



**Training course “Recognition, investigation and prevention of human trafficking as an effective tool for the termination of the phenomena”
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Specialized Prosecutor's Office
of Organized Crime and Other Branches
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“Collaboration of institutions in the criminal proceedings in cases of human trafficking”

I work at the Specialized Prosecutor's Office of Organized Crime and Other Branches; and the job of the prosecutors of the said prosecutor's office and my job is related to the investigation of criminal cases on different forms of human trafficking (hereinafter – HT). I have been working on this phenomenon since 2001, when I started to work on the first case of human trafficking in Riga, and all this time I was forced to learn and develop along with the situation in the field of combating HT. There were many trainings, seminars and conferences, where I was both a listener and a lecturer.

Particular prosecutors specialized in the investigation of the said criminal cases, and only such specialization has led to successful results, while supervising, performing pre-trial investigation and maintaining state prosecution in criminal cases related to different forms of human trafficking.

I will now repeat myself, but in order to understand the importance of today's theme “inter-institutional cooperation”, I will mention that already in 2001, when one of the first seminars on HT and this first seminar took place, the main achievement of the training was that the people who had been closely and effectively cooperating for already 12 years and had been working in the field of combating HT, met and got acquainted with each other during these seminars.

At the moment, a stable and effective system for prevention and combating HT, as well as provision of assistance to HT victims has been developed in Latvia.

In Latvia, all forms of human trafficking have been criminalized and extremely good legislation development has taken place, since one of the active partners combating HT in this field is the Ministry of the Interior whose representatives have come forward with an initiative for many legislation amendments, and responsible ministries; as well as the Ministry of Justice, followed by Saeima, has supported all



our initiatives in the field of legislation, which helped putting Latvian legislation in order according to the requirements of international legislative acts. In Latvia, compared to other developed countries, there is very rapid adoption of legislation amendments in comparison, for instance, to Sweden.

Already approximately 11 years ago, when the former head of our specialized department for combating HT Arturs Vaisla (*Artūrs Vaišļa*), who was one of the most active cooperation partners in the field of combating HT, was in Sweden, he was told by the representatives of the Ministry of the Interior of Sweden that it was necessary to create a specialized police unit for combating HT in Sweden; 7 years later, when I was in Sweden myself, our Swedish colleagues once again told that they had to create a specialized police unit for combating HT. In reply to our question, why no such police department had been created in Sweden, Swedish colleagues regretfully explained to us that, unfortunately, Sweden had very slow procedure of legislation adoption.

Whereas, in Latvia a specialized police department for combating HT has been created and has been successfully and effectively operating for a long time.

The fact that Latvia has highly progressive legislation can be observed in comparison to currently topical legislation initiatives in other countries in this field; for instance, on 11.09.2013 I read a fantastic title on TvNet portal: "Switzerland will prohibit the purchase of sexual services from minors. On Tuesday, the Lower House of Switzerland's Parliament supported amendments to the laws that prohibit the purchase of sexual services from persons under 18. Up till now, in Switzerland it was prohibited to purchase sexual services from persons under 16. It will still be allowed to engage in prostitution from the age of 16 in Switzerland, however, the fine will threaten those purchasing services from prostitutes under 18."

I would like to add that the organized prostitution of minors has been eradicated in Latvia and minors no longer become HT victims, since no souter or human trafficker would risk to engage in activity involving minors, because he knows that if his criminal activity is exposed, he will be punished with severe punishment of deprivation of liberty for his criminal actions.

One more cooperation partner appears here; namely, Latvian courts, Latvian judges, many of whom have finished training on HT, who have formed a unified understanding of different forms of HT and unified punishment policy; as a result, representatives of the organized crime, who closely follow the proceedings in such criminal cases, having assessed possible profit and possible punishment expecting them in case of conviction, having assessed the risks, have taken a decision not to perform any criminal action, whose victims would be children, since none of them wants to spend 8-10 years in prison.

As a result of our joint work, other, more dangerous forms of HT have been eradicated, namely, HT no longer uses any elements of compulsion, violence, threats, it does not use deceit and state of dependence or helplessness, since the



representatives of the organized crime are afraid of the severe punishment that threatens them.

It is worth mentioning the summary of the Supreme Court “Court practice in cases of human trafficking and sending of person for sexual use”, which helped in creating unified court practice in cases of HT, and thus, the Supreme Court is also a cooperation partner who contributed to combating HT.

As a highly powerful and effective, state-created tool for combating HT, it is necessary to mention the State Program for Combating HT for 2009-2013, within the framework of which the Ministry of the Interior and Ministry of Welfare have been appointed the responsible ministries by the decree of the Cabinet of Ministers. The Ministry of the Interior regularly organizes interdepartmental meetings, in which representatives of different ministries, institutions, local governments, police, prosecutor's office and nongovernmental organizations related to prevention of HT actively and effectively participate.

Hence, what other cooperation partners are there?

The Ministry of Welfare that created a commission, which assesses whether a person is a HT victim and decides on the provision of the state-guaranteed and funded assistance to HT victims who might not be the persons involved in the criminal proceedings. In reality, HT victims in Latvia are in a much more advantageous position than the persons who have suffered from other crimes, since the state has become aware of the heaviness of this crime and severe consequences experienced by HT victims, and does everything possible to return HT victim to life by becoming full-fledged members of the society.

Effective collaboration has been established with the Specialized Police Unit for Combating HT of the Organized Crime Combat Administration, in which the methodologies have been developed for exposure and investigation of crimes related to HT, this cooperation with the prosecutor's office, with the supervising prosecutor starts already at the stage of fieldwork, afterwards at the stage of investigation and continues during the trial investigation. Crimes related to HT are often related exactly to the organized crime, cross-border crimes, are related to acquisition of great amounts of financial resources; wherewith, criminals, representatives of the organized crime have different consultants, possibly, also lawyers who consult to help hiding criminal activity of the organized groups behind different forms of “legal” business activity, possibly, former or current police workers who are aware of the methods of fieldwork and methods of investigation work, which significantly hinders exposure and investigation of crimes related to HT. OCCA activity deserves particular attention due to exposure of crimes committed by two police majors, which were directly related to the organization of soutenerism, which is the ultimate aim of HT and where criminal profit is gained, in the City of Riga. Criminal activities of these two former police majors were exposed, investigated and both criminal proceedings are currently in court. Likewise, while investigating the crime committed



by the organized group related to HT, criminal actions of a sworn lawyer were exposed and these criminal proceedings are already in court.

I will tell about these specific criminal offences tomorrow.

As I have already mentioned, the crimes related to HT are often cross-border crimes, which are committed in different countries and, therefore, almost every criminal case required international legal cooperation in order to gather evidence to establish all members of the organized group and their role in the organized group. And we have a highly effective cooperation partner, the representative of Latvia in the international organization of prosecutors Eirojust Gunars Bundzis (*Gunārs Bundzis*), who actively assists in fulfilment of legal protection requests. Apart from that, international investigation groups, which are an effective tool for international cooperation and exposure and investigation of crimes related to HT are organized at the Eirojust headquarters in Hague.

Of course, the cooperation on the level of police occurs via Interpol and Europol.

As an example of good international cooperation, I can mention Belarus which, while cooperating with Latvia, exposed and convicted the representatives of the organized crime in Belarus, which sent HT victims from Belarus to Latvia where these persons were engaged in prostitution; whereas, in Latvia we, while cooperating with our Belarusian colleagues, exposed and convicted those members of the organized group, who organized the provision of sexual services in Latvia and gained criminal profit from it. The extradition procedure is currently in progress with Belarus, since the founder and head of the organized group has been arrested in Belarus – a "normal" Latvian millionaire, who organized the provision of sexual services in Latvia and for whom European arrest warrant was issued and who was put on the international wanted list, which is also an effective criminal procedure tool for achievement of criminal law aims.

Good international cooperation has been established with Russia where the representatives of the organized crime, who have come to the attention of the police and prosecutor's office in relation to commitment of crimes, often try to hide. But there they also have problems to hide and we "chase" them across Russia as well. Russia extradited one organizer and head of the organized group, a "normal" Latvian millionaire, who organized the provision of sexual services in Latvia, to Latvia and he is currently facing the trial.

Over these 12 years, there have been other international organizations, effective cooperation partners, which have organized different trainings on HT, participated in provision of assistance to HT victims and assisted in investigation of particular criminal cases and collection of evidence. For instance, UNO International Migration Organization (IOM), to which I applied for assistance, while investigating a particular criminal case. Inhabitants of Latvia became HT victims in Cyprus. We sent several legal protection requests to Cyprus, but cooperation was ineffective,



therefore, I asked for assistance to IOM representative, who went to Cyprus and whom I asked to meet with HT victims from Latvia. In Cyprus, IOM representative met with HT victims from Latvia, and that was how we obtained the proof for criminal actions of the representatives of the international HT organization.

I would particularly like to mention non-governmental organizations, which have been active and effective cooperation partners for a long time, both by organizing trainings of HT and providing state-guaranteed assistance to HT victims, as well as by being active participants in the criminal proceedings. Shelter "Safe House" has been an active cooperation partner for many years already, not only by providing assistance to HT victims and motivating them to cooperate with human rights institutions, but also by actively cooperating with the investigation at the stage of crime exposure and at the stage of evidence collection. "Safe House" representatives have been long working with HT victims involved in criminal proceedings both as victims and witnesses, by attracting high-level specialists, providing medical assistance, legal assistance, psychological assistance and social assistance. And while cooperating with "Safe House", we managed to obtain highly important information that was used and assessed in court as evidence, as a result of which the representatives of the organized crime were convicted. "Safe House" representatives acted as representatives of the victims in the criminal proceedings, provided specialists' opinion on the recruitment methods of HT victims, types of psychological influence, on consequences experienced by HT victims as a result of the criminal offence; and it is referred to the consequences to the psyche of victims, which are highly difficult to establish within the framework of criminal proceedings, since in order to establish these consequences, long work with the HT victim is required. "Safe House" representatives come to court and provide consequent testimonies as specialists, while withstanding the pressure of the accused and their defendants. "Safe house" specialists help HT victims to draw up applications for compensation within the criminal proceedings, which helps achieving justice.

The organized crime is constantly developing and changing, following the legal proceedings in particular criminal cases, and more and more often hides its criminal activity behind different forms of "legal" business activity, therefore the State Revenue Service is also involved in the process of evidence collection, since organization of the provision of sexual services, which is often the main aim of HT where criminal profit is gained, is related to legalization of criminal resources, and SRS specialists have methodologies for performance of tax calculations of the persons involved in criminal proceedings, which, in the process of proving, allows establishing how great the amounts of resources the representative of the organized group have obtained by illegal means are and how they have legalized these resources.

As an effective cooperation partner, I would like to mention the Municipal Police, which actively participates in recognition of places of the provision of sexual



services in the City of Riga and by performing raids and initiating administrative proceedings significantly it hinders this criminal activity. Materials collected by the Municipal Police can be used in the process of proving within the framework of criminal proceedings.

Mass media is another effective cooperation partner in the field of prevention and combating HT, informing the society about HT phenomenon and informing about the progress of particular criminal proceedings.

As the forms of HT change, new cooperation partners appear, for instance, the Ministry of the Interior organizes highly necessary meetings in relation to one of the HT forms, Forced Labour, which hides behind different forms of labour exploitation. In relation to this issue, I can mention such newly appeared cooperation partners, as State Employment Agency, Riga Municipality Police, Consumer Rights Protection Centre, one of the heads of employment companies, and as this cooperation progresses, we will manage to eradicate this form of HT, Forced Labour.

At the moment, we no longer can be an effective tool in the field of combating human trafficking, only within the framework of our narrow specialization, because everything changes rapidly, and the organized crime, which organizes crimes related to different forms of HT, changes as well. We, who are related to combating HT, have to be a lot more mobile, well-informed and effective, we have to know not only our professional field, but also the competences of our institutions, professionals, with whom to develop effective cooperation.

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