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USDOS – US Department of State

2019 Trafficking in Persons Report: France

FRANCE: Tier 1

The Government of France fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore France remained on Tier 1. These efforts included investigating and convicting more traffickers, identifying more victims, and approving a new national action plan. Although the government meets the minimum standards, it continued to lack coordinated and comprehensive data on trafficking, did not provide adequate resources for its anti-trafficking committee, and did not deploy sufficient efforts against labor trafficking. The government did not report the number of prosecutions and sentences for the reporting period, making it difficult to assess law enforcement efforts.

PRIORITIZED RECOMMENDATIONS

Coordinate and centralize the timely collection of trafficking data across the government. • Increase funding and resources for anti-trafficking coordination and victim assistance. • Increase interagency coordination to investigate and prevent labor trafficking. • Create an inter-ministerial body focused on trafficking in all its forms. • Consistently screen all migrants for trafficking indicators. • Implement the second national action plan for all forms of trafficking. • Improve the quality of shelters and specialized assistance for child victims. • Improve victims' access to restitution. • Strengthen victim protection for child victims of forced begging and theft. • Offer the reflection period to all victims, including migrants and victims of forced begging and criminality.

PROSECUTION

The government increased law enforcement efforts. Article 225-4 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment and a fine of up to €150,000 (\$172,020) for offenses involving an adult victim, and up to 10 years' imprisonment and a fine of up to €1.5 million (\$1.72 million) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government investigated 313 cases in 2018 (264 in 2017), involving 944 suspects (771 in 2017). In one noteworthy case from June 2018, the

government charged a police officer assigned to a local human trafficking unit for complicity in sex trafficking. In 2017, the most recent year in which complete data was available, courts convicted 63 traffickers, compared with 48 in 2016 and 71 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms during the reporting period. For instance, in May 2018, a Paris court sentenced 15 Nigerian sex traffickers to prison sentences ranging from two to 11 years and ordered them to pay heavy fines. In November 2018, a Marseille court sentenced 14 Romanian and Bulgarian sex traffickers to prison sentences ranging from two to 11 years. In December 2018, a Nimes court sentenced nine Romanian sex traffickers to prison sentences ranging from two to eight years. Courts seized €10 million (\$11.47 million) of assets from convicted traffickers, compared with €6 million (\$6.88 million) in 2017.

Three bodies investigated trafficking crimes: the Ministry of Interior’s Central Office for Combating Human Trafficking (OCRTEH), comprising 25 investigators, was responsible for cases of sex trafficking, while the Central Office for Combatting Illegal Labor (OCLTI) and the Central Office for the Suppression of Irregular Migration and the Employment of Irregular Migrants (OCRIEST) were responsible for labor trafficking. OCRTEH continued institutional training programs for magistrates, police, civil servants, NGOs, and the hospitality sector. The Ministry of Justice (MOJ) continued to train prosecutors and judges on the implementation of the anti-trafficking statute. The government collaborated in international investigations, including with EUROPOL, INTERPOL, the United Kingdom (UK), and Bosnia. Building on previous engagement, OCRTEH provided technical assistance to Nigerian anti-trafficking police.

PROTECTION

The government maintained protection efforts. The government identified 950 potential trafficking victims, compared with 894 in 2017 and 1,118 in 2016. For the second consecutive year, the governmental Mission for the Protection of Women against Violence and the Fight against Human Trafficking (MIPROF) and the National Supervisory Body on Crime and Punishment released the results of a large-scale victim survey completed by 24 NGOs, intended to serve as a model for future annual data collection on victims. It found 74 percent were victims of sex trafficking, 15 percent forced labor, seven percent forced criminality, two percent forced begging, and two percent of other forms of exploitation. Fifty-three percent of victims surveyed came from Nigeria, with the remainder from North Africa and Eastern Europe.

The government had formal procedures for identifying victims and an NGO-run referral mechanism. The Ministry of Solidarity and Health and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 45 NGO-run shelters and specialized NGOs assisting adult victims of sex and labor trafficking. Both police and NGOs referred victims to Ac-Se. Ac-Se assisted 86 trafficking victims in 2018, compared with 79 in 2017 and 82 in 2016. Ninety-five percent were victims of sex trafficking and the remaining five percent of labor trafficking. Ac-Se provided them shelter, legal, medical, and psychological services. The government continued to identify fewer victims than in previous years; civil society did not interpret this trend as a decrease in trafficking

prevalence and reported an increase in victims over recent years. The government provided Ac-Se with €234,000 (\$268,350) in 2018, in addition to an unreported amount of funding to NGOs supporting the Ac-Se network.

Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government, through the national employment agency, provided some foreign victims an initial stipend of €350 (\$401) a month; civil society reported the conditions for being granted a stipend were not uniform and varied by region. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. Police referred child trafficking victims to the Child Welfare Services (ASE) system. GRETA and the French independent rapporteur on trafficking reported a lack of adequate resources for the special assistance needs of child trafficking victims. The French Office for the Protection of Refugees and Stateless Persons' (OFPRA) social workers, staff, senior protection officers, interpreters, and new refugee protection officers received training on victim identification and assistance protocols. The government continued to operate a hotline for children in abusive situations, including trafficking. Ac-Se, with assistance from 60 partner organizations, operated a separate hotline during the reporting period. The hotline on average referred 50 trafficking cases a year to Ac-Se for assistance. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims. The MOJ continued to hold an annual seminar on victim identification procedures for members of the judiciary. Newly assigned border police and cybercrime investigators received victim identification training. Aviation and law enforcement officials contributed to an NGO-led victim identification training for Paris airport staff. The government distributed pocket-sized victim identification indicator guides to border police and NGOs, and developed detailed internal training manuals for educators and security forces who encounter child trafficking victims.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provided short-term care. Judges heard criminal trials for trafficking or aggravated pimping in private at the victim's request. Victims could receive a 30-day reflection period during which they could decide whether to lodge a complaint or participate in criminal proceedings against a trafficker; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, regardless of whether they cooperated with police investigations. Trafficking victims were also eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned. However, a large collective of anti-trafficking NGOs believed the new law on asylum and immigration, which eased restrictions on migrant deportation, limited victims' ability to receive temporary residence due to new time-bound restrictions on permit applications and more stringent approval criteria. GRETA reported police arrested and prosecuted child victims of forced begging and criminality without screening for trafficking indicators. Criminal courts could order traffickers to pay restitution to victims; however, authorities did not report ordering such restitution. Victims could bring a civil suit against a

trafficker for compensation and were eligible to receive compensation through the Crime Victims Compensation Program. However, NGOs reported victim compensation payments were rare; the government did not report any instances of victim restitution or compensation during the reporting period.

PREVENTION

The government maintained prevention efforts. MIPROF coordinated government-wide anti-trafficking efforts and the prevention of violence against women, and increased its staff by two during the reporting period. MIPROF's anti-trafficking steering committee, comprising national, regional, and local governments, as well as NGOs, met once a year. The government internally approved its second national action plan to counter trafficking, however, its implementation was still pending at the time of this report. The 2017-2019 national action plan for mobilization against all violence against women also included measures to counter trafficking, most notably the creation of multidisciplinary regional commissions to counter prostitution, pandering, and trafficking. Eleven departments had developed multidisciplinary regional commissions, with six more in the final stages of development. GRETA requested off-cycle, high-level talks with the government over concerns with delays in implementing the national action plan and other recommendations from its 2017 report. Authorities, civil society, and GRETA reported the government did not fully implement the national action plan to counter trafficking due to a lack of funding and MIPROF's mission led to insufficient efforts against labor trafficking.

The Human Rights Commission continued to serve as the independent rapporteur for trafficking. The rapporteur expressed concern over the delay in creating a new national action plan and echoed NGOs' concerns over the new asylum law's potential negative impact to victim protection. The government continued to lack a comprehensive and centralized data system on trafficking. The government did not report investigating or prosecuting any cases of child sex tourism. The MFA funded anti-trafficking capacity-building programs across Africa's Gulf of Guinea region, and the government continued victim support operations in Libya. France implemented an agreement for joint operations and training with the Libyan Coast Guard, as well as the provision of patrol vessels. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya, citing poor security and human rights conditions inside Libya and an increased risk of trafficking for migrants forced to remain in Libya. French law required large companies (more than 5,000 employees) to create plans to mitigate risks against labor exploitation of sub-contractors. The government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions and issued a manual for all security forces stationed abroad. The government did not provide systemic anti-trafficking training for its diplomatic personnel, although consular officials received training on identifying forced domestic servitude.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims, and to a limited extent, domestic victims in France. Sex and labor traffickers exploit foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean. Sex trafficking networks controlled by Nigerians, Bulgarians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The government estimates the majority of the 30,000 people in prostitution in France, about 90 percent of whom are foreign, are likely trafficking victims. Traffickers exploit children, primarily from Romania, West and North Africa, and the Middle East, in sex trafficking in France. In suburban areas, there is a sharp rise in sex traffickers known as “lover boys,” coercing vulnerable girls into sex trafficking, often through a sham romantic relationship. Expansive criminal networks force children to commit crimes. Traffickers exploit the large influx of unaccompanied minors that have entered France in recent years. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Labor traffickers exploit women and children in domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. The number of male victims of sex and labor trafficking has increased. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport women and girls to France, where they subject them to trafficking. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the UK. Traffickers hold Vietnamese migrants in makeshift migrant camps awaiting transit to the UK for labor exploitation. Chinese victims often enter France on short-term student or tourist visas.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2018 to March 2019)


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