



Executive summary of the public audit report

HUMAN TRAFFICKING – PREVENTION AND VICTIM SUPPORT

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SUMMARY

Making the fight against human trafficking more effective should include not only revealing the crimes that were already done, but also introducing efficient preventive measures and integrated support for the victims. Prevention and control of human trafficking has been regarded as a priority of crime prevention and control for already many years.

In 2005 the National Audit Office concluded¹, that fighting human trafficking does not receive appropriate attention: there are no conditions for achieving goals and it remains unclear how human trafficking prevention and control should be developed further.

In 2012* upon adoption of the resolution not to prepare a human trafficking crime prevention and control program and having decided to include the measures for that purpose into the inter-institutional plan of the implementation of the National Crime Prevention and Control Program, there were doubts if the measures for eliminating the reasons and conditions for human trafficking will be sufficient.

As it was provided in the inter-institutional operation plan of the National Crime Prevention and Control program for 2013-2015, the Ministry of Interior is responsible for coordinating the implementation of the human trafficking prevention and control measures; the Ministry of Social Security and Labour, as well as the Ministry of Foreign Affairs implemented measures to ensure complex support for victims of human trafficking, while the Police Department under the Ministry of Interior implemented human trafficking preventive measures. In 2013 the implementation of the human trafficking prevention and control measures of the inter-institutional operation plan received 69 200 EUR, in 2014 — 56 200 EUR and in 2015 — 56 200 EUR (in total — 181 600 EUR).

The purpose of the audit was to evaluate the organisation of human trafficking prevention and control:

- the development of a system of human trafficking prevention and control subjects;
- the implementation of appropriate and sufficient measures for eliminating reasons and conditions of human trafficking;
- the organisation of support for human trafficking victims.

The audit was conducted at the Ministry of Interior, the Ministry of Social Security and Labour and the Police Department under the Ministry of Interior.

The evidence for the audit was collected by surveying all municipalities, ministries and county chief police commissariats. We talked to professionals, judges, prosecutors and police officers, reviewed all available victim support cases and projects implemented by five non-governmental organisations and funded by the Ministry of Social Security and Labour, aimed at providing support for human trafficking victims.

After conducting the audit it remains to conclude that 10 years after our evaluation the key problems remain unsolved. There are no appropriate conditions for achieving the state goal — to increase the fight against human trafficking — due to failure to create an efficient system of human

¹ Executive summary of the public audit report No. 2040-4 2002-2004 *Programme on Control and Prevention of Trafficking in Human Beings and Prostitution*, conducted by the National Audit Office on 29-04-2005.

*The date was adjusted on 9 October 2015 (replacing 2013 with 2012).

trafficking prevention and control subjects. It remains unclear how human trafficking prevention and control should be developed further and its implementation is insufficiently coordinated, which results in failure to ensure consistent and complex elimination of the major reasons and conditions for human trafficking. The current support system does not ensure appropriate support to all human trafficking victims: there are no measures to identify these victims, the organisation of support is insufficiently regulated. The actual burden of support falls on non-governmental organisations, because the activity of state institutions is limited to allocating state funds for providing support.

Upon evaluation of the evidence gathered during the audit, we provide conclusions and recommendations, the appropriate implementation of which will remove the major reasons and conditions for human trafficking and contribute to appropriate support for the victims. These recommendations will be useful in preparing the inter-institutional plan of the measures for implementing the Public Security Development Program for 2015-2020, approved by the resolution of the Seimas of the Republic of Lithuania No. XII-1682 on 07-05-2015.

CONCLUSIONS

1. There is no efficient system of human trafficking prevention and control subjects:
 - 1.1. there is no information on which institutions should participate in preparing and implementing the inter-institutional plans of fighting human trafficking. State institutions are not obliged to contribute (to the extent possible) in seeking for the objective of strengthening the fight against human trafficking. On 17-05-2012 the Ministry of Interior addressed 27 state institutions, asking to provide measures for implementing the goals indicated in the inter-institutional operation plan, but a measure aimed at human trafficking prevention was offered only by the Police Department (subchapter 1.1);
 - 1.2. there is no appropriate cooperation between state, municipality institutions and non-governmental organisations operating in the area of human trafficking prevention and control. Coordinative working groups of human trafficking prevention and control, which were supposed to ensure cooperation of the above-mentioned institutions, were created only in six municipalities and four of them are inactive. More than half of the municipalities in the period of 2011-2014 did not implement any human trafficking preventive measures, because they did not control the information on human trafficking statistics and risks, as well as preventive measures implemented in the territory of the municipality by other institutions (subchapter 1.2).
2. There are no appropriate and sufficient measures for consistent and complex elimination of reasons and conditions for human trafficking crimes:
 - 2.1. there are no human trafficking prevention and control directions, the task of prevention "to implement human trafficking prevention" is too abstract, with no indication on what is supposed to be achieved during a certain period (chapter 2);
 - 2.2. The implementation of the task of human trafficking prevention and control "to implement human trafficking prevention", which is regarded as the priority area of crime prevention in the inter-institutional operation plan of the National Crime Prevention and Control program for 2013-2015, was based on only one measure, which is already regarded as a part of the daily activity of the police (chapter 2).

3. The current procedure of organising support for victims does not ensure that all victims receive it:
 - 3.1. there was no appropriate preparation to identify the victims of human trafficking. The criteria to identify human trafficking victims, provided by the Ministry of Interior, did not make sure that police institutions and institutions that have approved the above-mentioned criteria, use equal evaluation measures to identify the crimes the victims of which should be regarded as victims of human trafficking. Some (86% of municipality and 67% state) institutions, the employees of which may have a direct contact with people that might have become human trafficking victims, do not have approved identification criteria. Employees lack skills on how to identify human trafficking victims, yet there was no training related to this topic (subchapter 4.1);
 - 3.2. there are regulations on providing support after identifying human trafficking victims: there is no system of what institutions, in which cases, to whom and in what period of time should provide any information on the victim, also how and what kind of information should be provided to the victim (subchapter 4.2);
 - 3.3. there are no regulations on how to evaluate the need for victim support, as well as in what cases and what type of support for people in risk groups should be provided (subchapter 4.3);
 - 3.4. there is no method to assess (and no possibilities to evaluate the information accumulated), whether the measures implemented ensure appropriate support for human trafficking victims (subchapter 4.3);
 - 3.5. there is no possibility to provide psychological support for victims during the course of criminal proceedings (subchapter 4.3).
4. There is no method to ensure the establishment of a national rapporteur system, which complies with the principles of independence and objectivity), or an equal mechanism, as it was recommended by the Prime Minister's Office (currently the Office of the Government) and in the guidelines of the implementation of the national rapporteur system in Lithuania, provided in the research conducted by the order of the Ministry of Interior in 2012. Therefore, there are no appropriate preconditions for gathering objective and detailed information about the results of fighting human trafficking in Lithuania, although Lithuania is obliged to provide that information for the European Union's anti-trafficking coordinator:
 - 4.1. the functions of the national rapporteur (collecting information, evaluation and analysis of results) are not separated from the functions implemented by the Ministry of Interior, related to human trafficking prevention and control (development of state policy in the field of human trafficking prevention and control and its implementation). Both of these functions at the Ministry are implemented by one person (chapter 3);
 - 4.2. insufficient regulation of information collection:
 - 4.2.1. there is no information on which institutions fight against human trafficking and thus it remains unclear, which institutions the national rapporteur should collect information from (chapter 3);
 - 4.2.2. institutions fighting against human trafficking are not legally obliged to accumulate information about the results of the implemented control and prevention

measures and thus some of them did not provide the information requested, indicating that they did not accumulate this information (chapter 3).

RECOMMENDATIONS

For the Ministry of Interior:

1. Seeking to create an efficient system of human trafficking prevention and control subjects and to ensure consistent and complex elimination of the major human trafficking reasons and conditions, it is necessary to:
 - 1.1. create a list of institutions fighting against human trafficking, which would be used while gathering information about the results of control and prevention measures implemented in Lithuania and the preparation of the plans for the implementation of the task of the Public Security Development Program for 2015-2020 — to develop effective fight against human trafficking (conclusions 1.1 and 4.2.1);
 - 1.2. define forms and methods of cooperation between state and municipality institutions, as well as non-governmental organisations in human trafficking prevention and control (conclusion 1.2);
 - 1.3. define the direction and priorities of human trafficking prevention and ensure the appropriate choice of methods for implementing preventive activity (conclusions 2.1 and 2.2).
2. Seeking to identify human trafficking victims in the early stage and provide them with detailed information about possibilities to receive complex support, it is necessary to:
 - 2.1. define and implement measures (specify the criteria to identify human trafficking victims, organise training), which would help the employees of institutions, which encounter or potentially may encounter human trafficking victims, to identify them (conclusion 3.1);
 - 2.2. define the order, according to which institutions that have identified a human trafficking victim should inform supporting and/or other institutions and define what information should be provided for the victim (conclusion 3.2).
3. It is necessary to reorganise the mechanism applied in Lithuania, which is equal to the national rapporteu, in order to:
 - 3.1. differentiate the functions of the national rapporteu from the functions of developing the state policy and its implementation in the area of human trafficking prevention and control (conclusion 4.1);
 - 3.2. define the mechanism for collecting information about the results of fighting human trafficking and providing support in Lithuania, which must be transferred to the European Union's anti-trafficking coordinator (conclusion 4.2).

For the Ministry of Social Security and Labour:

4. In order to ensure appropriate support for human trafficking victims, it is necessary to:

- 4.1. regulate the assessment of the demand for support for human trafficking victims and determine in what cases and what type of support should be provided for people in the human trafficking risk group (conclusion 3.3);
- 4.2. define the criteria for assessing the efficiency of social support provided for human trafficking victims and organise the assessment procedures (conclusions 3.4 and 4.2.2).
- 4.3. initiate training for municipality administrations, police officers, health care, education and other specialists about organising and providing complex support for human trafficking victims at municipalities (conclusions 3.1 and 3.2).
- 4.4. evaluate the expedience of the participation of social workers or other specialists, who may provide psychological support for human trafficking victims, in the criminal proceedings and, in case of a need, to initiate amendments to the legislation on criminal procedure (conclusion 3.5).

The recommendation implementation plan is provided in the appendix No. 5.