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USDOS – US Department of State (Author)

2023 Trafficking in Persons Report: Ireland

IRELAND (Tier 2)

The Government of Ireland does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity, if any; therefore Ireland remained on Tier 2. These efforts included increasing funding for victim care and awareness raising efforts. The government also terminated the Atypical Working Scheme (AWS) for non-European Economic Area (EEA) sea fishers, which inadvertently increased worker vulnerabilities to trafficking. The government also assisted slightly more victims and rectified a gap in victim identification by identifying several child victims. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers – a decrease compared with the prior year – and has never convicted a trafficker for labor trafficking under its anti-trafficking law. Chronic and systemic deficiencies in victim identification, referral, and assistance persisted; and services for victims remained inadequate. The government did not adopt an updated NAP, amend its NRM, or overhaul its accommodation framework for trafficking victims, which continued to leave victims with inadequate and unsuitable accommodations. Additionally, the government identified fewer trafficking victims among vulnerable groups, specifically sea fishers, and decreased investigations of trafficking crimes. The government did not report providing trafficking-specific training to any judges and has never awarded restitution or compensation to any victims.

PRIORITIZED RECOMMENDATIONS:

- Increase efforts to proactively identify and protect all victims, especially Irish citizens, victims of labor trafficking and forced criminality, and vulnerable populations like children, sea fishers, and asylum-seekers.
- Improve victim identification and referral by issuing a revised NRM in coordination with NGOs; providing victim identification training for all front-line officials, including for labor inspectors; and offering formal identification, a recovery and reflection period, and services to all victims.
- Allow formal victim identification by entities other than the police, including civil society, labor inspectors, social workers, and health care professionals.
- Systematically assign a family liaison officer to all trafficking victims cooperating with law enforcement.
- Vigorously investigate and prosecute suspects and convict traffickers of both sex and labor trafficking as trafficking offenses and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Consider additional measures of protection for sea fishers to reduce their risk of labor trafficking.
- Offer specialized accommodations to trafficking victims that are safe, appropriate, and trauma-informed.
- Continue to systematically train law enforcement, prosecutors, and judges on a victim-centered, trauma-informed approach to law enforcement efforts and trials and sensitize judges to the severity of trafficking crimes.
- Allow all victims to access the NRM without requiring cooperation with law enforcement.
- Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.
- Update and adopt a NAP that includes a clear timeline for implementation, responsible ministries, and resources for implementation.
- Increase efforts to use corroborating evidence in addition to victim testimony.
- Increase resources for legal assistance to victims as well as the legal services provided, including assistance to victims through investigations and court proceedings, which can be accessed at the earliest opportunity and prior to engaging with police.
- Establish a national hotline to report for all forms of trafficking crimes, including labor trafficking.

- Increase awareness of, and trafficking survivor access, to damages and increase efforts to systematically request restitution for survivors during criminal trials, particularly for undocumented workers or victims of sex trafficking.
- Continue regular liaison between investigators and prosecutors on evidentiary standards and legal matters that arise during investigations in trafficking cases.
- Prioritize investigating fraudulent labor recruitment and ensure cases found to be labor trafficking are prosecuted as trafficking rather than labor code violations.
- Expand government authorities to ensure the effective regulation and monitoring of agencies that recruit domestic workers and au pairs.

PROSECUTION

The government slightly decreased law enforcement efforts. The 2008 Human Trafficking Act, amended in 2013, criminalized sex trafficking and labor trafficking and prescribed penalties up to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defined sexual exploitation to include the sexual abuse of children. The Criminal Justice (Sexual Offences) Act of 2017 criminalized the purchase of sexual services and prescribed more severe penalties for the purchase of sex from a person subjected to trafficking. In such cases, the burden of proof shifted to the accused, who had to prove they were unaware the victim was exploited in trafficking.

The Garda Síochána Human Trafficking Investigation and Coordination Unit (HTICU), a national specialized police unit responsible for investigating human trafficking, reported investigating 39 new cases of trafficking in 2022: 24 for sex trafficking and 15 for labor trafficking (including two cases of forced criminality); this was a slight decrease compared with 44 investigations in 2021, but similar to 38 in 2020. Police continued investigating 29 trafficking cases initiated in prior years – 17 for sex trafficking and 12 for labor trafficking. Although courts remained open in 2022, pandemic-related court closures in 2020 continued to cause trial delays. In 2022, prosecutors indicted three suspects for sex trafficking; this compared with one in 2021, three in 2020, and five in 2019. Prosecutors continued to pursue two sex trafficking prosecutions initiated in prior years. GRETA raised concerns regarding the historic lack of prosecutions for labor trafficking and suggested labor trafficking cases may have been viewed as exploitation or lesser crimes instead. Courts did not convict any traffickers in 2022, a decrease compared with the conviction of three traffickers in 2021 and one trafficker in 2020. Prior to the June 2021 convictions, the government had not convicted any traffickers under the anti-trafficking law for at least seven years, despite

formally identifying more than 500 trafficking victims during that time. The government has never convicted a trafficker for labor trafficking. In January 2023, courts increased the sentences of two traffickers convicted in 2021 to seven and a half years' imprisonment after prosecutors filed an appeal arguing the original sentences were unduly lenient. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking crimes.

In its 2017 and 2022 reports, GRETA expressed concern regarding the inadequate criminal justice response in Ireland, noting the failure to convict traffickers and the absence of effective sentences could contribute to impunity and undermine efforts to support victims to testify. GRETA reported police did not use data intercepted from cellular phones as evidence in court to prove trafficking crimes, which may have diminished the strength of their cases. In its 2022 report, GRETA urged the government to make use of special investigation techniques in order to gather material, documentary, financial, and digital evidence, as opposed to relying exclusively on testimony by victims or witnesses. In 2022, the national rapporteur, the Irish Human Rights and Equality Commission (IHREC), encouraged the government to improve victim interactions with police with an additional focus on victim-centered and trauma-informed approaches. Police noted language interpretation was often a challenge when conducting victim interviews.

The government had another specialized police unit, the Organized Prostitution Investigation Unit (OPIU), which focused primarily on vulnerable populations within the commercial sex industry, including trafficking victims, and its links to organized crime. The Office of the Director of Public Prosecutions (ODPP) had a specialized team responsible for prosecuting trafficking, smuggling, and organized commercial sex. In its 2022 report, GRETA scrutinized the historically low number of prosecutions – largely attributing low prosecution numbers to the nature of the criminal justice system in Ireland and the high burden of proof required by courts – primarily the need for prosecutors to assess whether prosecution was in the public's interest and would meet *prima facie*. While prosecutors had no investigative authority, they could confer with police and advise on what evidence would be required to proceed with a prosecution; GRETA encouraged increased collaboration between prosecutors and police in the gathering of evidence required to sustain a prosecution. However, prosecutors were prohibited from meeting or interacting with victims ahead of trial, could not discuss evidence, and were restricted to only providing an explanation of the process during the trial. Experts noted this obstacle may have hindered prosecutions and urged the government to assign a family liaison officer to every trafficking victim cooperating with law enforcement to advocate for the victim and help prosecutors.

Judges often had little understanding of trafficking crimes or familiarity with the effects of trauma on trafficking victims. Civil society continued to communicate concerns regarding the lack of judicial training, and the government did not report providing any such training during the reporting period. NGOs and GRETA recommended training for law enforcement, prosecutors, and the judiciary regarding the complexities of commercial sex and sex trafficking to ensure victims were not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked. Lengthy court proceedings may have deterred victims from cooperating with law enforcement.

HTICU did not deliver any specialized training events to personnel within Ireland's law enforcement agencies in 2022, a decrease compared with the prior year. However, trafficking training continued to be part of the curriculum at the Garda training academy and training seminars were provided by the national rapporteur and government-funded NGOs. International law enforcement cooperation with the United Kingdom (UK) continued and resulted in the arrest of one suspect. In June 2022, in conjunction with 21 other countries and INTERPOL, the government participated in a Europe-wide action day, focused on child trafficking, which resulted in identification of 130 potential trafficking victims and the arrest of 130 suspects across all participating countries.

PROTECTION

The government maintained victim protection efforts. GRETA, the national rapporteur, and civil society continued to raise concerns regarding the government's ongoing, chronic deficiencies in proactive victim identification and provision of assistance to trafficking victims. The government reported the influx of refugees fleeing Russian's war against Ukraine strained government services available to those in need. Police formally identified 39 victims; however, approximately half of the victims were initially identified by other government departments or government-funded NGOs who referred them to police for formal identification. This was similar to 44 victims identified in 2021, 38 in 2020, and 42 in 2019, but significantly less than 64 in 2018, 103 in 2017, and 95 in 2016 – indicating a long-term downward trend. The 39 victims included 24 exploited in sex trafficking and 15 in labor trafficking (including two for forced criminality). Of the victims identified, all were foreign nationals except two Irish sex trafficking victims; 15 victims were asylum-seekers; four were children; and two were forced labor victims in the fishing sector. Although the government reported identifying two Irish nationals and four children in 2022, proactive identification of these types of victims remained rare.

The government reported referring every formally identified trafficking victim to the NRM, resulting in all identified trafficking victims receiving at least some form of assistance and care through the NRM. Of these

victims, 27 were referred to legal aid; however, the government did not report how many victims accessed other available services under the NRM, including shelter. The government provided €1.13 million (\$1.21 million) to NGOs for victim assistance and legal services, including both sex and labor trafficking, a significant increase compared with €689,938 (\$737,110) in 2021. Some experts, including the 2022 GRETA report, raised concerns the number of victims formally identified by police did not represent the true scale of trafficking in Ireland and many unidentified victims faced penalization or deportation. In 2021, the government funded a study that concluded the probable number of trafficking victims was likely 38 percent higher than the official national statistics from 2014-2019. In its 2022 report, GRETA stated child trafficking, labor trafficking, and forced criminality remained under-recognized and under-reported.

Experts continued to criticize the government's ability to identify trafficking victims due to shortcomings in its NRM and limiting victim identification solely to police. The NRM was valid only for victims lacking legal residency in Ireland – namely foreign nationals from outside the EEA who were not asylum-seekers. The formal identification scheme excluded EEA-nationals, including Irish nationals, and asylum-seekers with pending applications. GRETA reported in 2017 that as a result, the government did not formally identify such persons as suspected trafficking victims, which had negative implications for their access to social welfare and other specialized victim services. In 2022, the International Protection Office identified 15 asylum-seekers in the process of claiming asylum, halted the process, and referred them to police for entry into the NRM as trafficking victims. The government reported, in practice, Irish and foreign victims had equal access to all state services. GRETA and NGOs, however, asserted EEA-national victims could be excluded from accessing general social welfare, housing support payments, and other state support until they satisfied or were granted an exemption from the Habitual Residence Condition, which some victims may not have been able to satisfy because of an inability to prove a documented work history. The government maintained it assessed suspected victims on a “reasonable grounds” basis to allow them access to support and services. However, NGOs, lawyers, and a 2021 academic study asserted the national police lacked consistent standards and a specific criteria for “reasonable grounds” when assessing victims; anti-trafficking efforts varied widely from urban to rural areas; and there was no consistently used formal referral mechanism for all police units for sex trafficking victims. NGOs and other front-line responders did not have a formal role in the identification of victims, although police could receive victim referrals from any source. In its 2017 and 2022 reports, GRETA asserted the exclusive police authority to identify victims created a potential conflict of priorities between law enforcement efforts and victim assistance. In 2017, the government reported plans to institute a new and revised NRM, which reportedly included proposals to expand formal victim identification by and referral from entities other than the police and allowed all victims to access the

NRM without requiring cooperation with law enforcement. However, the government reported that the adoption of a revised NRM would require a legislative change and the revision remained pending at the close of the reporting period. Experts had long criticized the slow pace of the NRM, and in its June 2022 report the national rapporteur echoed these concerns, as well as the level of involvement of NGOs and survivors; the rapporteur recommended the establishment of a Survivor Council and adoption of a child-specific identification procedure. In its 2022 report, GRETA urged the government to finalize the revised NRM and ensure it covered all trafficking victims, including Irish and EEA citizens, children, and asylum-seekers; included multi-agency involvement and partner NGOs in victim identification; and that victim cooperation with law enforcement was not a requirement for formal identification.

The government continued screening children for trafficking indicators with a child sexual exploitation victim identification tool, which included referral protocols. The government reported identifying four children in 2022. The ODPP's 2018 decision to reclassify child trafficking victims as victims of "sexual exploitation" instead typically excluded children from trafficking statistics. The national rapporteur expressed concern the government's decision to reclassify child trafficking victims obscured the true extent of child trafficking in Ireland. In its September 2022 report, GRETA expressed concern regarding the near absence of child trafficking victims due to the lack of reporting on children at risk and proactive identification of presumed victims; GRETA urged the government to establish a robust child protection system and provide further training and tools to stakeholders. The national rapporteur noted publicly the lack of identified children could also be a result of insufficient expertise among social workers regarding the identification of child trafficking victims. In 2022, the national rapporteur stated the government must disaggregate child trafficking data by type of exploitation in all future annual reports and was concerned by the lack of attention to and identification of child trafficking victims. Experts and NGOs noted little attention was paid to Irish, EEA-national, or Romani children, or children recruited online, with most focus on asylum-seeking children. The national rapporteur also criticized that failure to identify child victims of forced begging or forced criminality as such could result in the inappropriate punishment of those children for unlawful acts committed as a direct result of being trafficked. Because there were no dedicated services or accommodations for child trafficking victims, they were usually placed in children's residential centers or in approved foster care and had access to social workers and one psychologist from the anti-trafficking team at the Health Services Executive (HSE). In its 2022 report, the national rapporteur recommended TUSLA – the Child and Family Agency, which is responsible for providing services and support to child trafficking victims – amend their policies and procedures to specifically and purposefully include child trafficking and that staff receive trafficking-specific training, as the national rapporteur

found a general lack of knowledge and understanding of child trafficking among officials.

Only two of the 41 identified victims in 2022 were sea fishers, a decrease from the prior year. Identification of trafficking victims in the fishing sector has been uneven, with seven trafficking victims formally identified in 2021, zero in 2020 and 2019, and 20 in 2018. Despite the government formally identifying 33 sea fisher victims since the establishment of the AWS in 2016 and police finding sufficient evidence of trafficking to refer at least nine cases to the ODPP, there have been no prosecutions of trafficking in the fishing sector. Officials from the Department of Justice (DOJ) continued to deny the existence of trafficking within the industry. Furthermore, of the formally recognized trafficking victims, 18 participated in the AWS, which has had 455 participants from 2016 to 2021, resulting in approximately four percent of participants exploited in trafficking. A civil society organization expressed concern it had become more difficult for sea fisher trafficking victims to obtain admittance into the NRM.

The government's lack of consistent screening for trafficking indicators before referring foreign nationals to immigration authorities for deportation and further failure to identify victims persisted, even when presented with indications of trafficking. Government officials had previously raised concerns the Workplace Relations committee (WRC) did not sufficiently understand its role in identifying trafficking victims or have adequate trafficking training, and the separation between immigration, labor, and trafficking enforcement was unclear to all officials.

The government required a formal victim statement to police and a law enforcement referral for potential victims to access the NRM; victims unwilling to go to the police could access emergency accommodation, counseling, medical care, and legal services from NGOs that received government funding, but not through the NRM. Victims who did not cooperate with law enforcement did not have access to sexual health screenings available to victims that did cooperate. The NRM, which was administered at government-run assistance centers ("direct provision centers"), provided victims with voluntary access to legal aid service, direct provision accommodation (government-funded accommodation), welfare and rent allowance, police assistance, repatriation, translation and interpretation assistance, education for dependent children, a recovery and reflection period, temporary residence permits, and medical care, including individual care plans by HSE's Anti-Human Trafficking Team (AHTT) within three days of referral. In the only successful trafficking conviction under the anti-trafficking law, victims were fully supported throughout criminal proceedings, including the assignment of a family liaison officer, who accompanied the victim to court and police interviews, and referral to a dedicated specialized psychologist at AHTT. Experts urged the government to consider assigning a family liaison officer as a standard practice to all victims cooperating with law enforcement to

ensure victim protection and increase the likelihood of successful prosecutions. In its 2022 report, GRETA urged the increased and uniform use of professional interpreters, who were familiar with human trafficking, in all stages of victim identification and criminal proceedings.

There was no legally mandated psychological assistance for victims, and NGOs continued to report a lack of specialized services to address the physical and mental health needs of victims. In 2022, GRETA urged the government to address the shortage of psychological support services and ensure trafficking victims were provided with long-term psychological assistance. According to experts, the lack of clear rights and legal protections for victims often required NGOs to use the legal system to ensure victims' rights were protected, which only benefited a limited number of victims. Access to legal services was limited, as resources were insufficient for demand and delays in application processing resulted in some victims becoming undocumented, thereby reducing their access to care and assistance; in its 2022 report, the national rapporteur expressed concern regarding these gaps. NGOs reported services available from the government's Legal Aid Board were inadequate for victims' needs, as the board only provided information to potential victims referred by police but did not provide legal assistance or support to victims during investigations or trials. Two government-funded NGOs continued to provide legal representation for labor trafficking victims, including at least 22 trafficking victims in 2022. GRETA, in its 2017 and 2022 reports, the national rapporteur in its 2022 report, and NGOs urged the government to ensure trafficking victims had systematic early access to legal practitioners with specialized knowledge of trafficking who could represent them.

The government did not offer trafficking-specific shelter or services for trafficking victims. However, the government provided accommodation arrangements for victims and potential victims through the government-funded direct provision system, which housed asylum-seekers, refugees, and trafficking victims in centers and temporary accommodation facilities across the country. Victims were not required to stay in direct provision accommodation, originally established for asylum-seekers, although the government did not otherwise offer dedicated shelters for victims of trafficking. NGOs stated the mixed-gender housing in the direct provision system had inadequate privacy, was unsuitable and potentially unsafe for traumatized victims, could expose them to greater exploitation, and undermined victim recovery. Experts also noted a lack of specialized services in the centers for all victims, but especially for female victims who had been traumatized due to psychological, physical, or sexual violence. Experts noted accommodation in direct provision was inappropriate and unacceptable for emergency or long-term stays. NGOs raised concerns the placement of victims in direct provision accommodation isolated victims from other available services and exposed them to re-trafficking and re-traumatization. In its 2017 and 2022 reports, GRETA continued to

express concern regarding the lack of appropriate accommodation for trafficking victims and continued to urge the government to establish specialized, gender-sensitive, appropriate, and safe accommodation facilities for victims. In February 2021, the Department of Children, Equality, Disability, Integration and Youth published a white paper with plans to overhaul and phase out the direct provision system by 2024 and replace it with a victim-centered accommodation and social support system called the International Protection System. In its 2022 report, the national rapporteur urged the government to establish single-gender accommodations, in proximity to specialized services, as an interim solution while the government overhauled and phased out the direct provision system. While the government, including a parliamentary committee, an Advisory Group, and Ireland's Ombudsman long acknowledged the lack of adequate accommodation, the government did not report taking any further actions to effectively address inadequate shelter and the original direct provision accommodation framework remained in place.

The government could give potential foreign trafficking victims temporary relief from deportation by issuing temporary residence permits, contingent upon cooperation with an ongoing investigation; permits could be extended by police request to the DOJ. In its 2022 report, GRETA encouraged the government to consider granting residence permits on the basis of the victim's personal situation as well. The government also provided legal alternatives to removal to countries in which victims would face retribution or hardship. Immigration permissions were granted through a 60-day recovery and reflection period, a six-month temporary residence permission, or a two-year residence permission that allowed the holder to engage in legal employment. The government issued some form of immigration permission, including renewals, to five trafficking victims in 2022, a significant decrease compared with 57 in 2021. However, trafficking victims could not work for the first 60 days during their recovery and reflection period. NGOs reported the six-month work permits acted as a barrier to work because of the government's slow renewal rate and the recovery and reflection period was not uniformly granted to victims. The temporary residence permission could evolve into permanent residency and residence benefits were not linked to a conviction.

The government did not award restitution or compensation to victims for the crime of human trafficking – only for lost wages. Although courts could award restitution during criminal proceedings, prosecutors were not allowed to request restitution on behalf of victims; courts have never awarded restitution to a trafficking victim. To date, any assets seized from traffickers were awarded to the government, as opposed to victims. The government did not provide state compensation to trafficking victims for pain and suffering, as there was no mechanism to do so. Victims could obtain compensation for lost wages through a criminal trial, a civil suit,

state bodies dealing specifically with work-related rights, and the criminal injuries compensation tribunal. In its 2022 report, GRETA noted no trafficking victim had ever received compensation from the government or restitution from the trafficker and that victims were treated as witnesses in criminal proceedings as opposed to injured parties entitled to compensation. In its 2022 report, GRETA urged the government to prioritize the collection of evidence regarding the harm the victim suffered as part of the criminal investigation; offer free legal assistance; increase training of relevant stakeholders; ensure eligibility for restitution and compensation was not affected by a failure to inform the authorities of the crime or to cooperate with them; ensure victim eligibility for non-pecuniary losses; and establish a special compensation fund for trafficking victims funded by the assets confiscated from perpetrators. In 2022, the national rapporteur recommended assets seized from traffickers be placed in a fund for victim restitution. The Minister of Justice could decide to order restitution for unpaid labor of foreign trafficking victims, but the Minister never utilized this authority. NGOs criticized the lack of viable avenues for victim restitution, particularly of cases that involved sex trafficking and undocumented workers. Victims of sex trafficking had no verifiable expenses or employment losses, and the Labour Relations Committee was unavailable to undocumented workers, who could only pursue civil suits if they could prove they took all reasonable steps to rectify their irregular working status. However, NGOs stated no case like this had previously been brought before the courts and that high legal costs were a deterrent to victims. Officials also noted because there was no viable avenue for undocumented workers to recover wages, this could have incentivized employers to exploit workers and may have increased their vulnerability to trafficking, which GRETA encouraged the government to review. The national rapporteur echoed the concerns of GRETA and civil society regarding the inaccessibility of compensation for victims and the ineligibility of undocumented workers to obtain compensation; the national rapporteur recommended the urgent reform of legal aid to include advice on compensation.

The law protected the privacy and identity of victims in court proceedings, allowed for the assignment of a family liaison officer, and permitted victims to testify via video link at the discretion of the judge; however, this was not always uniformly granted and NGOs expressed doubt victims were always informed of these protections. The law provided specific child-sensitive protocols, including the use of video recording for testimony; the assignment of a specially trained social worker, if needed; and child-sensitive training for officials interacting with child victims.

The government remained without a specific legal provision to ensure victims were not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked; GRETA urged adoption of such a provision in its 2013, 2017, and 2022 reports. Furthermore, in 2015, the Irish High Court found a need for protocols or legislation to

dictate what happens when a victim is suspected of criminal activity; but the government took no action to rectify this gap. In practice, however, prosecutors sought to avoid victim prosecution and utilized internal guidelines that instructed prosecutors to consider the public interest and mitigating factors, such as coercion, when deciding whether to charge an individual with a crime. The decision to prosecute a trafficking victim rested entirely with the ODPP and was not subject to scrutiny. NGOs noted the process for victims to seek immunity from punishment for criminal activity as a result of trafficking was complex and required early legal representation. If authorities prosecuted an individual before they were formally identified as a trafficking victim, their criminal record could not be expunged. While law enforcement did identify some trafficking victims found in cannabis production facilities, including at least one victim in 2022, there continued to be other instances reported by GRETA and NGOs where victims of forced criminality were not recognized as such. NGOs urged the government to complete the identification process for victims in cannabis production facilities prior to arresting and processing these individuals. In its 2022 report, the national rapporteur expressed concern that victims continued to be imprisoned and charged for criminal offences associated with trafficking.

PREVENTION

The government minimally increased prevention efforts. The DOJ's criminal justice policy unit functioned as the national coordinating body and was responsible for coordinating interagency efforts, raising awareness, providing funding to anti-trafficking civil society organizations, collecting data, and publishing an annual trafficking report. The DOJ's national anti-trafficking stakeholders forum comprised interagency and civil society stakeholders; however, the forum did not meet in 2022 or 2021. The forum's subgroups met six times in 2022 to review the anti-trafficking NAP. However, in 2022, GRETA noted the status of DOJ's forum was unclear and urged the government to take steps to strengthen the work of the stakeholders' forum, clarify its status, and ensure the subgroups were enabled to make progress. The national rapporteur, IHREC, was responsible for monitoring human trafficking policy and publishing reports. In its 2022 report, GRETA urged the government to include data collection in the national rapporteur's mandate. It was unclear whether the government followed its 2016 NAP; the plan had no end date, timeframe, budget allocation, or indication of agencies responsible for its implementation. NGOs described the 2016 NAP as outdated. The anti-trafficking stakeholders forum submitted a draft NAP in October 2022, but the government did not adopt a new NAP by the close of the reporting period. In 2022, the national rapporteur recommended any revised NAP should include clear timelines and progress indicators. In partnership with a government-funded international organization, the government maintained efforts to raise awareness of trafficking by continuing a previous national anti-trafficking

public awareness campaign. The government also maintained a website that provided information on human trafficking and encouraged the public to report possible cases of trafficking to authorities. In 2022, the government provided €550,807 (\$588,470) to NGOs for anti-trafficking public awareness campaigns and victim assistance training, a significant increase compared with €280,000 (\$299,150) in 2021.

Fraudulent recruitment by labor recruitment and employment agencies remained a concern; however, the government did not report effective law enforcement measures taken to deter traffickers. Employment agencies were required to have a license and passport withholding was illegal. The WRC did not have the authority to regulate agencies that recruited au pairs, who were allowed to work up to 20 hours per week without the need for a work permit. NGOs reported employers regularly paid au pairs less than minimum wage and forced them to work more than the maximum of 20 hours per week, creating vulnerability to labor trafficking; however, the government did not report any steps taken to address this during the reporting period. Furthermore, an NGO also raised concerns regarding the lack of jurisdiction for WRC inspectors to address violations regarding the number of hours worked on fishing vessels. Although no trafficking-related law enforcement efforts were undertaken as a result of inspections and none of the victims were determined to be trafficking victims, WRC labor inspectors did refer six potential trafficking victims to the police in 2022. Some experts and GRETA raised concerns inspectors viewed possible cases of labor trafficking as administrative employment law violations and did not pursue them as trafficking crimes. In its 2022 report, GRETA criticized the limited number of labor inspectors, which did not allow for the proactive identification of labor trafficking victims.

The AWS was initially established in 2016 in response to reports of labor exploitation of sea fishers outside the EEA; however, subsequent consistent reports from civil society and media have concluded the AWS failed to address worker vulnerabilities and exploitation, and instead often exacerbated them. The AWS was established outside of the normal regulatory framework for the recruitment of non-EEA nationals and was therefore not subject to the same salary requirements, labor market tests, and other provisions. Furthermore, unlike other industry sectors, the AWS did not qualify non-EEA sea fishers to receive a stamp 4 visa after five years, the receipt of which would allow non-EEA sea fishers to work in Ireland without being tied to a specific employer. Non-EEA sea fishers that left their employer due to exploitative conditions or trafficking often found themselves undocumented because their work permits were tied to their employer. The AWS did not include undocumented migrant sea fishers under its scheme, which could increase their vulnerability to trafficking and labor exploitation. Furthermore, in 2021, a university published a report, which featured in-depth interviews with 24 male non-EEA sea fishers in the Irish fishing industry; the report concluded labor

exploitation, and in some cases trafficking, was still prevalent in the Irish fishing industry and the overall conditions in the sector had worsened since the implementation of the AWS, echoing the conclusions of another NGO report published in 2017. Victims often did not engage with inspectors due to fear of reprisal and permit revocation as well as language barriers. The report made a number of recommendations, including de-coupling work permits from individual employers to eliminate the use of permits to control the labor of sea fishers and increasing the use of professional interpreters for private interviews with sea fishers separated from their employers. In its 2022 report, GRETA expressed concern that despite the high number of vessel inspections by WRC, law enforcement authorities were investigating cases as employment-related violations instead of labor trafficking and the current conditions of the AWS did not appear to be sufficient to prevent abuse of sea fishers – a sentiment also echoed in the national rapporteur's 2022 report. GRETA and the national rapporteur recommended sector-wide work permits rather than having permits linked to one employer. In 2022, a review group, consisting of senior government officials, published a comprehensive review of the AWS and recommended it be discontinued. Officials instead recommended non-EEA sea fishers be required to apply for work permits under the Departments of Enterprise, Trade and Employment (DETE) employment permit scheme. Following the recommendation from the review group, the DOJ closed the permission system for fishers for new online applications on December 31, 2022, to transition from the AWS system to the Employment Permit system. While the government had not begun issuing work permits to non-EEA sea fishers under the DETE permit scheme by the close of the reporting period, it did issue stamp four visas to all sea fishers with valid permission under the AWS at its closure.

In October 2022, the media reported a human rights group requested the government impose a supply chain ban on imports of cotton goods made with forced labor from the People's Republic of China, but the government did not report further information or whether any decisions had been made. The government prohibited convicted traffickers from being selected for public contracts. The government continued to make efforts to reduce the demand for commercial sex by arresting and prosecuting alleged procurers of commercial sex; however, unlike the prior year, the government did not report providing any funding for demand reduction, a decrease compared with €106,050 (\$113,300) in 2021 and €96,050 (\$102,620) in 2019 and 2020. The government did not fund the operation of a dedicated national trafficking hotline assisting all trafficking victims but did operate a hotline for sex trafficking victims and individuals in commercial sex. The government also promoted a general crime hotline for anonymously notifying police about various crimes; police staffed the hotline, which was available for 12 hours daily. The government did not report the number of calls received for trafficking-related cases during the reporting period. HTICU also had a dedicated email address for reports of

trafficking and a website dedicated to human trafficking; one of the emails HTICU received in 2022 resulted in an ongoing trafficking case.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit Irish and foreign victims in Ireland, and traffickers exploit victims from Ireland abroad. The prevalence of human trafficking in Ireland is likely higher than official statistics report. A comprehensive 2021 study found that from 2014 to 2019, the true number of trafficking victims was likely 38 percent higher than official national statistics. Foreign trafficking victims identified in Ireland are from Africa, Asia, Eastern Europe, and South America. In recent years, authorities and media have reported an increase in suspected victims from Brazil, Indonesia, Nigeria, Pakistan, and Romania. Brazilian women are vulnerable to fraudulent recruitment and promises of employment in cafes and massage parlors, or as au pairs only to be forced into commercial sex upon arrival in Ireland. Traffickers exploit victims of forced labor in domestic work, the restaurant industry, cannabis cultivation, nail salons, food processing, waste management, fishing, seasonal agriculture, hospitality, and car washing services. Since 2022, refugees from Ukraine, predominantly women and children, fleeing Russia's war in Ukraine, are vulnerable to trafficking. Undocumented workers in the fishing industry and domestic workers, particularly au pairs, are vulnerable to trafficking. Among other trafficking indicators, sea fishers experienced the use of fraudulent recruitment and non-violent psychological coercion via threats of immigration permit revocation and subsequent deportation, as well as several instances of forced criminal activity by coercing sea fishers to conceal fish. Migrant workers from Ghana, Egypt, and the Philippines are vulnerable to forced labor on fishing vessels. In December 2022, the media reported instances of sea fishers paying significant fees to recruitment companies in the Philippines prior to arrival in Ireland, which increases their vulnerability to debt bondage and exploitation. Women from Eastern Europe forced into marriage in Ireland are at risk for sex trafficking and forced labor.

Associated documents

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Ireland, United Kingdom

Brief description of the Continuity Irish Republican Army (CIRA) (Excerpt of chapter 5 of the country report on terrorism 2022)

[Country Report on Terrorism 2022 - Chapter 5 -](#)

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30 November 2023 | [USDOS – US Department of State](#) (Author)

Ireland, United Kingdom

**Brief description of the Real Irish Republican Army (RIRA)
(Excerpt of chapter 5 of the country report on terrorism
2022)**

[Country Report on Terrorism 2022 - Chapter 5 - Real IRA \(RIRA\)](#)
(Periodical Report, English)

en

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