Dear reader,

I am pleased to present the second issue of the Eurojust News, our quarterly newsletter. Following priorities set by the European Union, Eurojust’s work focuses on the fight against terrorism, drug trafficking, trafficking in human beings, fraud, corruption, cybercrime, and money laundering, and other activities related to the presence of organised crime groups in the economy.

This second issue of the Eurojust News is mainly concerned with the fight against Trafficking in Human Beings, which is also a priority of the current Spanish Presidency. It illustrates some aspects of Eurojust’s contribution to the struggle against a phenomenon that generates human misery on a global scale. If you have any comments regarding this issue, please contact our Press & PR Service at info@eurojust.europa.eu.

Aled Williams, President of Eurojust

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**Trafficking in human beings**

Trafficking in Human Beings (THB) is a global problem, but one that particularly affects the European Union as the destination for many trafficked victims. Because of this, Article 5 of the EU Charter of Fundamental Rights explicitly mentions THB under its general prohibition of slavery and forced labour.

THB is a multi-billion-dollar form of international organised crime. Reliable statistics are not available, but it is clear that every year a significant number of people, largely women and children, are trafficked for sexual exploitation, labour exploitation or other purposes. Smuggling of humans/illegal immigration (see case example 2) and child abuse on the internet (see case example 3), while not THB *per se* under the United Nations Convention against Transnational Organized Crime 2000 (Palermo Convention), are also explored here as representing disturbing trends and where the added value of Eurojust is demonstrated. Ac-
THB represents a challenge that can only be met by international judicial and police co-operation.

According to the Palermo Convention, THB means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force, for the purpose of exploitation.

Globalisation and easy international travel mean that virtually every country in the world is affected by these crimes. THB represents a challenge that can only be met by international judicial and police co-operation.

**INTERNATIONAL CO-OPERATION**

Several international and European bodies work closely with each other in the fight against human trafficking. These include Eurojust, Europol, Interpol, the International Organization for Migration (IOM), the International Labour Organization (ILO), the Organization for Security and Co-operation in Europe (OSCE), the Southeast European Cooperative Initiative Regional Center for Combating Trans-Border Crime (SECI Center), the United Nations Office on Drugs and Crime (UNODC), as well as non-governmental organisations (NGOs) active in this field (see Payoke article, pp. 6-7) and civil society.

**Trafficking and Related Crimes Team at Eurojust**

In 2006, the Trafficking and Related Crimes Team was set up as a combination of the former Drug Trafficking and Trafficking in Human Beings (THB) Teams. The main aims of the team are to collect and manage topic-related expertise, to ensure that such expertise is made available to practitioners through strategic and tactical meetings and other means, to enhance the exchange of case-related information, to create a specialist network of drug trafficking and THB prosecutors, to analyse and identify obstacles to judicial co-operation, to establish regular contacts with EU enforcement agencies and co-operate with lawmakers in Brussels, and to co-operate with Europol and Frontex.

Eurojust began holding strategic meetings on THB and illegal immigration in September 2004 to enhance co-ordination of cross-border cases and to facilitate the setting up of Joint Investigation Teams (JITs). Meetings have covered topics such as the relationship between THB and illegal immigration crime and the particular evidential and other problems associated with THB and witness protection. A JIT is an investigation team set up on the basis of an agreement between two or more Member States and/or other parties, for a specific purpose and limited duration. Exchange of information can be immediate. JIT members can be
present at house searches, interviews, etc., in all jurisdictions covered, helping to overcome language barriers. JITs allow Europol and Eurojust to be involved by providing direct support and assistance, and EU funding is possible.

Eurojust’s THB caseload has increased markedly in recent years. There were 19 THB cases registered in 2004 and 74 in 2009. Five co-ordination meetings, where investigators and prosecutors from Member States met to discuss how cases could be best progressed, were held at Eurojust in 2009 to resolve issues in THB.

**CENTRE OF EXPERTISE.** In 2006, Eurojust established a centre of expertise in THB and related issues by providing case analysis and exchanging information, organising strategic and tactical meetings, establishing a central contact point for missing persons, setting up a legal database of available legal instruments on THB, and strengthening co-operation with other European and international crime-fighting organisations.

**CHILD PROTECTION.** According to the latest estimates, some 1.2 million children are traﬀicked worldwide every year. The United Nations Children’s Fund (UNICEF) estimates the annual global proﬁt from child traﬃcking at over $12,000,000,000 (€8,820,000,000). Surveys by UNICEF indicate that one-third of all sex workers in some regions of Southeast Asia are between 12 and 17 years of age, and an estimated 16,000 children are engaged in prostitution. Sadly but predictably, tourist destinations have the highest concentrations of child prostitutes. In Eastern Europe, up to 50 per cent of prostitutes are believed to be minors. Children as young as age 11 work as prostitutes and are used to make pornographic ﬁlms.

**Eurojust Contact Point for Child Protection**

The people most at risk from traﬃcking are the innocent and defenceless, and of these, children are clearly the most vulnerable. Against this background, at the informal Justice and Home Affairs meeting in Lisbon in October 2007, the Belgian Minister of Justice Proposed that Eurojust appoint a contact point for child protection issues. A few weeks later, Eurojust appointed the Eurojust Contact Point for Child Protection.

The role of the Contact Point is to co-ordinate information, collect and identify relevant best practice, and share practical experience gained in operational activities carried out in the context of cross-border investigations of cases concerning children. Child abduction, sexual abuse of children, traﬃcking in children and child pornography are the main crime types of particular concern.

The Contact Point represents Eurojust in order to raise awareness of its role and to ensure that Eurojust’s expertise and best practice in cross-border cases involving children is available to practitioners. In addition, the Contact Point co-operates with competent (European and international) bodies active in the ﬁeld of child protection, such as Europol, Interpol and the UNODC, and provides advice to Eurojust National Members on casework involving children. The Contact Point maintains a constant and updated statistical overview of all child-related cases dealt with at Eurojust. Eurojust’s Contact Point has a webpage on the Eurojust website. The webpage contains a description of the competences of the Contact Point, statistics on cases at Eurojust involving children and an e-mail address intended for contacts from law enforcement authorities and international organisations: childprotection@eurojust.europa.eu.

**Case example 1: Trafficking children**

In 2006, a case between Romania and the United Kingdom was registered at Eurojust, involving an organised criminal network traﬃcking children from Romania to the UK, with the aim of exploiting them to commit crimes (mainly stealing and begging). This form of THB is quite unusual, and does not fall under the Palermo Convention. The children were recruited from poor communities in rural areas. The members of the criminal group arranged for the children’s accommodation and transport, obtained the travel documents, organised and supervised the criminal activities in the UK and collected the money obtained by the victims.

Eurojust co-ordinated several meetings between the UK judicial authorities and the Romanian prosecutors of the Organised Crime and Terrorism Investigation Directorate (DIICOT). A Joint Investigating Team (JIT) was set up in 2008; the JIT Agreement was signed at Eurojust on 01 September 2008. The purpose was, through the intervention and facilitation of Eurojust, to co-ordinate arrests of leaders of the organised criminal network, to conﬁscate their property and to obtain important means of evidence from the destination country and vice versa, and to prosecute the members of the network and send them to trial. The JIT allowed the establishment of a common plan of action between the national and international actors involved, with Europol providing analytical support and Eurojust clarifying the diﬀerences between the two legal systems and advising on where best to prosecute, taking into consideration the diﬀerent evidentiary requirements of the two countries. The JIT received substantial European Commission funding. Due to the diﬀerences between civil and common law systems, additional assistance from Eurojust had been requested. Some criminals appeared before the UK courts in 2009.

On 08 April 2010, a large operation was organised in Romania, with the support of 120 Romanian police oﬃcers and 200 gendarmes, together with 26 oﬃcers from the London Metropolitan Police and 2 intelligence analysts from Europol. They conducted 34 simultaneous home searches. As a result, 27 people are prosecuted for traﬃcking in minors, participation in an organised criminal group and money laundering, 17 being currently under arrest. So far, more than 160 victims, aged between 7 and 15 years, have been identiﬁed.

Most at risk from traﬃcking are the innocent and defenceless, particularly children.
Interview with Ms Anna Hedh, MEP for Sweden

Anna Hedh is MEP for Sweden. She is a member of the Group of the Progressive Alliance of Socialists and Democrats, a member of the Committee on Civil Liberties, Justice and Home Affairs (LIBE), and a member of the Delegation for Relations with the Palestinian Legislative Council. One of her major interests is the fight against THB and exploitation of women and children. On 13 January 2010, she introduced a motion for a resolution on preventing THB.

What can be done to fight against it?

AH: First of all, of course, to make good legislation. We can also help to raise awareness about trafficking. In a resolution by the European Parliament from January of this year, we proposed the annual publication of a joint report by Eurojust, Europol and Frontex, to be presented to the European Parliament and the national parliaments as well as the Commission and the Council, to be followed up by a public hearing in the European Parliament.

You mentioned that statistics show that around 80 per cent of THB involves children, minors and women. How can this be explained?

AH: As said before, the connection to the demand for sexual services is clear. Traffickers believe that the bodies of children and women are goods that can be bought and sold. This attitude corresponds to a view that male sexual needs must be ‘fulfilled’ at all costs. We must all try to work against these stereotypes and fight trafficking.

How can the European Union discourage and take effective legislative measures against this form of modern slavery?

AH: It is important to try to make ambitious legislation as good as possible, and with holistic policies engaging all relevant policy fields. The Commission will very soon adopt its proposal on a directive on the fight against trafficking, where I will be the rapporteur for the European Parliament.

In the above-mentioned resolution on trafficking, we propose a range of measures, including focusing on victims’ protection and assistance, regardless of the victims’ willingness to co-operate in criminal proceedings; comprehensive agreements with third countries; and, for the establishment of co-operation, access to residence permits for victims as well as simplified access to the labour market. We also stressed that further prevention and action could also focus on the users of services supplied by trafficked people.

During the Swedish Presidency, the fight against trafficking was mentioned in the Stockholm Programme – the framework for the EU’s work in the area of justice and home affairs for the next five years. Unfortunately, the text adopted was too vague, despite the positive aspects, such as the creation of an anti-trafficking coordinator. The fight against trafficking is a priority of the current Spanish Presidency, so we hope the issue will be of highest priority in the Council.

What short-term concrete actions do the European Parliament and the Commission envisage to prevent an increase in THB?

AH: From the European Parliament’s side, we will try to use the opportunity the directive gives us to make the most ambitious legislation possible and not shy away from prevention by taking measures against demand for services of trafficked persons.
Interview with Ms Corinne Goetzmann, Vice-President and Investigating Magistrate, Court of Appeal, Paris

Corinne Goetzmann is Vice-President and Investigating Magistrate of the Court of Appeal of Paris. She deals with many high-profile cases involving THB, including “Operation Baghdad”, further detailed in case example 2 (box).

Eurojust: You have worked several times with Eurojust?

Corinne Goetzmann: I worked with Eurojust on two cases, one on organised illegal immigration and one on armed robbery. In the organised illegal immigration case, ten countries were involved, so Eurojust was absolutely necessary to streamline the judicial co-operation by all these countries. At the start, Eurojust made it possible to first identify the magistrates in all the countries involved who were working on this particular case. Eurojust also made it possible to immediately agree on the list of suspects to be interviewed or arrested, and to make sure that all judicial authorities were working in conformity with their own national systems, either based on EAWs issued by France, or national arrest warrants issued by the countries themselves, when sufficient evidence was available, of course. These were the subjects of the first co-ordination meeting at Eurojust. Later on, we were able to set a common date to simultaneously execute the EAWs in all countries. There was a whole judicial strategy put in place for this case. This was impossible to think of before the creation of Eurojust.

What was your impression when attending a meeting at Eurojust?

CG: It was at the same time very impressive and on the other hand very exciting; impressive, because there were around 100 people present, magistrates, police officers, the Eurojust National Members; exciting, because I immediately understood that we would find solutions to our difficulties, solve our problems and differences, and be able to co-ordinate our actions.

Do you think all this work is useless, as new criminal organisations are constantly being formed?

CG: To fight against THB conducted by criminal organisations is sometimes like ‘le tonneau des danaïdes’, an endless task. On the judicial level, we don’t have the presumption to be able to solve this problem alone. It is also a political and economic problem. From my little office as a French judge, I don’t have all the means to solve this problem. There will always be people dreaming of a better life and a brighter future elsewhere. Citizens from Iraq, Sri Lanka and some African countries see Europe as El Dorado, a paradise. So I am afraid there will always be criminals and criminal networks to take advantage of these easy victims. But thanks to Eurojust, we can do something in the fight against this phenomenon. I think that THB cases are the best candidates for judicial co-operation.

Case example 2:
Organised immigrant smuggling - “Operation Baghdad”

Eurojust, in cooperation with Europol, assisted in the exchange of information and co-ordination of arrests in a Europe-wide organised immigrant smuggling network. At the request of French investigative magistrates, Eurojust was involved in assisting in the exchange of information and the co-ordination of the investigations between nine Member States.

The network recruited illegal immigrants in Afghanistan, China, Turkey, Bangladesh and Iraq and transported them to various European countries, such as Ireland, the UK, Norway, and Sweden. Each of those who were smuggled is believed to have paid between €10,000 and €12,000. As a result of the co-ordination put in place with the support of Eurojust, in June 2008, 75 people suspected of involvement in the network were arrested throughout Europe. The investigations and arrests took place in Belgium, France, Germany, Greece, Ireland, Norway, the Netherlands, Sweden, and the UK. More than 1,300 police officers were involved.

This joint operation was initiated in Paris, where an international co-ordination centre, hosting liaison officers from several EU Member States, was set up by the French central office for the repression of illegal immigration and employment of foreigners without residence permits (OCRIEST). Three meetings took place at Europol and three co-ordination meetings took place at Eurojust. In addition, Eurojust was responsible for the co-ordinated implementation of EAWs. On 16 April 2010, 28 people were sentenced to between 6 months, some suspended with probation, to 8 years imprisonment.
Interview with Ms Patsy Sörensen, Founder and Director of Payoke

Patsy Sörensen, born in 1952 in Antwerp, is a former Belgian MEP (1999 – 2004) for the Agalev/Groen Party. She specialised in EU THB policy, and is an international expert on trafficking issues. She quit politics in 2004 to devote herself to Payoke, the NGO she founded in 1983.

What do you expect in the future?

CG: We are more often confronted with organised cross-border crime, so we are more often obliged to co-operate and collaborate with the judicial authorities in our neighbouring countries. In the future, we will more often call upon the assistance of Eurojust, as it is our main resource for help, so to speak.

In parallel, Eurojust is moving closer to, what I hope will become a real European Prosecution Office. Even today, this seems to be judicial science fiction. But some years ago, to have Eurojust in place was also seen as science fiction by most of us. Now we see that Eurojust is a very well-functioning unit, still quite young, but working perfectly. I am very optimistic about the future of judicial cooperation in the European Union.

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Eurojust: Your organisation goes back in time?

Patsy Sörensen: It all started in 1983, in Antwerp, in the middle of the red light district, where I had my house and painting studio. Before long I found my house functioning as a sort of drop-in centre, a place where neighbours could come and get things off their chest over a cup of coffee. One of those initiatives was Payoke, an organisation set up to defend the interests of the prostitutes and their families. Around the same time, I also began to realise that not all of the girls working behind the display windows were doing so of their own free will. Apparently, there were networks that bought and sold women from various countries in order to exploit them on the Antwerp prostitution scene. At first, they mostly came from Asia, Africa and South America. After the fall of the Berlin Wall in 1989, many of the girls were brought in from Eastern Europe. More and more, Payoke began to specialise in combating trafficking in humans and protecting the victims.

You received royal attention for your initiative?

PS: Everything changed in 1992 when King Boudewijn of Belgium spontaneously decided to visit Payoke to speak with the victims in person. The list of demands that we put together in the following years has led to an interdisciplinary and integrated trafficking policy in Belgium. In this way, Belgium became the first country to effectively implement legislation against trafficking in human beings and today, people still refer to the Payoke system.

Was being an MEP an advantage?

PS: From 1999 to 2004, I was a Member of the European Parliament and have been able to use my experience to translate the Payoke system into European policy, meaning the granting of short-term residence permits to victims of trafficking. This initiative was adopted by the European Parliament by nearly unanimous vote, meaning that all Member States will be required to take this first concrete step to begin genuinely helping the victims. In the meantime, Payoke remains the only authorised centre in Flanders specialised in trafficking and continues to serve as a model for such programs around the world.
world. The breakthrough that Payoke achieved has made it possible for the fight against THB to become a priority area of policy internationally as well. Thanks to the actions of Payoke, the victims are now recognised as victims. As president of Payoke, I am committed to remaining watchful and dedicated to ensuring that what we have achieved will be maintained and further developed in the future.

**What can be the role of Eurojust?**

PS: I visited Eurojust in January 2009 to explore possibilities for co-operation. We at Payoke find that Eurojust is the answer in the fight against organised cross-border crime. More Eurojust means quicker tackling of the criminal networks, and at the same time giving a feeling of security and safety to the European citizens, to the victims, and to the families of the victims. Eurojust works cross-border, which is necessary in a global world of serious and organised crime. I see Eurojust as the fourth “P”, for partnership (together with Europol and Frontex), next to Prevention, Protection and Prosecution. The European Union’s Member States should work towards removing obstacles to judicial co-operation in criminal matters by raising awareness and making better use of the specialised European agencies, such as Eurojust, Europol and Frontex. The establishment of appropriate, officially binding mechanisms designed to harmonise victim assistance with investigative and crime-prosecution efforts at European, national and regional levels should be encouraged. Additionally, motivational schemes should be established to encourage law enforcement both within and outside the European Union to continue in their fight against trafficking. Recognition of successful actions, behaviours, and networking should be acknowledged with incentives, which could include promotions, awards, additional training, monetary rewards (if applicable), and public acknowledgement of positive actions. Police services should be encouraged to co-ordinate investigations against organised crime through the European Criminal Intelligence Model (ECIM) or Intelligence-Led Policing (ILP). Likewise, more emphasis should be placed on setting up JITs as an innovative tool in fighting cross-border organised crime.

**Background: Payoke’s mission** - The specific nature of the issues related to THB and of the people who become victims of this flourishing form of organised crime led to the creation of specialised assistance structures for counselling victims of trafficking. Payoke’s mission, as a specialised shelter and counselling centre for victims of the international trade in human beings, forms part of the Belgian Laws and Ministerial Circulars, which includes stipulations for combating THB and child abuse pornography, for the granting of residence and work permits to foreign victims of trafficking, and for assistance to victims of THB who, by giving testimony or by pressing charges, wish to collaborate with the authorities in the fight against trafficking.

**Case example 3:**

**Sexual abuse of children - “Operation Koala”**

The case, named “Operation Koala”, began in 2006 when a child abuse video was discovered in Australia. This particular video had been produced in Belgium. A Belgian perpetrator and two victims were identified. Consequently, the sole producer of the material, a 42-year-old Italian national, was arrested. He was running a website on which he sold over 150 self-made, sexually explicit videos of underage girls. This business had been running for a year and a half, generating considerable profits from around 2,500 customers worldwide. The information from Australia was routed via Interpol to Europol and Belgian authorities.

Success was achieved in this operation by the provision of valuable data by Member States and Interpol and crime analysis for more than a year carried out by specialists in online child sex abuse cases at Europol and the judicial co-ordination was carried out by Eurojust. The abusive material was mainly produced in the man’s private studio in Ukraine. The customers were also able to order tailor-made videos. Requests on how to pose were also given and some customers even travelled to the studio to attend the video shoots or to make their own private videos. Shortly before the suspect was due to move permanently to Ukraine, the Italian national police in Bologna arrested him. After his arrest, the Italian authorities forwarded all the digitalised material, including customer details, to Europol. The material was analysed and disseminated to the countries in which customers were identified.

Eurojust and Europol, working in close co-operation, invited representatives from 28 countries to several operational meetings in The Hague. At Eurojust, the Belgian and Italian National Members took the initiative to co-ordinate, on a judicial level, all the countries involved. This remarkable level of co-operation with all Eurojust National Members, addressing their national authorities to follow the deadlines established for the common operations, contributed to the success of the joint Europol-Eurojust operation. Subsequent investigations were initiated by the national authorities, which led to a significant number of arrests and the seizure of a considerable amount of child abuse material. So far, 23 children between 9 and 16 years of age have been identified. Amongst those arrested were several persons working in trusted positions, such as school teachers and swimming instructors. In this co-ordinated action, 2,500 purchasers of child pornography in 19 countries were identified; thousands of computers, videos and photographs were seized, and more than a million files and pictures were found. The investigations and prosecutions are still ongoing in and outside the European Union.
Signing of Memorandum of Understanding between Eurojust and UNODC

On 26 February, Eurojust and the United Nations Office on Drugs and Crime (UNODC) signed a Memorandum of Understanding (MoU) to improve judicial co-operation and reinforce the fight against crime, particularly serious crime.

The MoU was signed by the Executive Director of the UNODC, Mr Antonio Maria Costa, and the Vice-President of Eurojust, Ms Michèle Coninsx, during a ceremony held at the European Council in Brussels. In addition to the signatories, Mr Francisco Caamaño, the Spanish Minister of Justice, Mr Stefaan De Clerk, the Belgian Minister of Justice, Ms Viviane Reding, Vice-President of the European Commission and Commissioner for Justice, Fundamental Rights and Citizenship, and Ms Aurora Mejía, representative of the Spanish Presidency, were present. Of particular relevance for THB, Eurojust is supporting the Witness Protection in the Fight against Serious Crime and Terrorism (WINPRO) project in co-operation with the UNODC.

Case example 4: THB sexual exploitation

French, Italian, and Bulgarian judicial authorities acted to disrupt an organised crime group operating in France and Italy, which was trafficking 100 Bulgarian women for the purpose of sexual exploitation. Over a four-year period, profits from the exploitation are estimated to be 10 million euros. After thorough investigations into the criminal organisation’s operations, thirteen European Arrest Warrants were issued by French authorities, and more are expected from the Bulgarian authorities. One suspect continued to conduct illicit operations from prison via fax and telephone. According to intelligence sources, the criminal group was organised in a hierarchical structure based on family connections among members. The main organisation was devoted to THB, but had links to another organisation in Albania that was involved in money laundering. The leaders had amassed great wealth, used threats against witnesses and violence against group members, including murder and grievous bodily harm, and forced women into prostitution. The Bulgarian network was also using business structures for the purpose of money laundering. At present, efficient co-operation is taking place between judicial authorities in Bulgaria, Italy and France with the assistance of Eurojust.

Council Conclusions on setting the EU’s priorities for the fight against organised crime

The JHA Council adopted on 4 June 2009 the Council Conclusions on setting EU priorities for the fight against organised crime. Eurojust, as well as the Member States, the Council working parties, the Commission and other relevant EU agencies have been invited to report on their implementation of these priorities by 30 October 2010.

In addition, Eurojust dedicates this issue of Eurojust News to trafficking in human beings and will dedicate following issues to the other EU priorities. The first issue of Eurojust News was devoted to counter-terrorism.

Eurojust is a European Union body established in 2002 to stimulate and improve the co-ordination of investigations and prosecutions among the competent judicial authorities of EU Member States when they deal with serious cross-border crime. Each Member State seconds a judge, prosecutor or police officer to Eurojust, which is supported by its administration. In certain circumstances, Eurojust can also assist investigations and prosecutions involving an EU Member State and a State outside the EU, or involving a Member State and the Community.

Eurojust supports Member States by:
- co-ordinating cross-border investigations and prosecutions in partnership with judges, prosecutors and investigators from Member States, and helping resolve conflicts of jurisdiction;
- facilitating the execution of EU legal instruments designed to improve cross-border criminal justice, such as the European Arrest Warrant;
- requesting Member States to take certain actions, such as setting up joint investigation teams, or accepting that one is better placed than another to investigate or prosecute;
- exercising certain powers through the national representatives at Eurojust, such as the authorisation of controlled deliveries.

Colophon

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