



Project No.JUST/2010/KPEN/AG/1546 "Possibilities of solution of topical problems of restorative justice in the European Union"

**Training course "Recognition,
investigation and prevention of human
trafficking as an effective tool for the
termination of the phenomena"**

26-27 September 2013, Riga



Investigation and Prevention as an Effective Instrument for the Discontinuation of the Trafficking of Human Beings

The Experience of Latvia

- The first criminal procedure in the Baltic – the work of a model in Milan, Italy, without remuneration;



How do we understand exploitation?

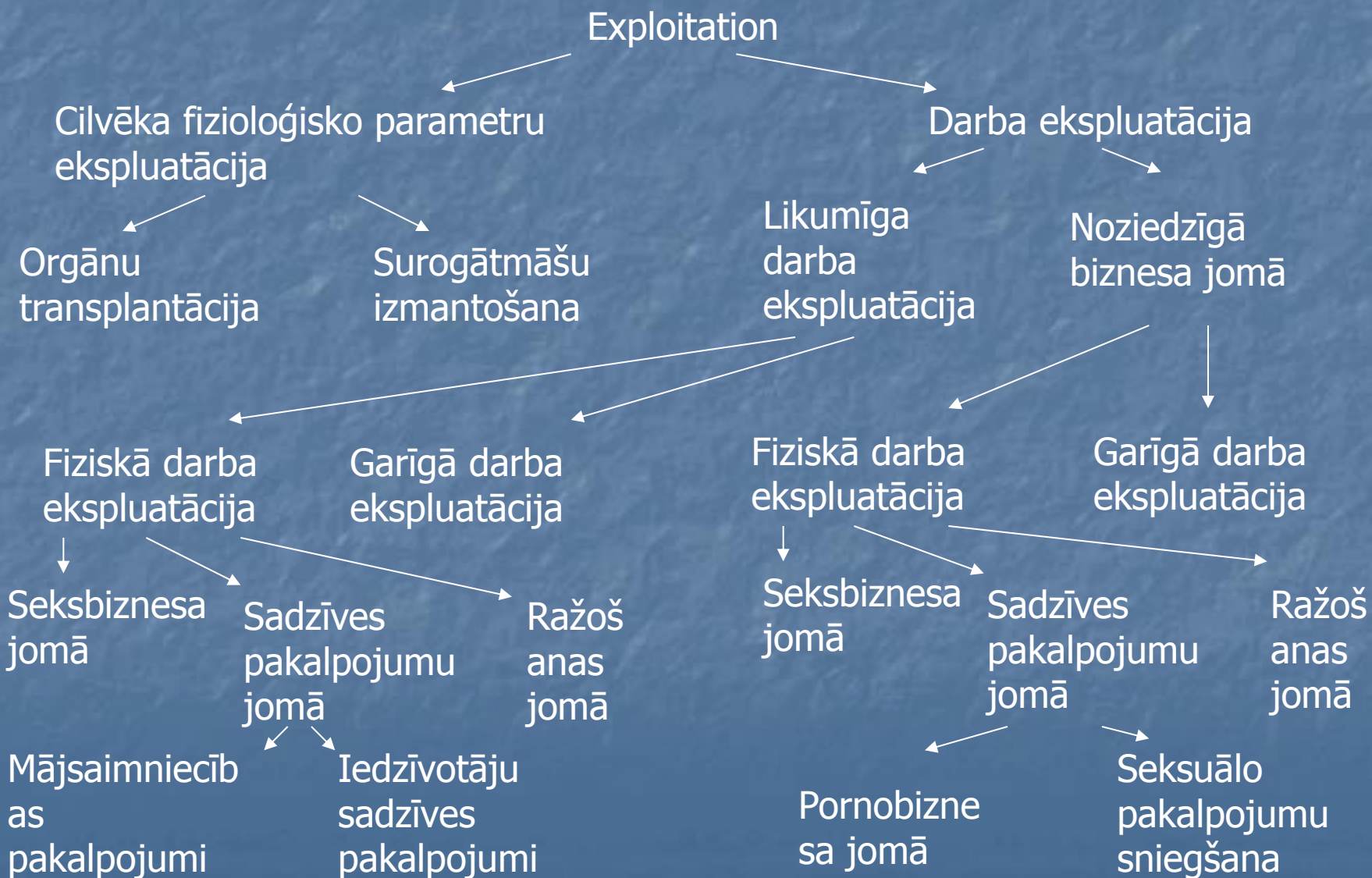


How do we understand exploitation?





Trafficking of Human Beings: Exploitation Types





Current Criteria for the Identification of Victim

A person:

- **was forced** to perform other work in the destination country, instead of the work envisaged or promised;
- **owed** to his/her employer, and a part of his/her income was collected (for the lodging, food, transport etc.);
- there was no labour contract;
- **could not** quit his/her occupation or change work on his/her free will;
- **was dispossessed** of identification documents;



Current Criteria for the Identification of the LE Victim

A person:

- was employed **against his/her will**;
- **could not use** his/her income freely;
- **was forced** to work more hours per week than it was determined;
- the work place **was under the control** (guards, video surveillance, dogs, the locked door) to make the escape impossible;

Current Criteria for the Identification of the LE Victim

A person was intimidated and threatened:

- that he/she will be exposed to violence, if he/she would contact to the police/apply to another institution for assistance;
- that he/she (also his/her family members and relatives) will be exposed to violence, deportation/the responsible institutions will be informed, if he/she would try to escape/return to his/her country of origin;
- felt threat indirectly by observing violence performed against others;



Current Criteria for the Identification of the LE Victim

A person was intimidated and threatened:

- it is possible to observe the physical violence/the person has suffered from the violence before;
- there have been denied meeting of the individual's basic needs, the person has not been provided with water, food, he/she has not been allowed to sleep, no medical care has been provided or other needs has not been met.





Experience of Other Countries and LE Indicators

■ Criminal Law of Belgium:

Traffic of human beings shall be considered to be the recruiting, transporting, delivery, lodging of a person of the control of a person who is delivered or relocated with the intention: to employ this person or to facilitate the person's employment under the conditions that are adverse to the human dignity.

Conditions that are adverse to the human dignity - indications:

1. lower standard of living – physical (movement restrictions, there is no medical care, no basic needs of a human being) and mental;
2. dependence on another person, humiliation, coercion, compulsion;
3. the totality of several LE indicators, including insufficient remuneration, default, deductions from the wages;

Tendencies





Thank you for your attention!

Questions?

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