

# Patterns of exploitation

**Trends and modus operandi in human trafficking in Finland, Latvia, Estonia, Poland and Ukraine**



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#ELECT  
THB

# For the reader

**The ELECT THB-project (Enhanced Law Enforcement Cooperation and Training on Trafficking in Human Beings) is designed to improve the identification and investigation of trafficking in human beings (THB) for sexual and labour exploitation and increase collaboration among law enforcement authorities and other key actors in order to combat such exploitation in Estonia, Latvia and Finland. The project is funded from European Union's Internal Security Fund – Police, Grant Agreement Number 101021497.**

**THIS REPORT IS** based on data on the modus operandi and routes of traffickers and other actors involved in trafficking, and on trends in trafficking. The data have been collected in the three partner countries, Estonia, Finland and Latvia, as well as in Poland and Ukraine. The information has been collected via desk review as well as through interviews and meetings with representatives of different key stakeholders, such as law enforcement, labour inspection authorities, non-governmental organizations (NGOs), and trade unions – thank you for your time and expertise. Data from Estonia, Finland and Latvia were collected by the respective project partners, and data from Poland and Ukraine were collected by La Strada Poland, La Strada Ukraine and La Strada International. Each entity is responsible for their own work, including, e.g., data collection and reporting. This report is an edited version that combines all the country-specific reports. Material from operational exchange visits to Poland and to Lithuania (the latter replacing the planned visit to Ukraine which was not possible due to the war) has also been used in the preparation of this report.

Because the purpose of the work package was to obtain an up-to-date picture of the phenomenon, different sources were used, primarily including media articles, (situational) reports and interviews, and to a lesser extent academic sources. The researchers have also participated in numerous meetings, seminars, and informal discussions in which representatives of law enforcement and other authorities have discussed topics related to this report. No confidential information is included in this report.

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1

# Introduction



## 1.1 Background

**TRAFFICKING IN HUMAN BEINGS** is largely a hidden form of criminality. As an example, it has been estimated in Finland that up to 90 percent of human trafficking is undetected (Yle 23.3.2021). The overall picture of the phenomenon is bound to be limited because of this, and because the offenders continuously seek new methods and routes for their operations.

Since the start of the ELECT THB-project, unforeseen events with a global impact have taken place. The COVID-19 pandemic affected the movement of people and potentially led to changes in the modus operandi of the perpetrators, as well as to changes in the detection of trafficking and exploitation. However, not much is yet known of the longer-term impacts of the pandemic on modus operandi or routes used by traffickers and facilitators. Furthermore, the geopolitical landscape of Europe changed rapidly in 2022 as a result of the escalation of the Russian invasion of Ukraine. In light of the ongoing war, particular attention has been paid in this report to the risk that Ukrainian refugees face of exploitation and trafficking.

The countries covered in this report share similarities but also have their differences. Finland is primarily a country of destination in terms of human trafficking, whereas Estonia, Latvia, Poland and Ukraine are countries of origin, transit and destination. There are also differences in the size of the population of these countries, in their

labour markets and in the social protection measures that are in place. The profiles of typical victims vary between the countries, ranging from their own citizens to labour migrants, asylum-seekers and undocumented migrants.

Regarding labour exploitation, it has been established in all of the countries that migrant workers in particular may face exploitative recruitment and employment practices, especially in low-paid, low-skilled jobs. Perpetrators use different legal and illegal schemes to conceal their activities, some of which are presented in this report. As for sexual exploitation, the role of the internet and technology has become increasingly important. This is all the more true as a result of the COVID-19 pandemic, which has restricted travel and in-person contacts and allowed for new ways of recruiting, controlling and exploiting vulnerable persons.

## 1.2 The target group

**THE AIM OF THIS REPORT** is to provide up-to-date information regarding the latest trends in human trafficking in Finland, Estonia, Latvia, Poland and Ukraine and to highlight the modus operandi used by traffickers especially for purposes of labour and sexual exploitation. Throughout the report, we highlight interesting case examples from different countries in order to provide insights on patterns of human trafficking and the methods used.

### **The main target audience of the report consists of the following:**

- law enforcement representatives, especially those with responsibility for investigating trafficking cases, heads of investigation teams, and other relevant police officers who encounter and interact with victims from vulnerable groups;
- prosecutors;
- judges;
- labour inspectors;
- representatives of the tax authorities, especially those conducting inspections and specialised in the grey economy; and
- representatives of the private sector and of employers' associations, as well as representatives of trade unions and NGOs that assist victims of human trafficking and related crimes.

### 1.3 Key concepts

**LABOUR EXPLOITATION** refers to a situation in which a recruiter or an employer subjects a (migrant) worker to poor conditions of work, such as overly long hours, insufficient pay, work in an unsafe or otherwise in a poor environment etc., and the worker has little possibility of changing the situation. Depending on the seriousness and the totality of the situation, labour exploitation may be a breach of labour law, or in cases of severe exploitation, may constitute human trafficking.

**FORCED LABOUR** refers to work or service that a person is forced to do under threat of punishment i.a. menace of penalty. Some countries have separately criminalized forced labour. In some countries, it is recognized as a form of exploitation in the law concerning human trafficking, whereas in some it is not explicitly mentioned in the Criminal Code.

**TRAFFICKING FOR FORCED LABOUR** refers to serious exploitation of a person's labour for the purpose of financial gain. Typically, victims of trafficking for forced labour are made to work long hours with little or no pay, they may be abused, threatened, or held in debt bondage, and their freedom of movement may be restricted.

**TRAFFICKING FOR SEXUAL EXPLOITATION** may consist of coercing a person into prostitution, exploiting a person in the sex industry, or subjecting them to other forms of sexual abuse. Victims include persons of all genders, but the majority are girls and women. A person may experience different forms of trafficking, which is not uncommon in, for example, exploitation taking place in a massage parlour, where an employee may be a victim of trafficking for both forced labour and sexual exploitation.

**PANDERING** refers to enticing someone to engage in sex work or prostitution, and in **PIMPING**, a third party benefits financially from another person's earnings in sex work or prostitution. Pandering and/or pimping and their aggravated forms are sometimes used as parallel provisions in cases related to trafficking for sexual exploitation.

**MODUS OPERANDI** (mode of operation) refers to the method, manner, or pattern in which a crime is committed.

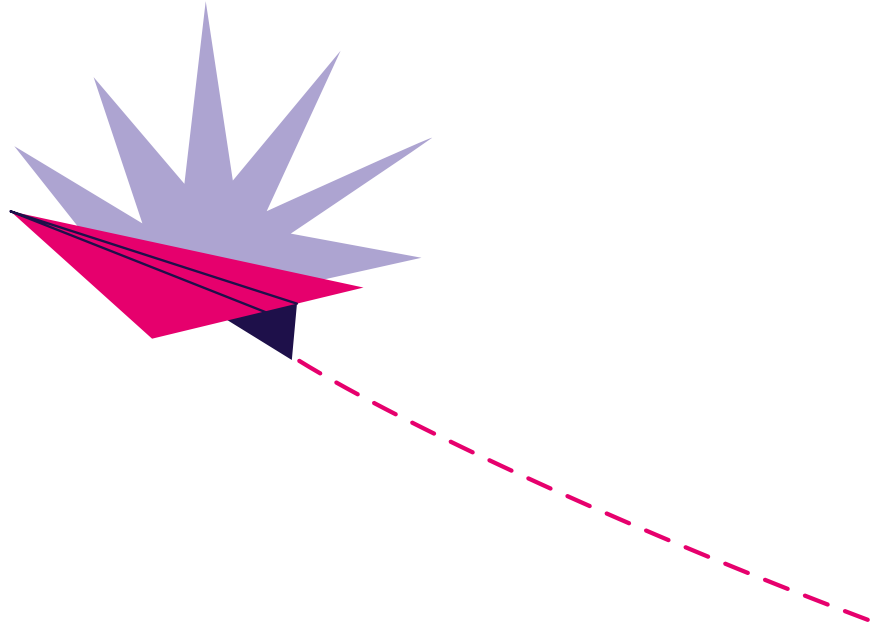


## 2

# Statistics on human trafficking

**Human trafficking is typically hidden crime.**

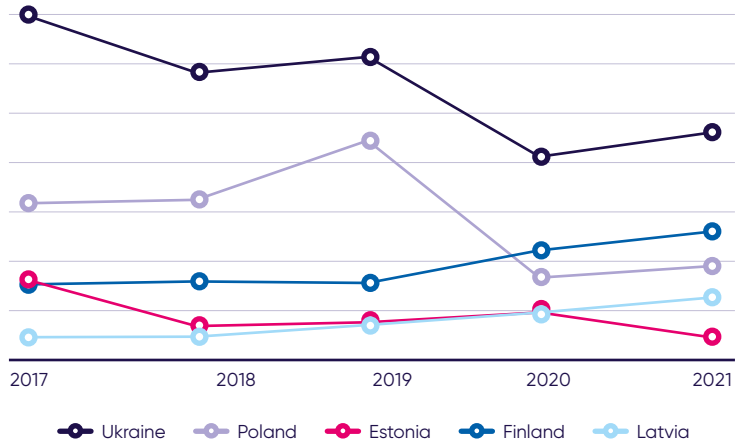
**Most offences are not reported to the authorities and therefore go undetected. In many countries, there is no comprehensive statistical data available on human trafficking. Different authorities and NGOs working in the field collect their own data.**



## 2.1 Statistics of the criminal justice system

**THE FOLLOWING STATISTICS** reflect the trends in human trafficking and aggravated trafficking as identified by the law enforcement authorities in each country. It is important to note that the numbers are not comparable and should not be quoted as such, since different methods and criteria have been used in different countries or even within a country depending on the year (e.g., whether the statistics refer to the number of victims or the number of cases). Moreover, the number of cases identified by law enforcement authorities primarily reflects the skills and resources available to detect cases of trafficking and do not portray the actual prevalence of the crime, since most trafficking crimes remain hidden. Criminal justice statistics can, however, give a rough idea of the trends in the identification of human trafficking over time. Data from different countries are presented in a single graph for the sake of space efficiency.

**GRAPH 1.** Trafficking trends reported by criminal justice actors, 2017–2021.



<sup>1</sup> Figures provided by the police on the identified victims in Ukraine. Sources: US Dept. of State 2018 TIP report: Ukraine; State Judiciary Administration of Ukraine; Ministry of Internal Affairs of Ukraine; Ukrainian authorities' report to GRETA 2020; Report by the State Police of Ukraine.

<sup>2</sup> Victims identified in Latvia. Sources: the State Police, Centre MARTA, Shelter Safe House.

<sup>3</sup> Cases of human trafficking, supporting human trafficking, or trafficking of minors identified by the Estonian police. Source: Ministry of Justice of Estonia.

<sup>4</sup> Identified victims by the Polish government (national police and board guard). Sources: Reply from Poland to GRETA 2021; US Dept. of State 2022 TIP report: Poland.

<sup>5</sup> Cases of trafficking reported to the Finnish authorities. Source: Official Statistics of Finland: Statistics on offences and coercive measures. Published 1 Feb 2023, accessed 30 Jan 2023

	2017	2018	2019	2020	2021
<b>Ukraine<sup>1</sup></b>	346	291	306	205	229
<b>Latvia<sup>2</sup></b>	24	23	38	48	61
<b>Estonia<sup>3</sup></b>	78	32	37	46	23
<b>Poland<sup>4</sup></b>	155	162	221	82	94
<b>Finland<sup>5</sup></b>	74	79	79	109	129

**TABLE 1.** Data from national authorities on the number of cases / victims of trafficking, 2017–2021.

**IN RECENT YEARS,** figures related to the detection of human trafficking have been increasing in Latvia and Finland, and decreasing in Ukraine, Estonia and Poland. In the whole of the European Union, there was a 10% increase in the number of registered victims of trafficking from 2020 to 2021 (Eurostat 2023). In the latest UNODC Global Report on Trafficking in Persons (2023), concerning the year 2020, the number of identified cases of human trafficking had decreased globally, potentially due to COVID-19 related restrictions on movement and business operations. Moreover, many countries have faced challenges in coping with the pandemic and consequently, less resources may have been available for the detection of human trafficking and the identification of victims (UNODC 2023). This seems to be supported by the fact that the number of detected victims has declined especially in low- and medium-income countries. Some forms of trafficking have also potentially moved to more hidden locations. (Ibid.)

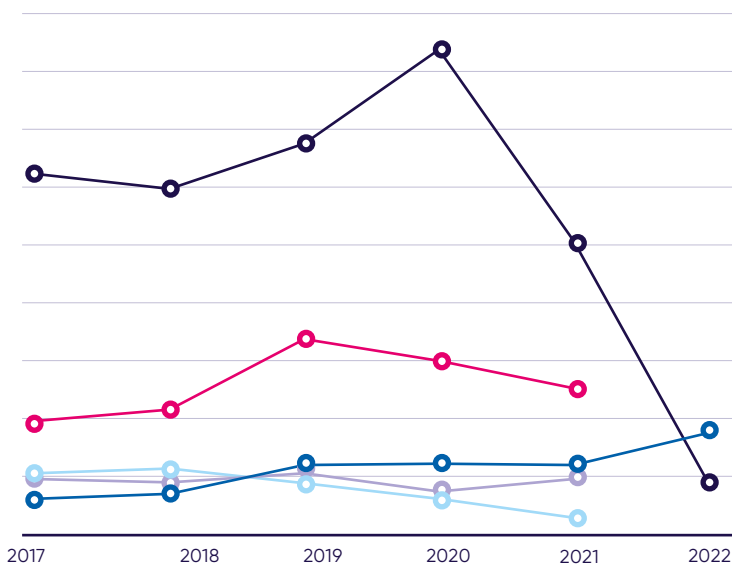
According to the Finnish police, increased cooperation between the authorities has resulted in better identification and investigation of labour exploitation, which is reflected in the number

of cases involving extortionate work discrimination, which has increased for the last four years (Tax Administration 2023a). However, the number of convictions for (aggravated) human trafficking is quite low in all five countries covered by this report.

## 2.2 Statistics on victims

**ANOTHER KEY SOURCE** of information regarding the trafficking situation in different countries is statistics on the number of identified or tentatively identified/potential victims of trafficking. These statistics are most often produced and collected by NGOs, victim services or authorities that are in charge of providing assistance to trafficked persons.

On the EU level, in 2021, there were on average 16 registered victims of trafficking per one million inhabitants (Eurostat 2023). Out of the countries covered by this report, Latvia and Finland had the highest rates, with 32 and 26 registered victims per one million inhabitants, respectively. Higher rates may reflect the capability of the authorities to identify victims.



**GRAPH 2.** Trafficking trends based on victims receiving assistance from the state or NGOs in 2017-2021.

- Ukraine** (Dark Blue line with circle): Victims identified by IOM on the territory of Ukraine and Ukrainian victims exploited abroad
- Estonia** (Red line with circle): Clients of the Trafficking Prevention and Victim Assistance Hotline
- Ukraine** (Light Blue line with circle): Official victim of trafficking statuses granted by the National Social Service of Ukraine
- Poland** (Purple line with circle): KCIK assistance provided to potential victims
- Finland** (Dark Blue line with circle): New clients of the National Assistance System for victims of Human Trafficking

**TABLE 2.** Client data from organizations providing assistance to trafficking victims, 2017–2021

	2017	2018	2019	2020	2021	2022
<b>Estonia:</b> Clients of the Trafficking Prevention and Victim Assistance Hotline run by the Social Insurance Board of Estonia <sup>6</sup>	377	433	679	608	505	
<b>Finland:</b> New clients of the National Assistance System for victims of trafficking <sup>7</sup>	127	163	229	247	243	367
<b>Poland:</b> KCIK assistance provided to potential victims <sup>8</sup>	187	181	226	166	210	
<b>Ukraine:</b> Victims identified by IOM on the territory of Ukraine and Ukrainian victims exploited abroad <sup>9</sup>	1 245	1 192	1 345	1 680	1 010	179
<b>Ukraine:</b> Official victim of trafficking statuses granted by the National Social Service of Ukraine <sup>10</sup>	198	221	185	134	64	

<sup>6</sup> Ministry of Justice of Estonia

<sup>7</sup> National Assistance System for Victims of Human Trafficking 2021; 2022; 2023

<sup>8</sup> Reply from Poland to GRETA 2021; US Dept. of State 2022 TIP report: Poland

<sup>9</sup> Data provided by IOM Ukraine in 2022

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Globally, victims of trafficking for sexual exploitation and labour exploitation are detected at an equal rate (both ~39% of all detected victims) (UNODC 2023, XV).

**THE NUMBER OF** victims assisted annually has been increasing in Finland, Estonia and Ukraine since 2017, but in Estonia and Ukraine, the number began to decline in 2021. The number of victims assisted by the National Consulting and Intervention Centre for the Victims of Trafficking (KCIK) in Poland has been quite stable over the years. Between 2000 and 2022, IOM Ukraine has assisted almost 19 500 Ukrainian victims of human trafficking. The figure also includes Ukrainian and foreign nationals who became victims of trafficking in the territory of Ukraine (N=1 595).<sup>11</sup> The number of victims identified by the IOM in the territory of Ukraine and Ukrainian victims exploited abroad declined sharply in 2022.

Eurostat (2023) statistics on registered victims of trafficking, classified by the form of exploitation, show that sexual exploitation is still the most commonly identified form of exploitation in the EU (55.7% of cases)<sup>12</sup>, although its prevalence is lower than in 2008–2019. Victims of exploitation for forced labour or services comprised 28.5% of all registered victims. The share of victims exploited for other purposes (including benefit fraud, criminal activities, begging and trade in organs) was 15.8% in 2021. (Eurostat 2023.)

In 2021, two-thirds of registered victims of trafficking were women and girls, whereas the proportion of women among suspected traffickers was 20.5%. 44 percent of all registered victims were citizens of the reporting country, 15 percent from another EU country, and 41 percent from a non-EU country. In Latvia, Lithuania and Poland, the majority of victims were citizens of the reporting country, while this was much less common in Finland, as well as in Estonia where almost all registered victims were from non-EU countries. (Ibid.)



**In 2021, two-thirds of registered victims of trafficking were women and girls, whereas the proportion of women among suspected traffickers was 20.5%. 44 percent of all registered victims were citizens of the reporting country, 15 percent from another EU country, and 41 percent from a non-EU country, according to Eurostat.**



## 3

# Labour trafficking

**Labour exploitation and trafficking take place all over the world and are rooted in global inequalities of wealth and power. Exploitation is made possible and legitimized through existing poor labour practices that affect migrant workers in particular (Ollus 2016).**

**LABOUR EXPLOITATION CAN** be described as a form of corporate crime motivated by economic profit, in which also legitimate businesses participate, both knowingly and unknowingly (Jokinen & Ollus 2019). Considerable profits can be created through the exploitation of workers, whereas the likelihood of getting caught or sanctioned is quite low.

The business models of traffickers and exploiters generally consist of two ways to make a profit: cost reduction and revenue generation (Allain et al. 2013). In cost reduction, labour costs are reduced through, e.g., underpayment or withholding of wages, making the victims work unreasonably long hours, or evading taxes and social and health contributions. Revenue generation relies on charging fees from the victims, such as fees for securing the job and requiring the victims to pay inflated sums for transportation, housing, food, and necessary work equipment and tools (Allain et al. 2013; CSD 2019a). Moreover, it has been argued that labour trafficking operations appear to require less initial investment in comparison to trafficking for sexual exploitation. Nonetheless, both may offer significant profits to the perpetrators (CSD 2019a).

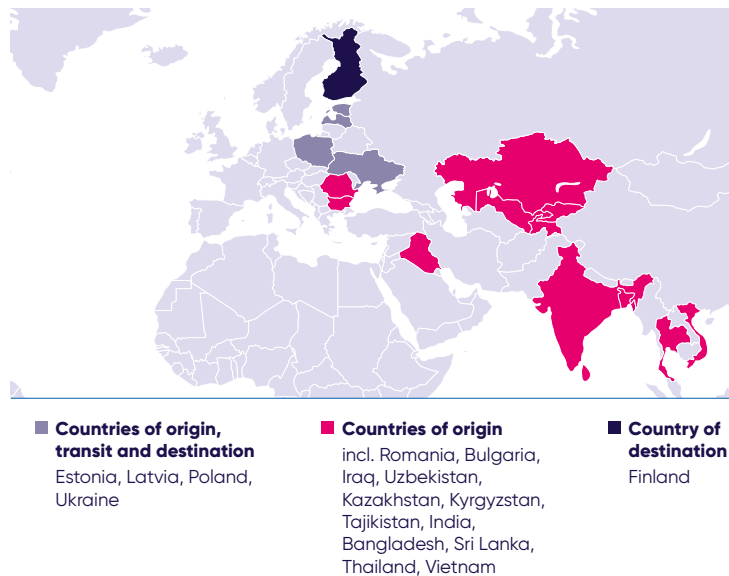


**Labour exploitation can take place in any sector. Cases have been uncovered in the five countries mapped in sectors or industries such as construction, agriculture, restaurants, cleaning, shipyards, manufacturing, car washes, forest berry picking, nail salons and spas. Usually, these sectors are labour-intensive and have a need for a flexible and low-skilled labour force.**

### 3.1. Victims and routes

**IN THE FIVE** countries studied, migrant victims of labour exploitation have come primarily from Eastern Europe (e.g., Ukraine, Russia, Belarus, Romania and Bulgaria), Central Asia (e.g., Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan) and South-East Asia (e.g., Thailand, India, Nepal and Vietnam). The victims from neighbouring countries travel mainly by land, by bus or train, or using the ferry between Finland and Estonia, while otherwise primarily flight routes are used. The map below, created for the purpose of this report, shows the countries. Ukraine, although to a large degree a country of origin, is here grouped with Estonia, Latvia and Poland in order to differentiate the countries observed in this report.

**PICTURE 1.** Some of the main countries of origin of victims of labour trafficking identified in Finland, Estonia, Latvia, Poland and Ukraine.



**ACCORDING TO EUROSTAT** (2023), Latvia and Poland are among the countries in which a larger share of the victims of trafficking are nationals of the country, and not migrants (over 90% for Latvia and over 70% for Poland). Apart from Finland, the countries mapped are also countries of origin for labour trafficking. Destinations for victims from Estonia, Latvia and Poland are often in Western and Northern Europe, including, e.g., Germany, Norway, Sweden, Finland and the United Kingdom. Cases of exploitation of Ukrainians have been detected in all of the countries mentioned as well as in, e.g., Russia, China and the Middle East.

According to interviews conducted in Finland with the authorities, industry representatives and trade union representatives, certain nationalities face increased risk for labour exploitation, such as

persons from Central and Southeast Asia. As one Finnish interviewee noted, the lower the average income is in the country of origin, the more likely it is that the workers do not report the unfair treatment and accept the situation, since it is in any case better than in their home country. Language barriers have an effect, since it is very difficult to intervene in the situation without a common language. Overall, ex-Soviet countries were also seen as higher risk countries.

Although the number of migrant workers has increased in Poland, there is still an urgent shortage of labour. This is partly a result of the large number of Poles leaving the country to work abroad. The number of work permits issued to foreigners, including workers from Asia, has been increasing in recent years. Limited attention has been given to the situation of Asian workers in the country. A new trend identified in Poland concerns the labour exploitation of persons coming from Latin America. Many migrants work on so-called civil contracts which offer little protection, since the Labour Code does not apply to these. For example, they do not provide employment protection, pay protection or holiday entitlement (Muraszkiwicz 2020, 38).

Before the war in Ukraine, most cases of labour exploitation that unfolded in Estonia involved the exploitation of (male) Ukrainian workers. Now, the situation has reportedly changed dramatically. Ukrainian workers in Estonia are mostly afraid of losing their jobs, since those who have been in Estonia since before the escalation of the war in 2022 have been threatened by their employers of “being sent to war”. Recently, migrant workers have come to Estonia from Central Asian countries, especially from Uzbekistan and Tajikistan. The workers often come to Estonia with tourist visas and have no work permits. They work without a contract and are paid in cash, which makes it difficult to gather proof of labour exploitation. Additional vulnerabilities of the workers include poor or no knowledge of Estonian or Russian and a distrust of the authorities, which makes them unlikely to turn to the police for help.

<sup>13</sup> ILO principles for fair recruitment; IOM IRIS Ethical Recruitment initiative; Dhaka Principles for migration with dignity; Employer Pays Principle

## 3.2 Recruitment fees and intermediaries

**ABUSIVE RECRUITMENT IS** one of the key risk factors for labour exploitation and trafficking. Migrant workers may be recruited by the employers themselves or by an intermediary, sometimes also referred to as a middleman.

Whether recruitment fees are legal or not depends on the country. Several international guidelines and principles<sup>13</sup> lay out the conditions of fair recruitment practices, but these are not legally binding.

**Collection of excessive or fictitious recruitment fees, which often cause the worker to fall into debt, has been identified in many countries as a modus operandi of exploitative recruiters and employers.**

Overall, there are a variety of recruitment practices in different countries. In some countries, for instance in Central and South Asia, recruitment relies heavily on personal networks such as relatives and acquaintances. Trust is built through these bonds and verbal agreements, rather than through contracts or recruitment/employment of officials.

According to the Helsinki Police Department trafficking unit, the majority of migrant workers from so-called developing countries pay a recruitment fee to get to Finland (Helsinki Police Department 2022). These fees have increased during the COVID-19 pandemic, and often range from 10 000 to 25 000 EUR. In 2022, around 400 people were identified as having paid a recruitment fee, which amounts to nearly all of the investigations into human trafficking in which the victims were recruited from abroad. Often the inflated recruitment fees are investigated as a part of a case of human trafficking, but cases have also been investigated as involving the offence of aggravated usury (Iltalehti 3.2.2023).

**CASE EXAMPLE**



**Exploitation in the agricultural sector in Finland**

**IN 2022 A** criminal investigation was launched in the agricultural sector in Närpiö, where a suspected middlemen reportedly charged €10 000–20 000 from tens of Vietnamese migrant workers to secure a job in the greenhouse sector in Finland. After arriving in the country, the workers were accommodated in crowded, isolated apartments, and had few opportunities to change their living and working conditions. The suspects in the investigation include a Vietnamese couple and two local greenhouse entrepreneurs, as well as tens of other suspects. (Yle 17.2.2022; Yle 1.4.2022; Yle 14.4.2022; Yle 17.11.2022).

**THE POLICE ALSO** completed a pre-trial investigation into human trafficking in the same area. In the trafficking case, a greenhouse entrepreneur and his Vietnamese accomplice are suspected of trying to find and transport a person from

Vietnam to Finland to be sexually exploited by the greenhouse entrepreneur. Both suspects deny being guilty of trafficking. (Helsingin Sanomat 26.4.2023.)

**IN LATVIA, CASES** have been identified in which third-country migrant workers have had to pay recruitment service fees, expecting that these will cover a visa, travel documents, residence permits and other documents ensuring lawful employment in the country. However, only the visa and travel tickets had been provided. After the migrants arrived in Latvia, additional fees, typically deducted directly from the salary, had been imposed for the preparation of other documents (passports, residence permits etc.). The workers themselves never received many of these documents. Employment contracts and other documents were often in Latvian only, and the workers were made to sign them without explanation, much less a translation into a language that they would understand.

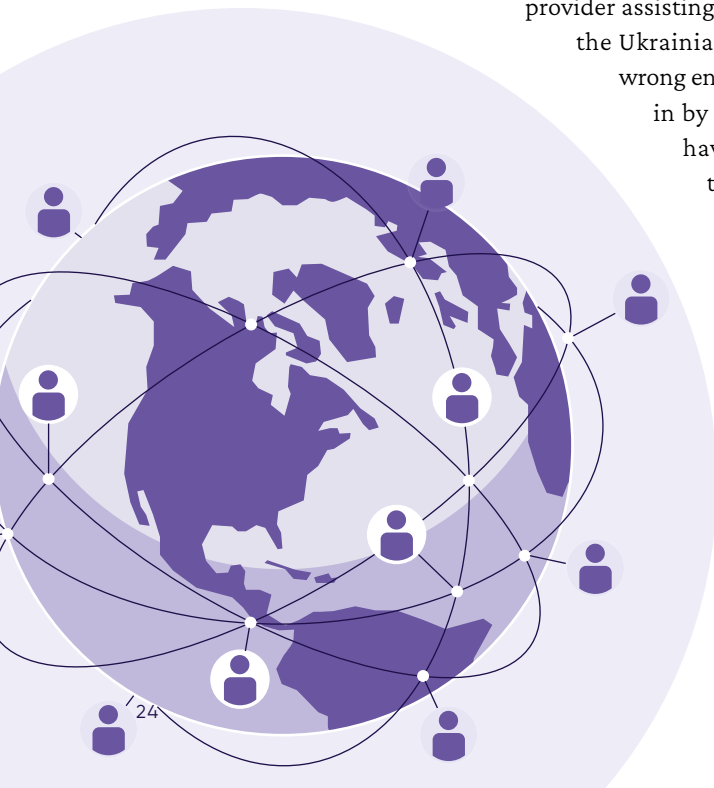
Victims of trafficking assisted in Poland have been recruited through recruitment websites, online ads and different social media channels. La Strada Poland has reported cases in which people have been recruited online for jobs that did not exist or in which the conditions differed drastically from what was advertised. This recruitment has been conducted even by officially registered and/or licensed companies. Overall, there is evidence of a modus operandi of traffickers from several European countries in which misleading or completely fake job advertisements are created for jobs allegedly offering a high salary, free transport, free accommodation and bonuses, and for which no specific skills or language fluency are required. In addition to classified job websites, ads are posted in groups on social media platforms which tend to be poorly moderated. (GRETA 2022, 35–36.)

The risk of Ukrainian workers paying different irregular recruitment fees and costs has been observed in different European countries. In fact, already in 2018, the Ukrainian government adopted new licencing conditions (Resolution “On Amendments to the Licencing Conditions of Economic Activity of Facilitators of Employment Abroad”, No. 140). These licencing conditions set out detailed requirements on the information that employers must include in the employment contract regarding, for example, working conditions, wages, payroll deductions, working hours and breaks, and the length and the termination of the contract. The aim of the licencing conditions was to protect the rights of Ukrainians seeking legal employment abroad and to prevent cases of employment-related fraud. (GRETA 2020.)

## Legislation banning recruitment companies from charging fees from persons seeking employment abroad was adopted in Ukraine in September 2022.<sup>14</sup>

<sup>14</sup> Verkhovna Rada of Ukraine (n.d.). <https://zakon.rada.gov.ua/laws/show/en/2623-20#Text>

In 2022 the Ukrainian police was reported to be monitoring and investigating formal and informal recruitment networks, including companies that advertise jobs abroad. Information on the number of recruitment agencies in Ukraine is not readily available, and there are no data on whether or not they have been involved in exploitation or trafficking. Also Ukrainian war refugees have been recruited by agencies in different EU countries. In addition, recruitment initiatives by governments and refugee councils have provided a low-risk recruitment route into employment in the receiving countries. However, since the arrival of Ukrainian refugees in Estonia, “suspicious men” have been reported to be loitering around the accommodation locations of Ukrainians, offering work to refugees. An Estonian service provider assisting victims of human trafficking stated that the Ukrainians could unintentionally end up in the wrong environments with the wrong people, lured in by the promise of easy money. The police have been conducting raids in these locations, and the accommodation establishments themselves have taken measures to remove suspicious job postings and report any relevant information to the authorities. The Estonian Social Insurance Board has also included the topic of human trafficking into their information sessions with refugees. (Delfi.ee 2022.)





**CASE EXAMPLE**

### Recruitment fees for fake jobs in Finnish companies

**A FINNISH JOURNALIST** for the Finnish News Agency STT posed as a Ukrainian refugee and applied for potentially fake jobs in Finland, marketed on Ukrainian recruitment websites. Most of the jobs offered on these sites did not require any previous work experience or knowledge of the Finnish language but the salary was good, and there were offers allegedly including free accommodation and a daily meal. Some offers were for fictitious companies, and some used the names of well-known Finnish companies such as Valio, Paulig, Luhta, Sinebrychoff and Huhtamäki. (YLE 22.3.2022.)

**THE JOURNALIST CONTACTED** a few recruiting agents through these sites. Some agents did not respond after they were asked for more information about the job in question. Some agents also required a recruitment fee of 300 euros in advance before proceeding with the recruitment process or answering any questions. In addition, they required a copy of the job applicant's passport for the recruitment contract. After signing this contract, the applicant would be offered the actual job, regarding which there was no information available in advance. (YLE 22.3.2022.)

## 3.3 Exploitation of asylum-seekers and undocumented migrants

**ASYLUM SEEKERS AND UNDOCUMENTED MIGRANTS** are vulnerable to labour exploitation, as they may feel compelled to accept a job offer with poor terms and conditions (e.g., Ollus & Jokinen 2013). Undocumented migrants are often unwilling to report even serious abuse and exploitation, since this may result in their deportation. People who have crossed the borders via irregular means may have had to pay thousands of euros to smugglers and other facilitators, which may render them vulnerable to further exploitation in order to pay their debts. For example, in 2021 thousands of people began arriving at Lithuania's border with Belarus with the intention of seeking asylum in the EU. Amnesty International (2022) conducted thousands of

interviews with refugees and migrants who crossed from Belarus to Lithuania in 2021–2022 and reported on a variety of problems at the border, from violent pushbacks to sexual violence and a lack of access to justice and remedy. Such experiences may increase a person’s vulnerability to human trafficking as well.

In Finland, 40% (N=147) of all victims of trafficking admitted to the National Assistance System in 2022 (N=367) were asylum seekers (National Assistance System for Victims of Human Trafficking 2023). Out of those exploited in Finland (N=236), 12% (28 persons) were asylum seekers. These data show that the majority of victims who are asylum seekers have been subjected to trafficking either in their home country or in transit to Finland. 10% (25 persons) of those exploited in Finland were undocumented (ibid.).

### CASE EXAMPLE



#### Exploitation in the cleaning sector in Finland and Estonia

**IN A HELSINGIN** Sanomat article (5.7.2020) concerning labour exploitation in the Finnish cleaning industry, several examples of exploitation of asylum-seekers were presented. In one of the cases, the workers did periodic cleaning in schools and kindergartens in around-the-clock shifts during the summer holiday. The working days were so long that some of the workers slept at the workplace during breaks. The pay they received was low (i.e., did not correspond to the hours worked) and irregular, and some received no pay at all. The employer threatened the workers and made them believe that he was well-connected with the immigration authorities and the police and could have the workers deported from the country. According to one of the cleaners, his employer specifically wanted to hire migrants with limited language skills and networks in Finland, that is, workers who were less likely to be aware of Finnish work legislation and to have other options for employment (Helsingin Sanomat 5.7.2020).

**IN THE ARTICLE,** the cleaning company employers were often described by the migrant workers as men with a migrant background who handled the recruitment and oversight of

work, and who had a Finnish partner who was responsible for the clients and paperwork. The workers in these companies were often migrants, many of whom had arrived in Finland as asylum-seekers (ibid.). Cleaning work is often outsourced and takes place when the premises have emptied of other employees.

**THERE ARE TYPICALLY** fewer outsiders who could spot irregularities, and the contractor may be unaware of who is actually doing the work. Other questionable practices in the sector include having a worker do several mini-shifts during one day, where the worker does not get paid for the time in between the shifts; shifts that are too short in relation to the amount of work, meaning that the cleaning takes longer but the worker is only paid for some of the hours; no compensation for sick days; and (bogus) self-employment arrangements (Helsingin Sanomat 5.7.2020). Employers have also been reported to have told undocumented and asylum-seeking workers that if they agreed to work according to the demands, the employer would help them get a residence permit in Finland (e.g., ibid.).

**A SIMILAR CASE** was reported in Estonia, in which migrant workers were made to work long hours (320 hours a month) for a cleaning company for minimal pay and no protection or benefits. They were threatened with deportation by their employer. The work took place in shopping malls, postal offices, warehouses, and harbours, in day and night shifts, sometimes with only one day off per week. The contract was in Estonian only, and the workers had no knowledge of Estonian labour law, so they did not know their rights as employees.

**DUE TO THEIR** lack of knowledge, as well as their financial situation and the high unemployment rates in their home country, many put up with these conditions. A fear of retaliation by the employer prevented many of the victims from speaking up. Many had left Estonia, whereas others were afraid of being denigrated by their (ex-)employers or losing their jobs.



In Poland, migrant workers, particularly from former Soviet countries, often work on the basis of a “statement of intent to employ” issued by an employer, which enables them to obtain a Polish work visa. This reportedly creates dependency between the worker and the employer, which may be problematic. At the same time, some experts have reported that migrant workers may arrive in the country with such a statement but go directly to work for another employer who employs them irregularly. The Ukrainian Trade Union of Workers in Poland estimated in 2018 that 40% of Ukrainians work in the underground economy, men often in agriculture and construction and women in domestic work (Muraszkiewicz 2020, 41). Domestic workers, who are formally employed by one employer, often work irregularly for other households. Such informal arrangements put the worker into a more precarious situation which dishonest employers may use to their own advantage. It is also not uncommon for employers to not pay the last month’s salary to workers who are on a temporary visa.

When the war in Ukraine started, a significant number of third country migrants were residing legally in the country. The number of undocumented migrants living in Ukraine was estimated to be between 38 000 and 61 000, some of them members of the up to 400 000-person Roma population that has resided in the country. Third country nationals and undocumented migrants have had difficulties in accessing their rights and protection since the outbreak of the war. The same is true of the Roma who have faced discrimination at the border and while fleeing. Stateless persons, including former citizens of the USSR who have not acquired a Ukrainian nationality, have reportedly also faced such barriers. (Hoff & De Volder 2022, 9–10.)

**Third country nationals and undocumented migrants have had difficulties in accessing their rights and protection since the outbreak of the war. The same is true of the Roma who have faced discrimination at the border and while fleeing.**



**CASE EXAMPLE****Irregular employment of Georgian nationals in the Estonian construction sector**

**IN MARCH 2023**, the Estonian Police and Border Guard Board (PPA) inspected four construction sites where migrants were known to be working. Although many of the workers fled, thirteen were caught on site, according to the head of the South Prefect Border and Migration Supervision Service.

**THE POLICE DETERMINED** that three Georgian nationals had been working illegally, since the employer had not registered the employees in the PPA register. In addition, one of the workers was illegally in Estonia. Police started misdemeanour proceeding against him, which resulted in his deportation and a ban on entering the Schengen area for two years and nine months. (Lõunaeestlane 2023.)

**TWO MORE PERSONS** had their visas invalidated and were obliged to leave the country within seven days. The police emphasized the responsibility of the employer to register its employees. Working illegally can result in detention or a fine of up to 1 200 EUR for the migrant worker and a fine of up to 32 000 EUR for the company. If the employer is a subcontractor, the main contractor is jointly and severally liable for, e.g., costs related to the payment of unpaid wages and the workers' return home. (Ibid.)

**WHILE THE ARTICLE** includes no specific information about the case, the consequences appear to be quite serious for the migrant workers, even though the main issue was cited to be the employer's failure to register the workers in the appropriate register. No information was given on whether or not the employer had received any sanctions.



A risk of exploitation has been also noted in relation to platform work or the gig economy (CBSS TF-THB 2022, 26; GRETA 2022, 37). ID documents are rarely checked, so it is possible for a person to work on someone else's account. The owner of the account receives the wages and may pass on only a fraction to their "sub-contractor". This has been identified as a modus operandi that facilitates irregular working and labour abuse. However, because the owner of the account is fully in control of the other person's finances, a risk of trafficking also exists. (GRETA 2022, 37.)

According to a recent Finnish investigative article, accounts are rented through the Facebook groups of food couriers (Helsingin Sanomat 22.4.2023). The companies allow their couriers to hire substitutes, as in the eyes of the law, the couriers are self-employed. However, since 2019, cases have been detected in Finland in which a person without a residence or work permit has worked irregularly as a food courier by using another person's account. In the most serious case identified, a subcontracting company brought in two persons from Nepal to work as couriers in Finland. The persons worked long hours for two years through a sub-contracting arrangement. They were reportedly given false information and instead of a proper wage, only receive some cash with which to buy food. (Ibid.)

### 3.4 Exploitation of socially marginalized persons

**WORKERS ARE OFTEN RECRUITED** through online ads. However, especially persons who are homeless or suffer from substance dependency continue to be recruited mainly in person and through informal networks. According to the Polish authorities, some recruiters specifically target socially disadvantaged people such as those without a home or who have recently been released from prison, in order to "offer them a better life". Even if the offered job is abroad, the recruiters are fellow countrymen, which makes it easier to establish trust and persuade the potential victim (Muraszkiewicz 2020, 34). Moreover, the perpetrators may feed the victims' substance addictions in order to exert more power over them.

In Latvian cases where the victims were Latvian nationals, the perpetrators have nearly always taken advantage of the victims' psychological or socio-economic vulnerabilities, selecting persons perceived as being easy to trick, deceive or manipulate into an exploitative situation. Victims may suffer for example from mental health issues, homelessness, or difficult substance dependency, and thus they may agree to work in exchange for accommodation and food. In general, it may be difficult for any worker to leave an exploitative situation when the job is tied to housing.

**CASE EXAMPLE****Latvian commune for persons with substance dependencies<sup>15</sup>**

**LATVIAN CITIZENS WERE** recruited to a local commune for people with substance dependencies. There were three housing units, in which a total of over 100 persons were living. The victims were promised treatment for their addiction through work and religion. The organization, which was owned by three people, had not been officially registered as an NGO or a social enterprise. The recruiters approached potential victims in soup kitchens and other places where homeless persons gather and promised accommodation, food, and treatment for the substance dependency, taking advantage of the vulnerabilities and the social exclusion of the persons. Some people were also brought into the communes by their relatives.

**THE LIVING CONDITIONS** of the victims were run down, crowded and offered no privacy, as some areas were even controlled by a security camera. If there were delays in the work, the victims received no food. They were also rarely able to contact their family or friends. The work took place in agriculture and forestry. The victims were taken to the work site in vans and had no contact with locals. The organization had made an agreement with the owners of the land or farm that the money was to be paid to the owners of the organization, who would then hand out the wages to the workers. In reality, the workers received no pay at all, and the money was divided among the people running the organization.

**THE POLICE AND** the labour inspectorate conducted a joint operation at the commune in 2021 after extensive preparation and evidence gathering. Service providers were also involved so that the victims could receive support immediately. The case has not yet been brought to court.

<sup>15</sup> Summary of the ELECT\_THB operational exchange visit to Lithuania, March 2023.



Other cases have also been reported, such as the case of four Latvian men with difficult substance use disorders who were promised work in Denmark. On their way to Denmark, the men's passports were stolen in Germany and used to establish fake companies and to take out loans. The men were left in Germany with nothing. In addition, cases have been detected in which socially marginalized Latvians have been recruited for forced begging abroad, for example in Poland and Germany.

Regarding the exploitation of third country nationals in Latvia, intermediaries have sought to recruit persons with a low level of education and professional skills and a poor social and economic situation, by offering a well-paid job (1 500–3 000 EUR a month) in construction, agriculture, catering, or other sectors. When the workers arrive in Latvia, the employer informs them that the vacancy is no longer available, and makes them sign another, less favourable contract, in which the worker agrees to perform a job for which they are not qualified. The employers then express dissatisfaction with the work, and do not pay the salaries or pay less than they are supposed to. Artificial sanctions or fines may also be deducted from the wages.



**Unscrupulous employers may try to withhold salaries or pay only a part of them by expressing dissatisfaction with the work and deducting bogus sanctions or fines from the wages.**

### **3.5 Domestic work**

**EXPLOITATION IN DOMESTIC** work or domestic servitude is a form of human trafficking which is extremely difficult to detect because the work is performed in private households. Moreover, domestic work is by nature a hidden form of employment. In many countries, it is often part of the informal economy. The fact that the work takes place out of sight, isolates the workers and makes them – usually women



- more vulnerable to abuse and exploitation than other workers. (OSCE 2014, 13.)

The situation of exploitation in the domestic work sector varies in the five countries mapped. There is a general lack of information regarding this form of labour exploitation. Finnish labour inspectors have pointed out that potential exploitation in this sector has gone largely unnoticed in Finland, also compared to other European countries. The majority of the inspections are document-based, since the inspectors are not allowed to enter into domestic premises unless there is reason to suspect that the worker's life or health is in danger and the monitoring cannot be conducted in any other way (Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces 44/2006).

According to the labour inspectors interviewed, the inspection processes are rendered more difficult also by the fact that it is not easy to get into contact with or reach employees in this sector. These employees may not be aware of the rights they have as workers and hence may not themselves come forward and report potential problems or abuse. However, the inspections carried out so far have revealed problems in the cleaning sector and also a few cases of more severe exploitation in domestic care work.<sup>16</sup>

### 3.6 Schemes used in exploitation

**PERPETRATORS OF LABOUR EXPLOITATION** often use legitimate business structures and different schemes to hide their illicit activities from the authorities. They may also evade tax and social contributions in order to maximize their profits. (Jokinen & Ollus 2019, 21.) Professional and organized crime employs similar tactics to disguise the source of criminal proceeds. Money laundering is done through legitimate business activities, shell and buffer companies, as well as by taking advantage of the platform economy and virtual currencies in order to blend criminal proceeds with legitimate funds. (Tax Administration 2023a.) Some of the schemes associated with labour exploitation are presented below.

<sup>16</sup> See also: Occupational Health and Safety in Finland (2022). Serious shortcomings in the working time records of foreigners working in private homes. <https://www.tyosuojelu.fi/web/en/-/serious-shortcomings-in-the-working-time-records-of-foreigners-working-in-private-homes>



**On paper everything may seem legal as a result of the companies' legitimate business structures and activities.**

**CASE EXAMPLE****Suspected trafficking in the construction sector involving Finland, Estonia and Latvia**

**THE FINNISH NATIONAL** Bureau of Investigation and the National Criminal Police of Estonia concluded an investigation into a major labour trafficking case in the construction industry in the spring of 2023. An Estonian-based organisation consisting of different companies and individuals belonging to a criminal organisation deceived several dozen workers from Estonia, Latvia and Ukraine into coming to work in Finland in exploitative conditions. The organization gained criminal proceeds of over 2.3 million euros. According to the police, the organisation sought to disguise the criminal activity by setting up separate companies for transferring and concealing its criminal proceeds. In addition, the suspects appointed a Finnish managing director for the company which is at the centre of the criminal activity, but the director had no actual decision-making power within the company. (NBI 2023.)

**THE CRIMINAL INVESTIGATION** has established that the Estonian suspects recruited hundreds of workers for various tasks in the construction industry through the companies that they had set up. They deceived and misled the workers and led them into debt. Some also encountered violence or the threat of violence. The 21 identified victims worked long days in poor working conditions. They had no breaks and received little or no pay. Contrary to what was promised during recruitment, the workers had to pay for accommodation, equipment and working clothes. In addition, the employer fined the victims and deducted sums from their salary for reasons such as absence, poor-quality work or use of phone during working hours. (Ibid.)

**FURTHERMORE, THE WORKERS** were registered in a billing service company as light entrepreneurs without their knowledge of the arrangement or the meaning of light entrepreneurship. According to the police, they were actually in an employment relationship, and the company was obliged to ensure their working conditions. The police believe that the suspects arranged contracts regarding the employment of

the workers between Finnish construction businesses and the separate companies they had set up and gained significant profits from this operation. The Finnish police suspect 11 persons of 21 offences of aggravated trafficking in human beings and of one aggravated employment pension insurance contribution fraud. Ten suspects are Estonian and one is a Finnish citizen. (Ibid.)



## Posting of workers

**THE POSTING OF WORKERS** refers to a practice in which “an employee is sent by his employer to carry out a service in another EU Member State on a temporary basis, in the context of a contract of services, an intra-group posting or a hiring out through a temporary agency”<sup>17</sup>. Posting is regulated by the EU Posted Workers Directive<sup>18</sup>. However, fraudulent posting schemes may be used to get a flexible workforce and to underpay them by using as the basis the lower wage level of the sending country. Such schemes also make it harder for the authorities to detect and intervene in the situation and may complicate the investigation process.

In Finland, posted workers are employed especially in the construction sector, where posting is often based on sub-contracting or a similar arrangement between the Finnish and the foreign company (Jokinen et al. 2011, 24). According to Finnwatch (2022, 6), the employment of Ukrainian and Belarusian construction workers without the right to work had been increasing before the start of the Ukrainian war. These cases had included the employment of Ukrainians via Estonia in a fraudulent posting of workers scheme (Yle 28.9.2020) although workers without a permit have been hired directly by Finnish companies as well. Workers from countries such as Ukraine, Uzbekistan and Kyrgyzstan have been posted to Finland through Poland, Latvia and Estonia. However, due to changes in their policies, large Finnish construction companies currently employ a fairly low share of posted workers from third countries. This raises the question whether dishonest intermediaries and subcontractors have found new, innovative ways to hide the exploitation of migrant workers, potentially for example by exploiting light entrepreneurship or bogus self-employment arrangements as showcased in the next chapter.

Since 2015 Poland has offered a more easily accessible work visa to citizens of Armenia, Belarus, Georgia, Moldova, Russia and Ukraine, which is a likely reason why many third country nationals are posted to EU countries through Poland in particular. Countries have practices in place to curb the posting of workers in cases where the worker does not and has not in reality worked in the sending country. As an example, Ukrainian caregivers hired by a Polish company were, before the Russian invasion of Ukraine, often posted to Germany and other EU countries.<sup>19</sup> However, if the workers had lived in Poland for less than five years, they needed a separate visa to be legally posted to Germany. While the workers could in fact legally work in Poland, those posted to Germany may consequently end up being expelled with an entry ban for not having a German visa.

<sup>17</sup> <https://ec.europa.eu/social/main.jsp?catId=471>

<sup>18</sup> <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex:31996L0071>

<sup>19</sup> Summative Report Postcare Project, Marek Benio, European Labour Mobility Institute, Kraków, August 2022 (publication forthcoming)

## Forced or bogus self-employment

**FORCED OR BOGUS SELF-EMPLOYMENT** is a situation where the conditions of work resemble an employment relationship but the worker, on paper, is self-employed and therefore responsible for the risks and obligations related to self-employment. At the same time, the de-facto employer is able to cut costs and ignore the regulations and obligations associated with hiring an employee.

Bogus self-employment is a clear trend in the Finnish context, affecting sectors such as construction and cleaning, in particular. The perpetrators and enablers of exploitation may run forced or bogus self-employment schemes in order to make a financial profit, to get a flexible workforce quickly or for a short period, or to avoid bureaucracy by more easily hiring undeclared workers or legal workers through invoicing service companies (Tax Administration 2022a). The exploited persons may accept their earnings even though these are below the legal and collective agreement minimum or agree to the scheme in order to get a residence permit (*ibid.*). It has been reported that labour inspection authorities often have to draw a line between employment and entrepreneurship, and also different authorities that carry out control activities have discovered employment relationships which employers have attempted to disguise as entrepreneurship (Tax Administration 2023b).

In Finland, workers are typically registered as so-called light entrepreneurs, which means that they are self-employed but do not have their own company. Light entrepreneurs typically invoice the customer through an invoicing service company (Tax Administration 2022b). Setting up an invoicing account does not require an in-person visit so it could be done by a third party if they are in possession of the necessary information, although many invoicing service companies have tried to prevent this by requiring strong electronic identification from persons registering for an account (see e.g., UKKO.fi 2023).

Nevertheless, authorities and practitioners have reported cases where the workers were unaware of their status as an entrepreneur and/or had been misled by the employer into signing a commission agreement instead of a work contract (Tax Administration 2022c; SAK 2023). In some cases, workers have been reported to be self-employed persons retroactively, meaning that the employer has tried to have the workers' pension contributions refunded (*ibid.*). The Finnish authorities have also noted that some employers also misuse the residence permit system. An application may be made for an employee's residence permit when the worker arrives in Finland, and yet in practice the person may soon be made to work as a self-employed person or a light entrepreneur and their 'employment relationship' is either very short or does not materialize at all (Tax Administration 2023b).

From the workers' point of view, their status as an entrepreneur means that they are not covered by legislation meant to protect employees (such as the right to annual leave, sick pay or compensation for occupational accidents) nor do collective agreements apply to them (RIKU 2021). Workers may be lured into the arrangement by promising them a pay raise, although in reality, after costs such as the mandatory self-employed pension insurance (which the workers may not even be aware of) and taxes, their net earnings may be lower than before.

At the same time, the employers' costs are often decreased. The employer may also charge the worker fees for example for tools, based on their status as an entrepreneur (Finnwatch 2022, 27). According to the Finnish enforcement authorities, such schemes have been detected for example in the construction and transportation industries (Tax Administration 2022c). Work performed unknowingly or involuntary as entrepreneurship is also problematic from the perspective of labour inspection, since it makes it more difficult to monitor workers' rights.



**CASE EXAMPLE****Exploitation of Ukrainian workers at a construction site**

**ACCORDING TO THE** Finnish Construction Trade Union, Ukrainian workers were exploited at a large construction site in Tampere, Finland in 2022. Ukrainian refugees had been lured into bogus self-employment which meant that they worked as so-called light entrepreneurs but did not know about it themselves. The workers were supplied by a Latvian company, and they worked long hours from Monday to Saturday while receiving inadequate wages.

**THE WORKSITE MANAGEMENT** claimed that the Ukrainian refugees have been recruited to Finland via a “Latvian charity organization”. According to the trade union, this organization is a company that supplies labour. (Yle 18.1.2023.) It was also not clear at the work site who was the actual employer of the Ukrainian refugees. As a result of the scheme, the main contractor prohibited the use of light entrepreneurship at the work site. Another subcontractor offered employment to all Ukrainians who had been working as light entrepreneurs. The contractors have also begun processing the accusations with the trade union and within their own administration. (Yle 2.2.2023.)

**THE REGIONAL STATE** Administrative Agency's labour inspectors carried out an inspection at the Latvian company in November 2022. The officials had difficulties contacting the staff of the company. According to the inspection report, there were several problems connected with labour and related legislation. (Yle 20.1.2023.) In a statement issued during early February 2023, the company denied all accusations of labour exploitation. The company also stated that it might sue the trade union for publishing information about the Ukrainian employees. (Yle 6.2.2023.)

## Subcontracting schemes and the use of letter-box companies

**SUBCONTRACTING IS A FAIRLY** common practice, especially in sectors such as construction. Typically, it is used to acquire workers with a specific skillset needed only for a certain phase of the project. In the Finnish construction sector, if a migrant worker is employed by a foreign (sub)contractor, the main contractor has to verify that the worker has the right to work. The Confederation of Finnish Construction Industries RT has suggested that the main contractor should have this obligation in all cases, regardless of whether the migrant worker is employed by a foreign or a Finnish (sub)contractor (Wartiovaara 2021).



**Unscrupulous employers may seek to hide the employment of third-country migrant workers without the right to work through subcontracting chains, for example by employing them in Finland through an Estonian letter-box company.**

In some cases, the name of a company registered in Finland is put in the “employer” field of the worker ID or list of workers even though the subcontractor (i.e., the actual employer) is a foreign company (Finnwatch 2022, 10). The worker may also be instructed not to sign themselves into the access control system when entering the work site (ibid.).

The Helsinki police has reported cases in which so-called letter-box companies are sold to foreigners so that they are able to apply for an entrepreneur’s residence permit without the intention of starting actual business operations in Finland (Iltalehti 3.2.2023).



**CASE EXAMPLE****Filipino truck drivers employed through a Polish letterbox company**

**SINCE 2018, THE** NGO La Strada Poland has cooperated with the Dutch trade union (FNV – Foundation VNB) on a case in which ten Filipino truck drivers were identified as possible victims of trafficking. As reported by the Dutch trade union, third country nationals ‘employed’ in Poland are often sent to other Member States to work in accordance with Polish law and salaries.

**IN THIS CASE,** Filipino truck drivers were recruited to work in Poland but in reality, worked in other European countries such as Denmark, Germany and the Netherlands. The transportation company was set up as a letter-box company in Poland but operated exclusively in Western Europe (Rappler 2022). The drivers’ tracking devices were rigged so that they could bypass compulsory rest times and drive for longer periods of time. The drivers had to live in their trucks, and they were underpaid and verbally abused. The case against the company has not succeeded in the Netherlands. The Dutch public prosecutor found the evidence of human trafficking lacking. Moreover, sanctions could not be imposed to a company established in another country. (Ibid.) The Polish prosecution is currently in the process of seeking to bring criminal charges against one of the perpetrators in this case.

**Payment scams such as wage kick-backs**

**A WAGE KICK-BACK** is a situation where an employee usually has a work contract and is paid monthly according to standards such as a collective agreement, but is required to pay back a portion of the wages to the employer, usually in cash. It is typical of a kick-back scheme that everything looks fine and legal on paper. To get to the bottom of the scheme, investigators have to be able to detect the tell-tale signs from the financial transactions between the victim and the perpetrator (Ylinen et al. 2020, 45). The victim may accept the arrangement in hopes of later getting a permanent residence permit or having enough income to bring a family member to Finland, or simply due to a lack of alternative options.

**CASE EXAMPLE****Beauty industry entrepreneur accused of human trafficking and related crimes in Finland**

**THE DISTRICT COURT** of Helsinki has begun considering charges in a human trafficking case that took place in Finland in the beauty and spa industry. According to the prosecutor, eleven persons, three of whom were children, were exploited and trafficked for the purpose of forced labour. Most of the victims, as well as the perpetrator, were Thai women. According to the prosecutor, the entrepreneur lured two of the victims into traveling from Thailand to Finland. Some of the victims travelled to Finland independently. (Yle 6.3.2023; MTV 15.2.2023.)

**THE VICTIMS WERE** promised a monthly income of nearly 2000 EUR, but they received only 500–800 EUR a month. An 11-year-old child was made to do laundry for wages of four EUR per hour. The working days were over ten hours long, and the victims seldom had days off. The perpetrator accommodated the victims in her own house, and they were offered primarily rice as a meal. (Yle 6.3.2023.) Later, the perpetrator rented an unfurnished apartment for the victims, and a monthly rent of 250 EUR was deducted from each of the workers' salaries (MTV 6.3.2023).

**ACCORDING TO THE** Helsinki police, the entrepreneur also manipulated the company's appointment system and accounts in order to hide the crimes and to make a greater profit. It is suspected that she paid the salaries in cash, and if clients had paid in cash, the record of their visits were deleted from the appointment system. (MTV 6.3.2023.)

**INVESTIGATORS AS WELL** as banks and payment application providers may be able to spot irregularities in the transactions. Potential red flags may include, for example, suspicious transaction patterns such as salaries being withdrawn in cash (particularly if this concerns several employees of the same company), withdrawals made at ATMs almost at the same time, which may suggest that the bank cards are in another person's possession, and/or withdrawals that are followed by a cash deposit into the employers account; accounts that have no other activity except a monthly wage deposit; and a large number of account holders having the same personal information, such as the same home address, phone number or e-mail address (FATF-APG 2018). Victims of exploitation may also be used as fronts for money laundering or made to transport money to their home country (Ylinen et al. 2020, 46).





## Observations by the Finnish Labour Inspectorate in 2022

**IN 2022, THE** Finnish regional labour inspectorates conducted over 2,300 inspections related to the use of migrant labour. Nearly one-fifth were joint inspections with the police, tax authority, and/or border guard. In the course of the inspections, many problems or shortcomings were discovered, including

- **SUSPICIONS OF EMPLOYMENT** relationships disguised as so-called light entrepreneurship
  - **A TOTAL OF** 422 light entrepreneurs were discovered in 71 inspections, mostly in the construction sector
  
- **ISSUES WITH PAYMENT** such as (based on generally binding collective agreements) basic pay being too low or no supplemental pay for overtime or evening or night-time work
  - **THIS WAS FOUND** in nearly 60 % of the inspections in the construction sector, 54% in the hotel and restaurant industry, and 45% in agriculture
  - **WAGE-RELATED ISSUES WERE** found in 46% of the 119 inspections carried out in foreign companies (mainly in construction and industrial sectors) which have posted workers in Finland
  
- **MIGRANT WORKERS WITHOUT** the right to work in their current occupation in Finland were found in 15% of the workplaces in which this aspect was looked into
  - **WORKING IN THE** wrong field<sup>20</sup> was the most common issue
  - **ONLY A FEW** individuals staying and working irregularly in Finland were encountered. (Regional State Administrative Agency 2023.)

<sup>20</sup> Normally the worker's residence permit defines the field in which they can work (Regional State Administrative Agency 2023).

**The trafficking investigation may lead to the discovery of other crimes or vice versa. The connected crimes are often economic in nature, such tax evasion, accounting fraud, document forgery, money laundering, bribery and extortion. (Jokinen & Ollus 2019.)**



## Other arrangements

**OFTEN IN CASES** of labour exploitation or trafficking, other criminal activity is also taking place. The trafficking investigation may lead to the discovery of other crimes or vice versa. The connected crimes are often economic in nature, such tax evasion, accounting fraud, document forgery, money laundering, bribery and extortion. (Jokinen & Ollus 2019.) In Finland, when a person neglects their statutory duties in their business activity or is found guilty of a criminal activity, a business prohibition may be imposed on them which bans them from holding a position of responsibility in a business for three to seven years (Act on Business Prohibitions 1059/1985). Dishonest operators have been known to circumvent the ban by establishing a new business under another person's name while, in reality, controlling the operations of the company. The person exploited in these kinds of schemes may be an employee or, often, a spouse or other family member.

### CASE EXAMPLE

#### Multiple charges in a baked goods company case in Latvia

**INFORMALLY, THIS CASE** is also known as the "Cookie Case", because the victims were reported to have been subjected to labour exploitation at a well-known cookie factory, Adugs, which is located in the small town of Livani in the eastern part of Latvia known as Latgale. Initially, the Latvian State Police had received information from a foreign embassy that several employees of a Latgale-based baked goods company were reportedly victims of forced labour. This information led to a criminal investigation by the State Police into trafficking, money laundering and bodily harm. According to the investigation reports, seven Indian citizens had allegedly been exploited in Adugs for approximately one year. They were reported to have not been paid a full salary and to have been forced into unreasonable debt. The workers were also reported to have been deprived of their passports, subjected to physical violence and threatened with deportation from the State if they failed to comply with all the demands of the suspects. After being identified, the presumed victims were taken to the Safe House shelter for assistance. The victims were ready to give testimony

after two months, when they had begun to trust the service providers and thus agreed to cooperate with the State Police.

**AS PART OF** the criminal investigation, the police carried out authorized searches and detained three persons who were said to belong to an organized group. A total of 23 sites were searched and assets worth 1 700 000 EUR, including 1 000 000 EUR in cash, were seized. The alleged main perpetrator was known in the criminal underworld in Latgale. He reportedly also has extensive connections in the political circles in the region. The main perpetrator was reported to have previously come to the attention of the law enforcement authorities on suspicion of various crimes, including tax evasion, environmental pollution, criminal offences connected with the management of a company, and other offences. The other two suspects had not been previously detained by the police.

**THE LAWYER FOR** the Adugs company confirmed that the client was in custody but suggested that the circumstances involved a case of "raiderism", a battle for the control of the company. The company hired ten lawyers who submitted numerous claims that had the effect of slowing down the investigation. Moreover, one of the suspects had a relative who worked as a judge and who reportedly gave instructions on how to interfere with the investigation and prosecution. Furthermore, all three suspects were alleged to have secretly agreed on the same testimony, which the police had to disprove. The suspects were also reported to have aggressively tried to identify witnesses and influence their testimony. The owner of Adugs is a well-known and influential figure in Latgale, and the media has allegedly been used in an effort to sway public opinion to favour the suspect.

**THE CASE WAS** sent for prosecution in March 2021 and to the court in February 2022. In addition to the trafficking charge, the three suspects are also accused of money laundering, intentional infliction of bodily harm, illegal financial activities, storage of ammunition, and violation of the rules on the circulation of goods of strategic importance. Court proceedings started at the end of 2022 and may take years because of the extent of the case.

## 4

# Trafficking for sexual exploitation

**Trafficking for sexual exploitation is a crime in which a person is forced, pressured or coerced into prostitution, into exploitation in the sex industry, or into other forms of sexual abuse, usually for the perpetrator's financial gain. The victims are mostly, but not exclusively, women and girls.**



**THE PERPETRATOR MAY** take advantage of the victims' vulnerable position (which may be due for example to poverty, disability, young age, or substance abuse), mislead them, threaten or blackmail them or their families, and trap them in debt bondage in order to subject them to sexual abuse. The victims may have little or no say in whether they wish to sell sex, to whom they sell sex, when they work, and what kind of services they offer, and may not be able to leave the situation without facing serious consequences. (National Assistance System for Victims of Human Trafficking n.d.a.)

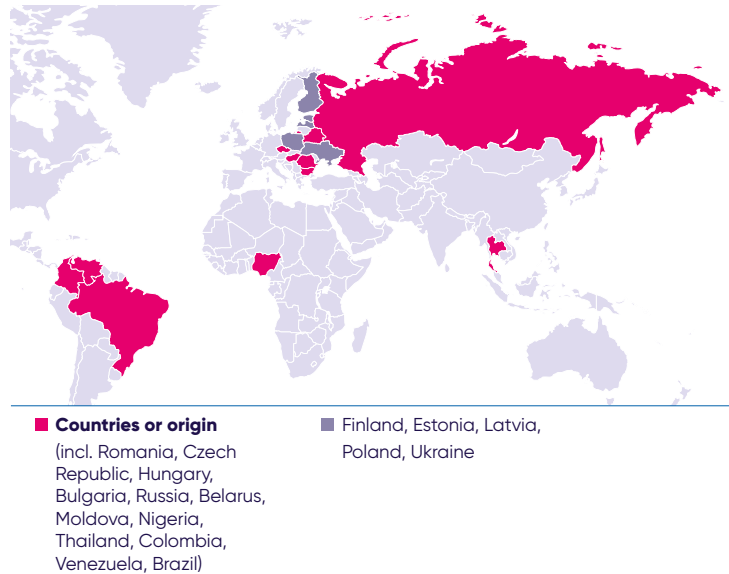
Pandering or pimping means that a third party becomes involved in the transaction between the person selling and the person buying sexual services, and gains financial benefit from the sale of sexual services. It should be noted, however, that not all work related to the sex and erotic industries involves exploitation. In Finland, Estonia, Latvia and Poland, the sale of sexual services between two consenting adults is legal, while in Ukraine the sale of sexual services is an administrative offence. Pandering and the operation of a brothel are criminalized in all five countries.

## 4.1 Victims and routes

**IN THE FIVE COUNTRIES MAPPED**, victims of trafficking for sexual exploitation have been identified among nationals as well as among foreigners, primarily from EU Member States such as Czechia, Hungary and

Romania, as well as from Russia, Belarus, Nigeria, Central Asian and Southeast Asian countries, and Latin America. Victims of trafficking for sexual exploitation are often moved within different countries, regions and cities. Land routes are used between neighbouring countries (for example buses and trains), while flights and ferries may also be used depending on the costs and convenience.

**PICTURE 2.** Some of the main countries of origin of victims of trafficking for the purpose of sexual exploitation identified in Finland, Estonia, Latvia, Poland and Ukraine.



**IN LATVIA, THIRD** country nationals have not been identified as victims of trafficking for sexual exploitation. According to reports from the Latvian police, the women they encounter do not see themselves as victims, do not want to testify, and try to avoid getting into trouble with their pimps, also because this may make it difficult for them to continue in prostitution. The involvement of third country nationals in the sex industry in general is a newer phenomenon. Women have been identified as having been recruited to Latvia also from Ukraine, Belarus, Moldova and Russia.

In Estonia, fewer victims of sexual exploitation from Ukraine, Belarus and Russia have been detected recently. A new trend is the appearance of Latin American and Thai persons (mostly ciswomen, but also men and transgender persons) who sell sexual services. Persons from Latin America often have Spanish citizenship, and their knowledge of English tends to be limited. Some have travelled to Estonia on their own, while others work with pimps or facilitators they refer to as “managers”. The managers reside and operate from outside Estonia. Their operations include managing client databases and online accounts of the persons in prostitution by, for example, uploading photos.



**According to the Estonian mapping, persons selling sexual services use a rotation (“on tour”) system, in which they work in Estonia, Latvia and/or Finland for a couple of weeks, and then move on to other European countries, including Nordic countries, and Western and Southern European countries.**

No physical violence has been reported, and the persons involved consider themselves as sex workers instead of as victims of pandering or exploitation. When apprehended by the police, many wish to leave the country immediately.

In Finland, victims of trafficking for sexual exploitation come mainly from other EU countries such as Czechia, Hungary and Romania, or from third countries such as Thailand and Nigeria. In addition, Finnish nationals have been identified as victims of trafficking. They are often young people who are in a vulnerable position, due for example to a substance dependence problem, and might not consider themselves to be victims. Such persons might only later self-identify their experiences as sexual exploitation.

Different researchers and NGOs have noted that migrants involved in the sex industry in Finland often do not report crimes committed against them due to the stigmatization of sex work as well as due to legislation, namely the Aliens Act, which provides that suspicion of trading in sexual services is potential grounds for the deportation of third country nationals (e.g., Diatlova & Näre 2018; Diatlova 2018; Diatlova 2019; Vuolajärvi 2019a; 2019b Oinonen 2019).

The sale of sexual services is not seen to establish an employment relationship, and so persons selling sexual services are also not protected by labour laws.

**CASE EXAMPLE****Improved identification of victims in Finland**

**THE SEIVE PROJECT** was launched by Victim Support Finland in 2021 in order to improve the identification of victims of trafficking for sexual exploitation and to strengthen cooperation among multidisciplinary officials in countering trafficking criminality as well as to share best practices.

**BY INVOLVING REGIONAL** actors such as youth services and substance dependency actors in networks to discuss human trafficking, Victim Support Finland has been able to identify a significant number of victims of trafficking for sexual exploitation, forced marriage and related exploitation. These include Finnish nationals who have been exploited while they were under 18 years of age. (RIKU 2022; 2023; Pihlaja & Roth 2022.)

## 4.2 Recruitment and exploitation

**IN GENERAL, WHEN APPROACHING POTENTIAL VICTIMS** of sexual exploitation – which often takes place online – perpetrators may do so by using fake profiles that suggest wealth and a high standard of living. Luring their victims with empathy and promises of help and financial support, the perpetrators may, according to evidence from Belgium, specifically target persons who have a background of family instability, school dropout, low self-esteem, and other psychosocial vulnerabilities. (GRETA 2022, 32.)

Migrant women from Africa and Southeast Asia often arrive in Europe heavily indebted. They travel across the Sahara Desert and the Mediterranean, or use migration facilitators in Southeast Asia, to find work in the European sex industry (Plambech 2022). The madams, mamasans and moneylenders are individuals who facilitate their travel to Europe, and profit from (and at times exploit) the sale of sexual services by the migrants. Normally the travel to Europe is paid by individuals who sponsor the migration and provide the documents or ensure the financial arrangements for the arrival of the migrant in the destination country. Plambech (2022, 11) notes, however, that migrant women are not just passive victims being transported from one place to another. Some migrants take out loans, find brothels, and arrange

documents, transportation and itineraries themselves (ibid.).

Nigerian victims of trafficking for sexual exploitation have been identified in most Nordic and Western European countries. They have often had to use smugglers and other facilitators in order to migrate to Europe and owe large sums of money to “madams” for a range of different recruitment, travel and other costs and fees. The madams are women who have come from Africa to Europe before and assist the newcomers in arriving and finding work in Europe in exchange for a portion of their earnings (Oinonen 2019, 28). Frequently, madams have themselves previously been victims of human trafficking (Yhdenvertaisuusvaltuutettu 2016, 4).



**The so-called “lover boy” method refers to a practice in which a typically male perpetrator seduces young, vulnerable girls and boys in order to subject them to sexual exploitation.**

<sup>21</sup> Including blackmail using explicit pictures of the victims i.e., sexual extortion.

The process has generally been quite lengthy, but nowadays “lover boys” proceed more quickly into abuse such as threats, blackmail<sup>21</sup> and violence (Government of the Netherlands, n.d.). Internet, social media and dating apps offer a wide scope for contacting potential victims and gathering personal information about them, which also makes it easier for the perpetrators to force their victims into the sex industry (ibid.; GRETA 2022).

The method has been used reportedly by Romanian pimps in particular, where the pimp pretends to have a romantic interest in the victim, or hires young men whose task is to make a girl or a young woman fall in love with them (Yle 5.8.2020). Through this scheme, underage girls are recruited into prostitution. Once they turn 18, they may also be sent to work abroad. In some cases, the perpetrators lure the women abroad with promises of marriage and for example of work in a hotel or a bar. The reality often does not unfold until in the destination country. (Ibid.) Similar cases have been reported

in Poland, involving Bulgarian nationals. The victims were promised marriage and were then told they had to earn money for the wedding and their new life. Moreover, according to a GRETA (2022, 31–32) study, cases have been identified in several EU Member States in which job advertisements with suspiciously high salaries in the service or agricultural sectors have turned out to be a means of recruiting persons for sexual exploitation.

According to Latvian sources, women from third countries usually work for pimps, and their recruitment and communication are organized via social messaging programmes such as Viber, Telegram and WhatsApp. Recruiters have also established closed social media groups that are sometimes international, to which group members can invite women potentially interesting in sex work. The women are promised around 5 000 EUR per month, which may be more than 20 times the salary they are receiving in their home country. Recruiters also promise a decent work environment, payment of travel costs, a private apartment, security, a 24/7 “helpline” in case of problems, and help in finding and filtering clients. The promised arrangements also claim to outline what type of services the women are to offer. The women enter Latvia with tourist or work visas through Poland. Arriving in the country of destination, the women are often without money or local networks, and they are forced to agree to different conditions.<sup>22</sup>

<sup>22</sup> Breach of agreed conditions is also typical in cases where Latvian nationals are trafficked for the purpose of sexual exploitation.

**The working hours are long or unpredictable, the women may be under video surveillance, and they are not allowed to leave their apartment or workplace or talk to the clients.**

In all the five countries studied, women were found to often go “on tour”, which means that they change towns and even countries every few weeks. This is done in order to avoid contact with the police and to attract clients who often prefer new women on a regular basis. If the women protest these conditions, the pimps may threaten them with the police or deportation by migration authorities, with “blacklisting” them, or with telling their families about their involvement in prostitution. In Latvia, it was reported that most of the women receive their payments in cash. Money transfers to pimps are made through money transfer companies that are not connected with a bank. The money is often addressed to a third person, which makes it more complicated to identify the final recipient.

**CASE EXAMPLE****Large pandering case in Finland**

**IN APRIL 2023**, the Helsinki District Court decided a pandering case which the police described as the largest of its kind in Finland. The main perpetrator was a Czech woman, now 28 years old, who was reported to have gained a profit of upwards of 220 000 EUR by pandering at least 25 women in different Finnish towns between 2018 and 2022. The perpetrator arranged accommodation and travel plans/schedules for the victims, who changed apartments and towns every few days and typically stayed in the country for two or three weeks at a time. The victims were mainly Czech nationals, but also Slovakian, Hungarian, Belarusian, Kazakh, Polish and German citizens. (Helsingin Sanomat 12.4.2023.)

**THE CASE RESULTED** in three convictions. The main perpetrator was sentenced to imprisonment for two years and ten months, for aggravated pandering, arrangement of illegal immigration, unlawful use of narcotics and a petty firearms offence. The second perpetrator received a one-year suspended sentence for aggravated pandering, arrangement of illegal immigration and forgery, and the third a three-month suspended sentence for aiding and abetting in pandering. The conviction for arrangement of illegal immigration was due to the fact that the offenders had provided forged COVID-19 test certificates for persons entering Finland. (Helsingin Sanomat 12.4.2023.)

**There are some indications that victims of trafficking for sexual exploitation may be exploited also in multiple other ways, for example by being forced into criminal activity, and could also have a role in recruiting other victims or e.g. in collecting money from them.**

Victims may also be forced to sign paperwork for fraudulent companies established in their name or to get loans, credits cards or benefits in their name which are used by traffickers to maximise their profits.

### 4.3 Psychological coercion and trauma bond

**THE SHIFT FROM USING PHYSICAL CONTROL** to a variety of subtle means of psychological control is quite evident in many of the countries mapped. As a result, the exploitation might not be visible to outsiders since the victims are not necessarily restricted in their everyday life activities (Kauranen 2018, 118). More subtle means are used also in the recruitment and exploitation of victims and in controlling them. The offenders may pressure and force the victims in complex ways that are difficult to detect and are based on the establishment of a personal relationship with the victim. These means of control lead to fear among the victims and prevent them from acting according to their own will. (Ibid.)

Furthermore, the victims might not perceive themselves to be victims of human trafficking, since the traffickers make them believe that their exploitation is normal and inevitable for example because of the victim's gender or the victim belonging to a certain demographic group (Kauranen 2018., 120–121).

Psychological coercion in human trafficking can occur in many different ways. In an interview study conducted by Baldwin et al. (2015), victims of human trafficking reported experiencing a range of nonphysical coercive tactics on the part of their abuser. According to the study, psychological coercion may appear for example as isolation, threats, and degradation. In addition, it is common that the trafficker also occasionally and unpredictably demonstrates kindness. This may lead to a situation where the victim is afraid of upsetting the perpetrator and correspondingly hopes to please them and to receive compassion as an emotional reward. (Baldwin et al. 2015, 1176.)

A “trauma bond” refers to an emotional attachment between an abuser and victim. According to a recent scoping review on the topic by Casassa et al. (2022), trauma bonds compel victims of trafficking for sexual exploitation to submit to continued exploitation and protect the trafficker.







**The following features of trauma bonding were identified:**

- **AN IMBALANCE OF POWER** that favours the trafficker,
- **THE DELIBERATE USE** by the trafficker of positive and negative interactions,
- **THE VICTIM'S GRATITUDE** for positive interactions and self-blame for negative interactions, and
- **THE VICTIM'S INTERNALIZATION** of the perpetrator's view. (Casassa et al. 2022.)

**IT HAS ALSO** been noted that prior trauma makes victims more vulnerable to exploitation, and their feelings of love remain even after they have exited the trafficking situation. Love was also identified as the reason why victims do not prosecute traffickers, and why traffickers often intentionally cultivate the trauma bond and use the lover boy method in recruitment. (Casassa et al. 2022.) This also makes it more difficult for law enforcement to detect and investigate cases and to secure sufficient evidence of the crime.

Doychak and Raghavan (2020) conducted an interview study, the goal of which was to explore the relationship among psychological coercion, intermittent reward and punishment, and the potential development of trauma-coerced attachment. Trauma-coerced attachment can develop via different kinds of coercive tactics, and some victims of human trafficking recover faster than others. (Doychak & Raghavan 2020, 343.) Hence, the trauma bond phenomenon should be understood as dimensional rather than categorical. The researchers also argue that the criminal justice system should better consider the effects of the intimate partnership between the perpetrator and the victim (*ibid.*, 353).

Bailey et al. (2023) approached the phenomenon of trauma bond from a biopsychological perspective. According to the researchers, trauma bond, which has also been called the 'Stockholm syndrome' in numerous contexts, is an outdated term for a survival mechanism that they call 'appeasement'. When faced with a threat with no immediate possibility of escape, the victims may express something the researchers call 'super social engagement' as a means of survival by co-operating with the perpetrator and seeking to calm them (Bailey et al. 2023, 4). Thus, regardless of the term used in the context of the development of trauma-coerced attachment,

the concept is closely attached to natural survival mechanisms in extremely stressful situations.

Ultimately it is evident that the use of different subtle psychological means of control, coercion and trauma bond by the perpetrators of trafficking further hinder the identification, investigation and prosecution of trafficking crimes by the police and other criminal justice authorities. It makes it more difficult for law enforcement in the five countries to secure sufficient evidence of the crime. Gaining the trust of the victims becomes more difficult due to the subtle nature of the psychological manipulation and control used.

#### **4.4 Online and technology-facilitated sexual exploitation**

**THE TOPIC OF ONLINE AND TECHNOLOGY**-facilitated human trafficking has gained attention in recent years, although knowledge of the scope and scale of the issue remains limited. For the most part, governments and civil society actors do not systematically gather data on whether the identified victims were recruited or trafficked online.

**As a result of the COVID-19 pandemic, however, it was widely reported that the sexual exploitation of children and adults online has increased.**

In Finland, Pro-Tukipiste has reported increased interest among their clients in starting an online business since the pandemic, but it has not been an easy solution for many (Pro Sentret 2021, 34). However, according to interview research conducted in Portugal, persons who sell sexual services did not necessarily see online sex work as a possibility during the pandemic, as they thought it might lead to greater risk of exposure (de Jesus Moura et al. 2022, 10).

Efforts have also been made to raise awareness regarding online platforms offering housing and employment, which offenders may use for posting fake ads. The Europol Internet Referral Unit has begun monitoring online platforms, including social media and online marketplaces, to monitor developments in the demand for services from victims of trafficking as well as the conduct of potential traffickers. (European Commission 2022.)

In the 2022 GRETA report regarding online and technology facilitated trafficking in human beings, it was noted regarding Finland that ICT platforms and forum-based advertisement sites in particular are the main modus operandi in marketing and contacting clients in the context of trafficking. Both victims of trafficking and persons selling sexual services use the same sites, so it is often a challenge for

the authorities to spot the advertisements that are linked to trafficking in human beings. (GRETA 2022, 33.) Potential red flags include situations in which a person’s online profiles are updated and meetings with clients scheduled from a different country, when ads of different women are linked to the same or very similar e-mail address to mobile number, or, as discovered in Sweden, when illiterate persons have profiles on adult services websites (ibid., 33–34).

Moreover, live streaming of sexual material and “pay-as-you-go” video chat apps such as OnlyFans are becoming increasingly popular and it may be difficult to know whether someone working through such platforms is doing so voluntarily or whether they are being exploited (GRETA 2022, 34). Similar findings have been made in Poland and Lithuania.



**In addition, perpetrators can control and trace victims via mobile devices, cameras and software as well as video or photo material, e.g., by threatening to release sexually explicit images of the victims if they do not comply with orders. Information and communication technologies are also used to make threats to the families and friends of victims.**

Moreover, social media and apps are used to continue the exercise of control over victims even after they have left the exploitative situation, in order, for instance, to prevent them from filing complaints and seeking justice. (GRETA 2022, 40.)

On the European level, the use of the Dark Web has not been detected to a larger degree in relation to trafficking, apart from the dissemination of child sexual abuse material. According to GRETA, this may be due to the fact that traffickers, during recruitment and exploitation, aim for the largest possible audience, whereas the use of the Dark Web is limited (GRETA 2022, 37–38). Also cryptocurrencies do not appear to be used in trafficking contexts. Instead, money transfers are made through commercial money transfer companies, through individuals (“mules”), informal systems such hawala, or in-app money transfers (ibid.).

Technological tools are also used to identify cases and victims of trafficking. According to GRETA (2022, 72), Latvian authorities have used specialized software for image recognition in some of their cases, and Finnish authorities have conducted tests on facial recognition tools in order to identify victims of online sexual exploitation from webcam material. Nevertheless, policing the internet is very resource-intensive, and there are challenges related for example to data encryption, the constantly growing volume of data, the speed of technological change, and the lack of resources such as technical equipment and up-to-date knowledge within law enforcement (GRETA 2022, 15).

## 4.5 Child trafficking

**CHILDREN AND YOUNG PERSONS** may face the same forms of exploitation as adults. According to the UNODC (2023, 137), one-quarter of the total victims identified in 2020 in Central and South-Eastern Europe and more than 40% in Western and Southern Europe were children. In both regions, children faced sexual exploitation, and exploitation in forced begging and criminal activity in particular (UNODC 2023, 138, 159). Globally, children are also exploited in armed conflict, both in combat as well as for sexual exploitation and forced marriage (ibid., 53–54). Analysis of case summaries by the UNODC (2023, 25) suggests that traffickers use more violence towards women and child victims, girls in particular, and that children are more likely than adults to suffer physical or extreme violence.

Cases of trafficking of Polish children for the purpose of sexual exploitation have been identified in Poland and other European countries such as France and Germany. Children from South America and Eastern Europe (especially Bulgaria, Romania and Ukraine) have reportedly been trafficked for sexual exploitation in Poland, and Roma children have been exploited in forced begging. (US Department of State 2022.) Similarly in the context of Ukraine, cases of trafficking in children have been detected both internationally and domestically for commercial sexual exploitation and forced begging (U.S. Department of Labour 2021).

<sup>23</sup> According to the non-punishment principle, if a victim of trafficking is exploited in criminal activities, they should not be punished for these activities they were coerced to do (see e.g. Council of Europe Convention on Action against Trafficking in Human Beings, Article 26; and the Anti-Trafficking Directive (2011/36/EU), Article 8).

**Children and young persons who have run away from home, foster care or an institution where they have been placed are particularly at risk for sexual exploitation and other criminality (Kervinen & Ollus 2019).**

According to a recent Finnish study on children who have run away from foster care units, it is easy for young people to encounter adults who are willing to transport, accommodate and finance them (Haapala et al. 2023, 184). The children may be forced to commit a crime or to offer sex in return for accommodation, or they can be pimped out to sex buyers (Lehtinen 2023; Valovirta 2023). These offences may fulfil the criteria of human trafficking, but the cases are likely to remain hidden from the authorities (Kervinen & Ollus 2019; Valovirta 2023). It is important to note that if a victim of human trafficking is forced to commit a crime, the non-punishment principle <sup>23</sup> should be applied (Hannonen & Kainulainen 2022). However, its application may be limited if insufficient attention is paid to the exploitation behind the criminal activity (ibid.).

**CASE EXAMPLE****Sexual exploitation and transactional sex of young persons**

**THE CRIMINAL ACTIVITIES** in question were committed in 2021 in Latvia, in Riga, Jelgava and Saulkrasti. The perpetrators were men of various nationalities, aged between 35 and 60, who approached 12–15-year-old girls through acquaintances or simply on the street, inviting them to go somewhere together and proposing sexual contact in exchange for money or other benefits. Later, they asked the girls to bring their female friends, and engaged also them in sexual activities. The men who recruited the girls also exploited them, but sometimes acquaintances of the men took part as well.

**ALL OF THE** girls were from vulnerable families or State social care institutions. The authorities disagreed on the classification of this case. It was finally classified as the involvement of a person in prostitution and use of prostitution, more specifically, Section 164:4 of the Criminal Law, which refers to a person who induces or compels a person who has not attained the age of sixteen years to engage in prostitution.

**THE INCREASED USE** of Internet platforms has also influenced new forms of sexual exploitation. In recent years, so-called “sugar dating” has become a notable phenomenon in different countries. Sugar dating can be described as a form of compensated dating, in which the client – usually an older male – pays another person, most often a young female, for their company (Yle 21.11.2018). Sugar dating can be consensual, but it has also been associated with sexual exploitation and other kinds of criminal activity. According to specialists interviewed by the Finnish broadcasting company Yle, sugar dating is popular among young people who are in a vulnerable position and thus more exposed to victimization. (Ibid.) The exploitation of children via webcam and social media also seems to be increasing, and it has been suggested that perpetrators have started using online games to approach potential victims (GRETA 2022).

In addition to children who are victims of trafficking themselves, underaged children of trafficking victims are often in need of support, since the environment in which they have been brought up may have been unstable, or the child may have had to witness the exploitation of their parent (National Assistance System for Victims of Human Trafficking, n.d.b.).

#### **4.6 Forced marriage**

**FORCED MARRIAGE REFERS TO A SITUATION** in which a marriage is established without the free and full consent of one or both parties, or where one or both parties are unable to leave the marriage. The person(s) may be threatened, deceived or coerced, or be under strong societal or family pressure (European Union Agency for Fundamental Rights 2014). Child marriage can also be considered forced marriage, since children cannot give consent to marriage. Most victims of forced marriage are women and girls, but men and boys have also been identified as victims (UNODC 2020).

**Forced marriage is often linked to other forms of gender-based violence (Lilja et. al. 2020) and victims are often dependent on their spouses for money, housing, food, residence permits etc.**

In Europe, forced marriages often take place within migrant or minority communities. Authorities do not always see the link between forced marriage and human trafficking (e.g., UNODC 2020; Viuhko et al. 2016) although the means of exploitation are similar. In Latvia, forced marriage has rarely been detected in recent years, but cases of sham marriages between Latvian and third country nationals, mainly from Pakistan and Bangladesh, have been reported to some extent. However, these cases have not been classified as trafficking.

There has recently been a noteworthy increase in the number of cases of forced marriage in Finland. In 2022, it was the most common form of trafficking faced by women and girls (37 %, 72 persons) admitted to the National Assistance System for Victims of Trafficking. Almost two thirds had become victims of forced marriage in another country, mainly in the country of origin of the victim. (National Assistance System 2023.) It is estimated that this type of exploitation is not often reported to the police, and it rarely results in criminal justice proceedings (Roth & Luhtasaari 2021, 20, 51). Also children or young persons may become victims of forced marriage. The cases may involve daughters sent to their parents' country of origin to be wed, or men traveling abroad in search of an underaged bride. Both types of cases have been identified in Finland. Some migrant victims have been married in their country of origin before moving to another country. (Kervinen & Ollus 2019.)



5

Global events:

# The Russian invasion of Ukraine and the COVID-19 pandemic



## 5.1 The Russian invasion of Ukraine

**ACCORDING TO UNHCR** (2023) estimates, 8,17 million Ukrainians have left the country since the start of the full-scale Russian invasion of Ukraine in February 2022. Even before that, many had been displaced due to the conflict in the Donbas region and the Crimea which began in 2014, or they have migrated to another country due to the poor economic situation in Ukraine. The internally displaced population is estimated to be more at risk of human trafficking and other forms of exploitation and abuse. The 2014 conflict in Ukraine quadrupled the number of Ukrainian victims detected in Western Europe in 2016 (UNODC 2023, IX). Furthermore, the internally displaced persons living in the Russian-controlled territory have faced barriers in obtaining or renewing identification documents, which may reduce their employment options and increase their vulnerability to exploitation (U.S. Department of State 2021).

Between 2014 and the onset of the full-scale war in 2022, Ukrainians (men, women, and children) have been exploited and trafficked within Ukraine and across borders for sexual exploitation, and most recently, particularly for labour exploitation.<sup>24</sup> Labour exploitation has taken place in a variety of sectors including construction, manufacturing and agriculture, as well as in the illegal production of counterfeit tobacco products (U.S. Department of State 2021). Ukrainian children and vulnerable adults have also been trafficked for

<sup>24</sup> Data from La Strada Ukraine and IOM Ukraine.

forced begging or for participating in criminal activities (ibid.). Between 2017 and 2021 Ukrainian trafficking victims were detected in 40 countries in Central, Southern and Eastern Europe (UNODC 2023, 56).

In addition to Ukrainian citizens, nationals of e.g., Moldova, the Russian Federation, Kyrgyzstan, Uzbekistan and Kazakhstan have been trafficked in Ukraine. New forms of exploitation have been identified. For example, people residing in Ukraine were recruited to work as crew members on yachts and pleasure boats, while in reality they were made to transport undocumented migrants into the EU. Women were exploited in surrogacy, which refers to an arrangement in which a woman carries and gives birth to a baby with the intention of giving the child to another person or a couple. Due to COVID-19-related restrictions on movement, a larger number of Ukrainians were reportedly trafficked within the country, whereas the number of migrants exploited in Ukraine fell since the start of the conflict in eastern Ukraine (U.S. Department of State 2021). The demographics of Ukrainian trafficking victims also shifted to more urban, younger and male victims exploited in forced labour and criminality. According to IOM figures, over half of the identified Ukrainian trafficking victims were exploited in the Russian Federation and a quarter in Poland, two countries now among the top three countries hosting refugees from Ukraine.

As of 18 April 2023, over 5 million people who fled Ukraine had been registered for temporary protection or similar national protection schemes in European countries (UNHCR 2023). However, the visa-free and temporary protection provisions do not apply to non-Ukrainian, non-EU citizens who were residing in Ukraine at the outbreak of the war, except for recognized refugees and some categories of long-term permanent residents (UNODC 2022, 4).<sup>25</sup>

<sup>25</sup> According to the IOM Ukraine (December 2022), 580,500 non-Ukrainians from outside the EU have exited Ukraine since the outbreak of the war. IOM Ukraine Operational Weekly SitRep - 5 - 11 December 2022

**TABLE 3.** Refugees from Ukraine registered for temporary protection or similar national protection schemes by receiving country (UNHCR 2023, accessed 21 April 2023).

<b>Estonia</b>	44 739	(10.4.2023)
<b>Finland</b>	53 318	(10.4.2023)
<b>Latvia</b>	47 080	(11.4.2023)
<b>Poland</b>	1 583 563	(16.4.2023)

**CONCERNS REGARDING THE** potential trafficking and exploitation of Ukrainian refugees have been raised throughout the war, but the sources used for this report have not reported cases to any larger degree. Situations identified as potentially risky include e.g., transportation, accommodation and employment offers at the borders, in shelters and online; targeting women for marriage; or requesting sexual or other services in exchange for accommodation or other assistance.

The OSCE Office for Democratic Institutions and Human Rights (2023) surveyed almost 1,000 Ukrainian refugee women in order to ensure their experiences and vulnerabilities are reflected in policies to address human trafficking. This survey found that 40% had not been made aware of the risks of human trafficking and more than half were not sufficiently informed about their rights in a way they understood. One out of every hundred women had received proposals to work in the sex industry, and one out of every fifty women had received requests for sexual favours (OSCE Office for Democratic Institutions and Human Rights 2023).

Risks of exploitation are also evident online. Offers for work, sometimes aimed specifically at Ukrainian refugees, are posted online, and there are few safeguards or vetting processes in place to make sure the offers are for legitimate employment (Hoff & De Volder 2022, 15).<sup>26</sup> In addition, since the onset of the war there has been a significant increase in online demand for explicit content and sexual services from Ukrainian women and girls. Information shared on social media by Ukrainians looking for support may be used by potential traffickers and other abusers. (OSCE 2022.) The UNODC (2023, IX) predicts a 5% increase in detected Ukrainian human trafficking victims in 2023.

**It is believed that the EU Temporary Protection Directive as well as anti-trafficking measures in place in destination countries have considerably reduced the risks associated with the exploitation of Ukrainians (UNODC 2023, 7).**

Europeans in general sympathize with Ukrainian refugees, which could make individual citizens more vigilant for potential signs of exploitation. States and NGOs have also launched awareness campaigns on the risks, directed at both the refugees as well as citizens of the receiving countries.

<sup>26</sup> Similar concerns have been raised in relation to housing/accommodation programmes such as the UK's "Homes for Ukraine", see e.g. UNHCR's Statement from April 2022.



**According to La Strada International members in countries that host Ukrainian refugees, only around 15 potential victims of trafficking from Ukraine have been directly assisted. However, it is also possible that cases have not yet come to the attention of the authorities.**



A fair share of Ukrainians have found employment in their country of destination, since the Temporary Protection Directive grants them the right to seek employment immediately. Many first-wave refugees were highly educated women from cities, but it seems that the employment patterns reflect the networks they have instead of their skill profiles, since many have been employed in low-skilled jobs. Some are only able to take on part-time employment due to their childcare responsibilities. Several countries have begun to develop and streamline their systems for the recognition of qualifications and transferability of skills obtained abroad. (OECD 2023.)

The questions remain of what happens to Ukrainian refugees in the future, how long the temporary protection measures shall be in place, and what happens if the residence permits will not be continued for some reason. Also the continuation of the war as well as reconstruction may have a significant impact on the Ukrainian population as a whole, and on refugees and vulnerable groups in particular, in terms of risks of exploitation and trafficking. The UNODC warns that an unprecedented number of Ukrainians could fall victim to human trafficking in the future if specific counter-trafficking measures are not quickly integrated into the emergency response (UNODC 2023, 56).

## 5.2 Impact of COVID-19

**THE COVID-19 PANDEMIC** seems to have affected both the level of detection of human trafficking and the characteristics of human trafficking (UNODC 2023, 17). The pandemic and the consequent travel and business restrictions affected trafficking for both labour and sexual exploitation, the modus operandi, as well as the means of exploitation and routes used. Moreover, it became more difficult for the authorities and other actors to detect potential cases of exploitation and to identify potential victims.

On the global level, from 2019 to 2020 there was a 24% reduction in the number of victims trafficked for sexual exploitation who have been detected (UNODC 2023, IV). According to the UNODC, this may indicate that business closures have resulted in reduced sexual exploitation, although the exploitation may also have moved to less visible and less safe locations, making it harder to detect the crime (*ibid.*). Also detected cross-border trafficking decreased by 21%, although the detection of victims from Sub-Saharan Africa and South Asia has continued to increase throughout the rest of the world (*ibid.*, 17–18).

Travel restrictions brought on by the pandemic slowed the cross-border movement of people. According to an Yle news article (Yle 23.3.2021) there has been a corresponding decrease in the

number of trafficking and pandering cases detected at the Finnish border. A senior investigator from the Helsinki Police stated that persons with fake employment contracts have been stopped at the border, and the Finnish Border Guard has reported that persons hired for example for cleaning work have been encountered with items in their luggage seen as indicative of sex work (ibid.). In the large Finnish pandering case presented previously, the perpetrators had provided forged COVID-19 test certificates for persons entering Finland. A Romanian man convicted in Finland in 2020 for pandering and aggravated fraud also committed forgery in order to circumvent restrictions on entering the country (Yle 2.9.2020). He created fake documents for the women he was pimping, which stated that the women were coming to Finland to work for a food courier company when in reality, they would be involved in the sex industry (ibid.).

The pandemic has had multifaceted impacts on people who sell sexual services in Europe. According to a Pro-tukipiste specialist, the opportunities for informal work decreased during the COVID-19 pandemic and because of this, for example some undocumented migrants may have sought to compensate for a loss of livelihood by selling sexual services in Finland (Yle 6.8.2020). According to a survey conducted in Spain by Burgos and Del Pino (2021), the sex industry did not grind to a halt during the pandemic. Instead, persons selling sexual services had to balance between the need to continue working and the risks of becoming infected with COVID-19. The persons interviewed also reported that since the beginning of the pandemic, the 'clients' have been worse, more dangerous, and more violent (Burgos & Del Pino 2021, 5).

The pandemic may have also affected how the authorities respond to persons who sell sexual services and are involved in human trafficking. According to different NGOs interviewed by the NGO Pro Sentret in Norway, this might have to do with the entry restrictions and with deportations of people residing in the country without a permit. Some NGOs have been concerned about whether victims of human trafficking have been deported or been denied entry into the country (Pro Sentret 2021, 19). During the pandemic, NGOs assisting persons who sell sexual services have seen increased police activity towards immigration and the prostitution market, which has led to deportations of persons who sell sex (ibid., 35).

The COVID-19 pandemic also resulted in a decrease in the number of labour inspection visits (and many inspections were conducted as document inspections), since restrictions were put in place. Many companies suffered financially, and restaurants and other places of work closing temporarily likely put many workers in a difficult position. In many low-skilled jobs, remote working was not an option.

Some workers were laid off and needed to find sources of income elsewhere, while other workers had to risk their health by interacting with others during a pandemic. Travel restrictions made especially cross-border travel difficult, which may have posed added challenges in seeking employment elsewhere as well as in returning home.

It has been estimated in some countries that the exploitation of locals (and potentially, of migrant workers already in the country) became more common.

**In general, the impact of the pandemic on the global economy can have far-reaching consequences for the most marginalized and vulnerable persons both across the globe and in the countries mapped.**



## 6

# Pattern analysis

**Human trafficking is driven by the possibility of making money on many levels, and businesses profiting from labour exploitation are not restricted to criminal organizations. Instead, often a chain of legitimate businesses is involved in trafficking knowingly and sometimes also unknowingly.**



**TRAFFICKERS AND EXPLOITERS** base their business model on the exploitation of other persons. Illegitimate and legitimate actors engaging in human trafficking and exploitation gain an unfair economic advantage and consequently distort competition and the functioning of the free market (Ollus 2016). Local/national/intra-European supply chains, posting of workers, shell and front companies, and bogus self-employment may be used to hide labour exploitation and illicit financial flows, especially in the lower parts of the chain (e.g., Jokinen & Ollus 2019; Davies 2019; CSD 2019a; CSD 2019b).

**In general, human trafficking operations involve a variety of costs at each stage of the process: recruitment, transportation and exploitation. Many times such costs are borne by the victim and may be disguised and inflated so that the victims become severely indebted, which makes them increasingly vulnerable to exploitation.**

**Recruitment costs** include for example the cost of placing online advertisements, depending on the methods chosen. In sex trafficking cases recruitment through the “lover-boy” scheme may not require any financial costs, but cross-border trafficking requires a certain initial investment (CSD 2019a, 59). Especially in labour trafficking cases, the victims may also have to pay different illegal and excessive fees for

recruitment, job placement, organization of work permits, visas and other services (ibid., 60–69). Such costs can amount to as much as 10 000–25 000 EUR for a job in Finland, for example.

**Transportation costs** generally consist of plane, train, ferry or bus tickets, and the costs depend on the length of the journey undertaken. Also the arrangement of visas or other permits may be charged to the victims. If human smugglers or other irregular means of entry are used, the costs increase significantly. In sex trafficking cases, traffickers and facilitators utilize structural weaknesses in the system to hide the profits made from selling sexual services and often move the victims between different countries, cities, apartments, and hotels to avoid detection.

Furthermore, during the **exploitation phase**, there are **different operational costs** for the traffickers. In the case of trafficking for sexual exploitation, these include expenditures for client acquisition, including paying for online advertisements and call centres; securing a profitable location for providing the services; housing, monitoring and control of the victims; purchasing products such as condoms and makeup; payment of fees to different facilitators, and so on. In addition, costs for protection, concealment of criminal activities, corruption, and facilitation of money laundering have been identified. (CSD 2019a, 70–74.) Victims of sexual exploitation may also have to pay fines or fees if they do not for example meet the required client quota or fail otherwise to follow the rules set by traffickers and pimps. From a revenue perspective, labour exploitation may be more cost-effective than sexual exploitation, since there are less operational costs. The regular costs related to the exploitation phase generally only include housing, subsistence, work materials, and tools (ibid., 75).



**While the modus operandi of labour trafficking and trafficking for sexual exploitation differ from one another, there are also many commonalities. Labour exploitation usually takes place in a legitimate, regulated field, and the workers are at least in principle protected by labour legislation, and should have legal routes to seek remedy when treated unjustly.**

Although many of the exploited migrant workers have existing vulnerabilities or a dependency on their employer, there is less stigma attached to their situation and they may be less hesitant to contact the authorities, an NGO or a trade union for help. It is more difficult for victims of sexual exploitation to access justice and remedy: first, because they face stigma, fear and shame, and are therefore reluctant to disclose their experiences to the authorities, and second because it often requires active work from the police to detect and investigate such crimes.

**Furthermore, traffickers often use different subtle psychological means of coercion, including the lover-boy method to control and exploit victims, which can result in a trauma bond and make detection and investigation of cases more difficult.**

Human trafficking is also a gendered phenomenon: victims of trafficking for sexual exploitation are mainly women and girls, whereas many of the identified victims of labour trafficking are men. This does not mean that women are not exploited for labour, but they may work in more hidden areas, such as in domestic work, which makes it more difficult for the authorities to monitor and detect such cases. Similarly, men, boys and transgender persons may be victims of sexual exploitation. Children and young people are also vulnerable to all forms of trafficking, including for forced criminality and online-facilitated sexual exploitation. Trafficking for forced marriage has recently been identified more often, at least in Finland.

## **The evidence suggests that victims of trafficking may also be exploited in multiple ways, e.g., for both sexual exploitation and forced labour.**

Victims of sexual exploitation may be forced to sign paperwork for fraudulent companies established in their name or be used as fronts or to get loans, credits cards or claim benefits which are used to increase the money flows and to run businesses or fund the costs of criminal operations. There has been little comparison between the modus operandi used in different forms of human trafficking (see, however, CSD 2019a; 2019b). However, research indicates that there are many similarities in how the proceeds of trafficking for sexual exploitation are laundered or transferred, compared to other forms of human trafficking (FATF 2018; CSD 2019a; CSD 2019b).

Moreover, in most of the countries covered in the mapping, challenges in the investigation and prosecution of trafficking offences have been reported to be related to difficulties in interpreting and implementing the existing anti-trafficking legislation. Often, cases of serious exploitation are processed as labour law violations or pandering/facilitation of prostitution instead of as human trafficking. Despite increased understanding of the trafficking phenomenon among law enforcement and other actors, it is still not adequately recognized and addressed by criminal justice authorities. This has a significant impact on the identification and investigation of relevant cases by the criminal justice system (e.g., Jokinen & Ollus 2019; Ylinen et al. 2020).

On a global level and in Europe, many persons are more vulnerable to trafficking and exploitation because of inflation, unemployment and conflict. It is therefore crucial to continue to keep an eye on the modus operandi of traffickers, facilitators and businesses who as a result of the crisis may be more likely to resort to the exploitation of people as a way to cut costs and to make profits by resorting to illegal means and taking advantage of the emerging vulnerabilities of persons.

**Finally, the COVID-19 pandemic  
and the Russian invasion of  
Ukraine have had far reaching  
effects on the global economy  
and the flow of people and  
goods.**



7

# Summary: Patterns of exploitation



## Definitions

**TRAFFICKING FOR FORCED** labour refers to serious exploitation of a person's labour for the purpose of financial gain. Typically, a victim of trafficking for forced labour is made to work long hours with little or no pay, they may be abused, threatened, held in debt bondage, and their freedom of movement may be restricted.

**TRAFFICKING FOR SEXUAL** exploitation may consist of coercing a person into prostitution, exploiting a person in the sex industry, or subjecting them to other forms of sexual abuse.

## Premise

**HUMAN TRAFFICKING IS** driven by the possibility to make money on many levels and businesses profiting from this are not restricted to criminal organizations, but include also legitimate actors and businesses.

**HUMAN TRAFFICKING IS** a gendered phenomenon. Victims of trafficking for sexual exploitation are mainly women and girls, whereas many of the identified victims of labour trafficking are men.

**IN GENERAL, HUMAN** trafficking operations involve a variety of costs at each stage of the process: recruitment, transportation and exploitation. Such costs are many times borne by the victim and may be disguised and inflated so that the victim becomes severely indebted, which makes them increasingly vulnerable to exploitation.

# Labour trafficking

**ABUSIVE RECRUITMENT IS** one of the key risk factors for labour exploitation and trafficking: collecting excessive or made-up fees for securing the job, for travel documents and “service costs” etc. As a result, the worker may become indebted and more vulnerable to further exploitation.

**ASYLUM SEEKERS AND** undocumented migrants may feel compelled to accept job offers with poor terms and conditions. Undocumented migrants are often unwilling to report even serious abuse if this may result in their deportation.

**SOCIALLY MARGINALIZED PERSONS** such as those without a home, suffering from a substance dependency, or recently released from prison may be targeted by perpetrators who take advantage of the victims’ psychological or socio-economic vulnerabilities.

**DOMESTIC WORK POSES** specific risks as it is a hidden form of employment (hidden from enforcement authorities as well as the general public) and in many countries a part of the informal economy.

**DIFFERENT SCHEMES AND** business structures are used by traffickers and exploiters to hide their illicit activities and evade taxes and social contributions in order to maximize their profits.

## These include:

**SCHEMES INVOLVING FRAUDULENT** posting of workers: getting a flexible workforce and underpaying them according to the lower wage level of the sending country.

**FORCED BOGUS SELF-EMPLOYMENT:** a situation where the conditions of work resemble an employment relationship but the worker is self-employed on paper and responsible for the risks and obligations related to self-employment, while the employer is able to cut costs.

**SUBCONTRACTING SCHEMES AND** use of letter-box companies: using such arrangements to e.g. hide the employment of third-country migrants without the right to work by employing them through a subcontracting chain that tracks down to another country (generally, an EU Member State).

**PAYMENT SCAMS SUCH** as wage kick-backs: paying the workers monthly according to all standards but e.g. requiring a portion of the wages to be paid back in cash or demanding inflated fees for housing, transportation, tools and work equipment etc.

**OTHER ARRANGEMENTS / CRIMES** associated with labour exploitation such as money laundering, accounting fraud, the falsification of documents, bribery, and extortion.



# Trafficking for sexual exploitation

**WHILE THE MODUS operandi** of labour trafficking and trafficking for sexual exploitation differ from one another, there are also many commonalities.

**RECRUITMENT OF POTENTIAL** victims mainly takes place online. Those looking to work in the sex industry are often recruited on the basis of false promises: after arriving in a foreign country with no money or local networks they are forced to agree to conditions that are much worse those agreed upon.

**EXPLOITATION-RELATED ACTIVITIES TAKING** place online are also increasingly common: ads for services of trafficking victims are often posted on the same sites ads for persons selling sexual services making it a challenge for the authorities to spot the ads related to trafficking. Live streaming of sexual material poses similar problems, as it may be difficult to know whether the work is done voluntarily or not.

**FORCED MARRIAGE REFERS** to a situation in which a marriage is established without the free and full consent of one or both parties, or where one or both parties are unable to leave the marriage. In cases of trafficking for forced marriage, the victims are usually dependent on their spouses for money, housing, food, residence permits and can face multiple forms of exploitation from sexual exploitation to forced labour and domestic servitude.

## Key features:

**CHILDREN AND YOUNG** persons are vulnerable to sexual exploitation, and to exploitation in forced begging and criminal activity. Children who have run away from home, foster care or an institution are particularly at-risk.

**THE SO-CALLED LOVER** boy method is commonly used and refers to a practice in which a typically male perpetrator seduces young, vulnerable girls and boys by pretending to have (romantic) feelings for them and eventually subjects them to exploitation.

**PSYCHOLOGICAL COERCION AND** trauma bond are often used by traffickers to control their victims in complex ways that can be difficult to detect, e.g. through isolation, threats and humiliation in combination with occasional kindness towards the victim.

**VICTIMS OF TRAFFICKING** may be exploited in multiple ways. For instance, victims of sexual exploitation may be forced to sign paperwork to establish fraudulent companies or take out loans or credit cards or claim benefits that are then used by the perpetrators to fund their criminal operations.

## GLOBAL EVENTS:

# COVID-19 pandemic and the Russian invasion of Ukraine

**SINCE 2014 UNTIL** the full-scale invasion started in 2022, Ukrainian men, women and children have been exploited and trafficked within Ukraine and across borders for sexual exploitation as well as for labour exploitation in, e.g. construction, manufacturing and agriculture.

**AS OF 18** April 2023, over five million Ukrainian refugees have been registered for temporary protection or similar protection schemes in Europe. The EU Temporary Protection Directive and anti-trafficking measures in destination countries have potentially reduced the risk of exploitation of the refugees.

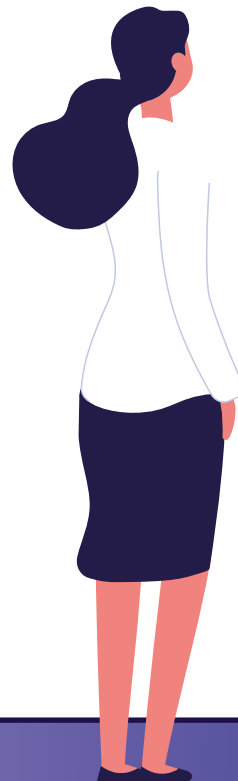
**EXPLOITATION OR TRAFFICKING** of Ukrainian refugees has not been detected to a larger degree at this point, but the risk of exploitation remains high.

**IN RELATION TO** the COVID-19 pandemic, travel restrictions slowed down the cross-border movement of people, potentially affecting the exploitation of locals/migrants already residing in the country.

**GLOBALLY, THERE HAS** been a downturn in the number of victims of sex trafficking who have been detected. This may suggest a decrease in sexual exploitation, but more likely

the exploitation has moved to less visible and less safe locations, making it more difficult to detect.

**FEWER LABOUR INSPECTION** visits took place during the lockdown periods. Many companies suffered financially and had to furlough employees. Some workers had to find sources of income elsewhere while others risked their health by interacting with others during a pandemic.



# Looking into the future

**THE COVID-19 PANDEMIC** and the Russian invasion of Ukraine have had far-reaching effects on the global economy and the flow of people and goods. On a global level and in Europe, many persons are more vulnerable to trafficking and exploitation because of inflation, unemployment and conflict.

**IT IS CRUCIAL** to keep an eye on the modus operandi on traffickers, facilitators and businesses who as a result of the crises may be more likely to resort to illegal means and exploitation of persons as a way to maximise their profits and to cut costs at the same time.

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