



## **Chapter 8. Exemplary cases on labour exploitation**

Unit-responsible partner: KWPG



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## 8. Exemplary cases on labour exploitation

### 8.1 Introduction

The main goal of the chapter is to familiarize participants with the mechanisms of trafficking groups based on a real case, as well as to develop skills in identifying victims and using appropriate legal tools to protect them and prosecute suspects.

### 8.2 Learning objectives

#### Training content:

- Mechanisms of human trafficking:
  - Recruitment: how are victims recruited? The role of promises of work, fake agencies and social media.
  - Control: Withdrawal of documents, threats, isolation and other methods of forcing obedience.
  - Exploitation: Using victims in forced labour, prostitution, or begging.
- Identification of victims:
  - Recognizing signs that a person may be a victim of trafficking.
  - Key questions during interrogations.
  - Working with NGOs that support victims.





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### Legal tools:

- Discussing national and international laws on human trafficking (e.g., Palermo Protocol).
- Procedures for prosecuting perpetrators and protecting victims' rights.

## 8.3 Definitions

### Palermo protocol

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol) is a protocol to the United Nations Convention Against Transnational Organized Crime. It is one of the three Palermo protocols, the others being the Protocol Against the Smuggling of Migrants by Land, Sea and Air and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms.

### Non-governmental organisations (NGOs):

Offer support to victims of trafficking, both physically and psychologically, and are often a key element in informing the public about the risk and in providing support in legal processes.

## 8.4 Informative part

### Case No 1 – Solange (sexual exploitation)

The case scenario concerns an example of an organized criminal group profiting from soliciting and organizing prostitution. The group operated in Poland, in the Tri-city area





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(Gdansk, Gdynia, Sopot) from 2015 to 2018. The group's real-life modus operandi of intimidation, manipulation and total dependence of victims on its criminal activities was used.

## Introduction

The case scenario concerns an example of an organized criminal group profiting from soliciting and organizing prostitution. The group operated in Poland, in the Tri-city area (Gdansk, Gdynia, Sopot) from 2015 to 2018. The group's real-life modus operandi of intimidation, manipulation and total dependence of victims on its criminal activities was used.

## Framework and Background

One of the victims of the group in question was a young girl aged 22, her background was Brazil, but she lived and grown up in Gdansk (a large city in northern Poland) since she was 12 years old. For the purposes of the scenario, she was named S. Due to cultural differences and the language barrier, the victim didn't get enough education and after coming of age 18, she could not find a well-paid job. At the age of 19, she gave birth to a child whose father fled abroad and wasn't helping her in any way (either financially or in life) to raise child. The victim took various kinds of casual jobs to support herself and the child, but these were poorly paid jobs that weren't allowed for a normal life.

## Modus Operandi in the Initial Phase and Gradual Transition to Prostitution

S. in 2015 found an ad for an opportunity to earn money as a prostitute. Due to the urgent need to increase her household budget due to her child's illness, she decided to call the phone number provided in the ad. However, she promised herself that she would work "in this way" for a maximum of a month and leave, having earned some money. S. was





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exceptionally pretty, and the Latino type of beauty (unheard of in Poland) always made her attract men.

S. called the phone number provided, which was answered by a friendly woman. S. stated that she wanted to make some money as a prostitute, while stipulating that she wanted to work for a maximum of one month. The woman who answered the phone asked to send a couple of photos of S., to which the latter agreed. They then arranged a meeting. During it, the woman explained to S. that she would be working in an apartment in Gdynia rented specifically for social gatherings. Such an apartment is not a classic brothel, which operates in an official manner, but is based on a flat fee, which is paid to the renter of the apartment. They also discussed the pay system, which consisted of a 50%/50% split with the manager in question. The woman also agreed that S. would only work for one month. After discussing the terms of employment, the stripper (a security guard-driver) came to pick S. up. "The recruiter" told S. that from now on she was to deal with all issues (including billing) only with this man. She also added that she would personally handle appointments with clients, which she would then inform S. For the purposes of the scenario, he was named M1.

### Shape and Modus Operandi of Exploitation

M1 took S. to a rented apartment in Gdynia where she was to provide services. The "recruiter" then called her and told her that she would have two meetings with clients in the evening that day. S. agreed. After the appointments, the woman called M1, with whom she settled and he drove her home. As the days passed, S. had more and more appointments. Due to her beauty, she enjoyed exceptional success. However, after two weeks, due to exhaustion, she became ill and called M1, with the information that she was staying home that day. M1 told her that for each day she was absent from work, she would owe the organization PLN 1,000 (at this time, about 25% of the average monthly





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salary in Poland). S. was surprised, as there had been no mention of any penalties before. After three days, she returned to work. M1 told her that she would now work a week for free until she worked off the imposed penalty. S. agreed, but indicated that she would work two more weeks and then get fired, as prostitution was not a suitable occupation for her. After S. finished working for two weeks, she called M1 and told him that she was ending her work as a prostitute. M1 came to see her and told her that she had to work for two more weeks, as she was the one who had to pay the monthly rent for the apartment. S. had not been told anything about this before and wanted to escape, but M1 used force against her. In doing so, he threatened that he knew where her child lived and if she did not work off the apartment rent, something could happen to the child. S. said she would work off the rent and they would never see each other again. Before two weeks had passed, during which S. repeatedly told M1 that she would not work again, M1's boss, who had not been mentioned before, came to the rented property. For the purposes of the scenario, he was named M2. M2 was brutal, threatened S. that the woman would not go anywhere because she was making too much profit and was not even to think about leaving, then overpowered S. handcuffed her and, with the help of M1, tattooed a large inscription on her leg that read "property of M2." Then he freed her and told her that she would always belong to him, and until she got bored or become old, she would work for him. S. was total broken, completely psychologically dependent on her abusers, who, despite sharing money with her from client meetings, exploited her beyond any human limits.

### Starting Point for Investigation

Broken and tired of her life after a couple of months of gruelling work, S. attempted suicide by taking a large portion of sleeping pills at home. She was found by a hired babysitter, who called the paramedics. S. was transported to the hospital, where she was





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rescued. In Poland, the police officers are informed of every suicide attempt, and this happened this time as well. To the police officer who came to interrogate her, S. didn't want to talk about her life situation, due to her fear of her tormentors. However, in addition to her formal testimony, she told the policeman about her abusers. The policeman offered her to testify about the case and police protection, but S., due to her dependence on her abusers (a kind of Stockholm syndrome), did not agree to this solution. However, the policeman informed about his fact investigators from the Provincial Police Headquarters in Gdansk, who opened an operational case to confirm the information obtained, and then began to work out the entire group.

### Investigational Process

The Criminal Division of the Provincial Police Headquarters in Gdansk conducted official activities within the framework of an operational case concerning the activities of an organized criminal group aimed at deriving financial benefits from prostitution by other persons in such a way that it organized and supervised the operation of places for the provision of services of a sexual nature and also forced prostitution. The group in question aimed at committing crimes carried out its activities in the Tri-City area at least from 2015 to 2018. In 2017, proceedings were initiated, related to obtaining information regarding the operation in the Tri-City area of an organized criminal group profiting from human trafficking and forced prostitution. The group was recruiting women with difficult life situations (financial motivation) to engage in prostitution. These acts, which were knowingly committed by members of the group, were to derive financial benefits from the prostitution of another person by creating conditions for offering sexual services, for which they took amounts of money in the amount of 50% of the payment by the client. It is worth emphasizing that the group was engaged in engaged in a crime of considerable gravity, which is sexual exploitation, where it is often very difficult for exploited women to





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break away from a deviant environment. The group in question had an organized structure and hierarchy dividing into different levels: bosses, bodyguards/drivers, telephone operators and prostitutes. Each level of people had their own tasks to perform during the period of interaction, and due to the size of the group and the multiplicity of service points operated (located in private, rented residential premises), the number of people involved in the procedure in question was no less than 38. The group's bosses were primarily aimed at pursuing financial gain, as evidenced by the fact that they constantly expanded their range of operations by opening more points, and locations that did not bring the expected profits were closed. The strategy of running a network of so-called "home stores" was planned, starting with making so-called "research" on the local market of prostitutes' agencies in the Tri-City area and selecting locations with high demand, ending with the organization in the premises, i.e., dividing rooms into bedrooms and adapting the decor. As part of the procedural and non-procedural activities carried out, addresses were established and then confirmed where the various points controlled by the group in question were located. The heads of the group made sure that their ranks were filled with, among others, bodyguards only by recommendation, such as gym acquaintances who are vetted and trustworthy. In addition, a significant part of the group was made up of family members of those at the top of the hierarchy, which indicates of airtightness. In addition, in connection with the official activities carried out, operational material was collected testifying to the fact that members of the group in question committed crimes under the Anti-Drug Act, i.e., possession of narcotic drugs or psychotropic substances. From the information obtained, it appeared that one of the heads of the group was a Polish citizen. His duties included exercising wide-ranging constant supervision over the functioning of escort agencies, distributing tasks to individual members of the group (e.g., finding new premises and adapting them to the activity in question, making payments for the premises, finding women willing to work,







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training new telephone operators, issuing job and escort ads), approving new premises their furnishings and decor, accepting newly hired bodyguards recommended by other members of the group, orienting bodyguards on the tasks they perform, accepting women willing to work, financial settlements - charging bodyguards and "telephone operators" daily earnings, setting amounts for sexual services, resolving conflicts and disputes between members of the group, setting financial penalties for, among other things, absenteeism from work, receiving reports from bodyguards and "telephone operators" regarding the situation at the "house party." including the financial income received, dislocation of prostitutes, "telephone operators" and bodyguards to agencies in accordance with current demand, occasional transportation of women as ordered by clients as ordered by clients, organizing electronic devices to support the criminal activity, i.e. laptops from which advertisements are issued and photographs of women are collected on it, as well as telephones whose numbers are included in the advertisements. The second head of the group, was also a Polish citizen. His task was to among other things, intimidating lower in the hierarchy members of the group - both the prostitutes themselves, but also the bodyguards and drivers. His tasks were strictly related to a kind of "criminal experience." The aforementioned was a kind of "grey eminence" in the criminal group. Most of the members of the group, had never seen him, but because of his past and recognizability, they had great respect for him. Unlike the other head of the group, he performed his tasks in a far more clandestine manner. In the hierarchy of the group directly below the aforementioned bosses were the bodyguards. Their tasks included directly supervising the work of the prostitutes and controlling their working hours, providing information to the group's commander about the women's absenteeism and their abuse of them of drugs and alcohol, transporting the women to their exit orders according to the according to the client's requirements, charging an additional fee for transporting the women, and forcing the prostitutes to come to work, as well as





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maintaining order on the premises of the point and resolving conflicts with clients. In addition, the security guards collected the full amount of money from the prostitutes for the sexual services provided immediately after cashing them from the client, daily financial settlements with the prostitutes - 50% of the earnings were received by the prostitute, and 50% of the amount remained in the group's coffers, transferring the entire day's profits directly to the first of the group's bosses, who then shared the profit with the second boss.

Another link in the structures of the organized criminal group in question were the so-called "telephone operators", whose duties included answering calls from clients, presenting by phone the sexual offer available to the girls at the "house", coordinating the hours and places of work of the prostitutes, placing ads on Internet portals, taking care of the interior decoration of the apartment, and the continuous maintenance of the activity of the numerous cell phones used in soliciting clients. The above-mentioned functions were performed only by women. In addition, some of them were constantly recruiting women for companionship by introducing new girls to the circle of prostitutes working for the group in question. During the course of official activities in connection with the activities of an organized criminal group deriving financial benefits from the prostitution of others, the composition of the comfort women who provided sexual services for the criminal group in question was established. The findings show that the above-mentioned women searched for job advertisements - comfort ladies. In many cases, they were forced to take such work due to their critical situation. These were women from poor families, often from small towns, where there is no prospect of taking a job providing at least the means of for basic existence. Some of the women came from abroad. Lack of education and coming from families with the status of so-called "pathological" was an additional factor influencing the desire to improve their lives in such a way as sexual exploitation of their bodies - which the group in question ruthlessly





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exploited. Women on various online portals revealed advertisements that included a phone number. After making a call to get more details, the phone was answered by one of the listed "phone callers," who described the nature of the "work" to be performed and the location of the business. A date was then set for a qualifying meeting. At the meeting, financial terms were discussed. Of the sums obtained, the prostitute owed 50% (or more) to the bodyguard-driver or the so-called "telephone operator," who further passed the money to the head of the group. The women were also informed that they had to pay extra for the apartment where they provided services and pay for the advertisements they displayed.

In case of disobedience to the prevailing conditions and arrangements (such as absenteeism from work for various reasons) fines were imposed on prostitutes. Women who refused to submit to the group's bosses were beaten, threatened, and some were even tattooed with the inscription "property of the group...". The women's total enslavement and dependence on the group's bosses was exploited. As a result of months of work, the case led to the arrest of both heads of the group, and all the security guards and telephone operators. Temporary arrest was applied to some of the individuals for acts related to participation in (or leadership of) a criminal group, deriving financial benefits from prostitution as well as human trafficking.

No charges have been filed against the described victim (prostitution in Poland in the current state of the law isn't formalized, but it's also not illegal). The police officers offered victim psychological help and the use of a fund for victims of pre-prostitution, but she did not take advantage of these opportunities. She currently has many records for shop-thefts, and also continues to provide sexual services, but currently on her own account.





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## Case No 2 – Alejandro (labour exploitation)

This scenario presents the real-life case of a small criminal group profiting from the illegal employment of foreign workers and forcing them into slave labour. The modus operandi of the group was to mislead job applicants and then force them to work by taking away their passports and using slave labour practices.

### Introduction

This scenario presents the real-life case of a small criminal group profiting from the illegal employment of foreign workers, and forcing them into slave labour. The modus operandi of the group was to mislead job applicants and then force them to work by taking away their passports, and using slave labour practices.

### Framework and Background

One of the victims of trafficking was a Colombian resident, which was 40 years old. For the purposes of this scenario, he was named A. A. was from Medellin - a large city in Colombia overrun by gangs involved in drug production and distribution. He had a secondary education. His work in Medellin was mainly manual. The very difficult economic situation of the country and the difficulty of finding legal (outside the gang structures) work in his city made him think about going abroad to work, in order to improve his family's financial situation.

### Modus Operandi in the Initial Phase and Becoming Victim of Human Trafficking

A. and his two colleagues, who were in a similar situation, found an advertisement on the internet (group on the Facebook) for a recruitment opportunity in Poland. The intermediary who offered the job was an Argentinian national. For the purposes of this scenario, he was named as M.





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A. and his colleagues contacted M. by telephone and he told them that they would be working in Poland in electronics production (in high tech factory). He didn't indicate a specific place of work. He promised an exceptionally high (by a Colombian standards) salary of around \$1,500, and in addition M. also said that A. and his colleagues would receive a work visa. The employment was to last for six months, and after this time A. and his friends could return to the Colombia or continue the employment. A. and his two colleagues agreed to accept the job offer. They were asked to send scans of their passports and a \$100 advance for their plane ticket. M. told, A. and his colleagues, that the cost of the air tickets would be covered by the Polish intermediary and the advance would be returned on the first payment. In Poland, the role of coordinator between the employers and the men was to be performed by M.

### Shape and Modus Operandi of Exploitation

Two weeks later, A. and his two colleagues flew to Poland. They were picked up from the airport in Gdansk (a large city in the north of Poland) by colleague M. called X for the purpose of this scenario. X drove the men to their accommodation - a small village near Gdansk. There they stayed in one room. Z. also asked them to hand over their passports - in order to obtain a visa, that is, as M. assured them, he and his colleague handed over the passports. The man speaks with A. in English language, which A. had a communicative command of.

Next day, X. arrived at the place of accommodation and told the men that they were starting work that day. They all drove to a large farm located near the accommodation. A. was surprised to find out on site that it was not an electronics factory, but a poultry farm. X. assured them that this was only a temporary situation, related to the restructuring of the electronics company, and that it was necessary for A. and his colleagues to start work immediately in order to obtain a visa.





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The work turned out to be extremely difficult and beneath human dignity - A. was to dispose of chickens, which died and clean the droppings and cages. In his job, he was not even provided with gloves, just plain work clothes. After two days of work, A. and his colleagues started to protest – A. said to X. that he wanted to contact M. X. Answer him, that this is not possible, but assured him that the work would last a few more days and then the A. with friends would be sent to the electronics factory. A. believed these assurances, but after a few more days nothing changed. The men refused to work, X. He said that they had to work or else they would not receive their passports and, moreover, if they refused to work, they would be arrested by the Polish Border Guard for illegal stay, after which they would be taken into custody.

This situation lasted for several months, A. tried to contact his family, but due to Colombia's political system they were unable to help him in any way. A. continued to receive neither a passport, nor a visa, nor a work contract. He was also significantly underpaid - instead of the agreed amount of \$1,500, it was \$500, from which, moreover, an amount for transport and accommodation was deducted.

A. tried to seek help from other workers at the farm, but it turned out that a large proportion of the people who work there also come from South America and they are in a similar situation. After a few days, A. and his colleagues decided (despite his fear of being arrested) to go to the local police station and tell them about the situation. At the police station, A. gave a statement about the case. The police officers ordered the men to return to their accommodation, while promising that if the information was confirmed, a search would be organised at the farm and the victims would be assisted. They assured that the lack of passports in such a situation was not grounds for detention let alone arrest A. The next day, the farm was raided by the police and the Border Guard, to whom A. and his colleagues told about the situation. During the raid, among others, X was detained. A, together with his colleagues and other foreigners, were taken to a special



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detention centre for foreigners, and they subsequently gave further statements and were also provided with assistance. Both the Police and the Border Guard were unable to recover their passports, but replacement documents were issued with which the men could return to Colombia (they wanted to return home as soon as possible). Assistance and the purchase of return tickets were offered by a Polish foundation that deals with human trafficking.

### **Starting Point for Investigation and Investigational Process**

In July 2022, the Criminal Department of the Provincial Police Headquarters in Gdańsk obtained information concerning the occurrence of human trafficking in the form of slave labour in one of the poultry farms located directly outside Gdańsk. The information obtained indicated that in 2022 three Colombian nationals were recruited to work at the poultry farm by a Polish national. The intermediary in the employment was supposed to be an Argentinian national. Subsequently, procedural and operational activities were carried out with the victims, which confirmed the information obtained.

The victims stated that they had come to Poland to look for work due to the bad economic situation in their home country. They found the employment offer itself through the social networking site Facebook, on the group "Latinos en Polonia", which, among other things, contains Polish job offers for South Americans. The victims then discussed the terms and conditions of employment with the employment intermediary, an Argentinian national, who assured them that their stay in Poland would be legalised once they had taken up employment.

Upon the victims' arrival in Poland, they were "taken care of" by the Argentinian national's associate, a Polish national, who indicated the place of accommodation and also the place of work at the poultry farm. In the course of the work undertaken, the Polish citizen paid the victims significantly underpaid wages for the work performed and - despite







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previous commitments, he did not make any effort to legalise the stay of the Colombian nationals. All work was carried out "in the black" without any contracts. In addition, the intermediary, despite paying a significantly reduced salary, also deducted from it amounts at his own discretion for transport or accommodation.

Furthermore, according to the victims, the work itself on the poultry farm was characterised by conditions degrading human dignity.

In the course of post-trial activities carried out, it was confirmed that both the Argentine intermediary and the Polish national who supervised the workers offered work at the poultry farm, although both had never been formally employed there. The supervision of the farm workers by the Polish national, was not formalised in any way - he did not have any employment contract with the company. Such action was intended to make it difficult for the victims to assert their rights.

Subsequently, the aforementioned Polish citizen, who was supposed to supervise the workers, was detained and his residence was searched. As a result, numerous documents containing data of foreigners and also 4 passports were found, on the basis of which further alleged victims of trafficking in human beings were established. It was also established that the wronged persons handed over their documents to the Polish citizen voluntarily – counting on the formalisation of their stay in Poland and to obtain employment contracts. Subsequently, the victims were forced to work without contracts and documents (they were also often intimidated), and could not retrieve their passports, which put them in a stalemate situation.

In the course of the actions taken, it was also - with the participation of the Border Guard and the State Labour Inspectorate - a search of a poultry farm was carried out, where numerous documents concerning the employment of foreigners (including for significantly lower - in relation to market realities - rates) were also found. The collected materials were handed over to the Investigation Department of the Voivodeship Police







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Headquarters in Gdańsk, which charged a Polish citizen in the case, also for participation in human trafficking. In addition, the State Labour Inspectorate imposed heavy fines on the farm, for employing workers without proper contracts and failing to comply with other provisions of labour law. As for the Argentinian national who acted as an intermediary in the recruitment of workers, it was not possible to obtain enough evidence to charge him with knowingly taking part in human trafficking.

The victimised Colombian nationals were considered victims of human trafficking in accordance and were transferred into the foundation of the LaStrada Foundation, which works for the respect of human rights, and fight against human trafficking, slavery and forced labour. In addition, victims were issued with certificates regarding the fact that they had been victims of trafficking.





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## 8.5 Suggested activity for the chapter

Table 13. Exercise: Analysis of the cases 'Solange case' and 'Alejandro case'

Activity Name	Exercise: Analysis of the cases 'Solange case' and 'Alejandro case'
Type of Activity	Discussion
Duration	60 minutes
Learning Objectives	To apply the knowledge gained to assess the situation and plan actions for the investigation and protection of the victim.
Materials Needed	<ul style="list-style-type: none"> <li>• Printouts with detailed descriptions of both cases.</li> <li>• Diagram of legal procedures in cases of human trafficking.</li> <li>• List of non-governmental organizations (NGOs) involved in victim support.</li> </ul>



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<p><b>Guidelines for the facilitator</b></p>	<p><b>Introduction (10 minutes):</b></p> <p>The trainer provides a general description of the case and reminds the key theoretical points about human trafficking.</p> <p><b>Group work (30 minutes):</b></p> <p>Participants analyse the materials, discuss within groups and prepare joint conclusions and recommendations.</p> <p><b>Presentation of results (10 minutes):</b></p> <p>Each group presents its conclusions in the forum. The trainer moderates the discussion, highlighting best practices and suggested improvements.</p>
<p><b>Debriefing</b></p>	<p><b>Debriefing phase (10 minutes):</b></p> <p>The trainer summarizes the joint conclusions, noting the importance of multifaceted action in the fight against human trafficking, including inter-institutional cooperation and public education.</p>
<p><b>Tips for facilitator</b></p>	<p><b>Enrichment of the introduction:</b></p> <p>At the beginning of the exercise, the trainer can refer to current data or statistics on human trafficking to emphasize the scale of the problem and its importance in the international context.</p> <p><b>Moderating the discussion:</b></p>



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	As groups present their findings, it is worth noting the variety of approaches proposed. The facilitator should encourage participants to reflect on the practical usefulness of the solutions discussed and their potential application in real-life situations.
<b>Handouts</b>	None
<b>Variations for online implementation on</b>	<ul style="list-style-type: none"> <li>• Using video conferencing tools (e.g., Zoom, MS Teams) with a room division feature for group work.</li> <li>• Make sure all participants have access to materials in electronic form (e.g., PDF emailed or uploaded to the platform).</li> <li>• During group work, be available in the rooms to answer questions and support participants in completing the task.</li> <li>• Encourage active use of the chat room to share ideas and conclusions during presentations.</li> </ul>



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## 8.6 Reflections of the unit

At the end of this chapter of the training, participants should:

- Understand the mechanisms of human trafficking - including the recruitment, control and exploitation of victims.
- Be able to recognize the signals that indicate human trafficking and know how to act when this crime is suspected.
- Know basic legal tools and procedures related to anti-trafficking and victim support.
- Develop practical skills to cooperate within investigative teams and to create recommendations for prevention and education activities.

The trainer should emphasize the importance of an interdisciplinary approach and the role of the justice system in protecting victims and prosecuting perpetrators. In addition, it is useful to encourage participants to continuously improve their knowledge and share best practices in their professional communities.

