Ukraine by the International Organisation for Migration, in cooperation with the EU Delegation in Ukraine, on the risks of trafficking in human beings, and other International Organisations working on the ground (*ongoing*);
- **Promote awareness raising campaigns in Ukraine and Moldova** through various media, including radio, television, mobile phones, as well as social media (*ongoing*);
- **Further encourage Moldova to participate in EMPACT** and to engage in the operational action plan (OAP) ‘Trafficking in Human Beings’ (*ongoing*);
- **Make full use of the actions of the Common Security and Defence Policy EU Advisory Mission (EUAM) Ukraine**, including in relation to awareness raising and exchange of information on trafficking in human beings (*ongoing*);
- **Make full use of the capacities of the EU Border Assistance Mission to Moldova and Ukraine** in supporting competent national authorities to identify human traffickers and victims of human trafficking (*ongoing*).

## **Recommendations for the Member States:**

- **Closely cooperate with EU actors and the Ukrainian and Moldovan authorities, including** in exchanging and comparing information on unaccompanied and separated children who fled Ukraine.

## **4. Conclusions**

The war in Ukraine poses significant risks for the security and safety of people fleeing to the EU and non-EU neighbouring countries. While the risks of trafficking start in Ukraine, they continue beyond the borders of frontline EU Member States or Moldova.

The EU already possesses the means to prevent and combat trafficking in human beings, as well as to protect its victims. The Commission, the European External Action Service, the EU Member States and EU Agencies have immediately adopted awareness raising and preventive measures in the EU and its neighbouring countries in order to provide a short-term response to the risks of trafficking in human beings and reduce the vulnerabilities of people fleeing Ukraine. While these measures need to be further reinforced within the EU and externally, it is now important to focus on the detection, investigation and prosecution of potential cases of trafficking, as well as ensuring that presumed or identified victims are provided with appropriate assistance and support and have access to the rights they are entitled to under EU law.

This Common Anti-Trafficking Plan fully applies within the context of the EU Anti-trafficking Directive and the priorities and key actions set out by the EU Strategy on Combatting Trafficking in Human Beings (2021-2025). The implementation of the plan will be coordinated by the EU Anti-Trafficking Coordinator, in cooperation with the National Rapporteurs and Equivalent Mechanisms and the EU Agencies.