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USDOS – US Department of State

Trafficking in Persons Report 2018 - Country Narratives - 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. The government demonstrated serious and sustained efforts by increasing international assistance and capacity building to prevent trafficking and adopting a new law requiring large companies to create plans to prevent labor exploitation by sub-contractors. Although the government meets the minimum standards, it lacked coordinated and comprehensive data on trafficking, some child victims of forced begging and criminality were arrested and prosecuted without being screened for trafficking indicators, and children identified by the government as victims experienced a significant variance in the quality of shelters. The government did not report the number of prosecutions or sentences for the reporting period, making it difficult to assess its law enforcement efforts.

RECOMMENDATIONS FOR FRANCE

Create an inter-ministerial body solely focused on trafficking; increase funding and resources for anti-trafficking coordination and victim assistance; improve the quality of shelters and specialized assistance for child victims; screen for trafficking indicators all women and children arrested for soliciting and inhabitants of informal migrant camps; coordinate and centralize the collection of trafficking data across the government; develop a second national action plan for all forms of trafficking; train all incoming law enforcement officers to screen all individuals in prostitution for trafficking indicators; improve victims' access to restitution; strengthen victim protection for child victims of forced begging and theft; and ensure the reflection period is offered to all victims, including victims of forced begging and criminality.

PROSECUTION

The government maintained enforcement efforts. Article 225-4 of the penal code criminalized sex and labor trafficking and prescribed penalties of between seven years and life imprisonment for trafficking offenses. 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 264 cases in 2017 (259 in 2016), involving 771 suspects (816 in 2016). In 2016, the most recent year in which complete data was available, 48 were convicted for trafficking, compared with 71 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received stringent sentences during the reporting period. For instance, in January 2017, a court in Bordeaux sentenced a couple to two years in prison for forcing two Bulgarian women into sex trafficking. In February 2017, a court in Paris sentenced a trafficker to three years in prison with one year suspended and ordered him to pay €1,550 (\$1,860) to his victims. In June 2017, a court in Carpentras sentenced a man to six years in prison with two years suspended and a second man to two years in prison with one year suspended for forced prostitution and forced domestic servitude. In December 2017, a court in Marseille sentenced a French man to seven years imprisonment and €9,160 (\$11,000) in damages for forcing one child and one woman into prostitution.

Two bodies investigated trafficking crimes: the Ministry of Interior’s Central Office for Combating Human Trafficking (OCRTEH), consisting of approximately 25 investigators, was responsible for cases of sexual exploitation and the Central Office for Combatting Illegal Labor (OCLTI), consisting of 40 investigators, was responsible for labor exploitation. OCRTEH continued training programs for police, civil servants, NGOs, and the hospitality sector. In March 2018, the Ministry of Justice (MOJ) trained prosecutors and judges on the implementation of the anti-trafficking statute. The government collaborated in international investigations, including with EUROPOL, INTERPOL, and the United Kingdom, and it extended its joint investigation team mandate with Bosnia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained protection efforts. In 2017, the government identified 894 victims of exploitation, compared with 1,118 in 2016. The victims identified in 2017 included 293 French, 132 Nigerian, 112 Romanian, 68 Chinese, 58 Brazilian, and 231 were other nationalities. Approximately 15 percent of victims were minors. In June 2017, 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 2015 survey completed by 13 NGOs, which was intended to serve as a model for future annual data collection on victims. The survey provided the most comprehensive information on victim demographics to date and found 88 percent of victims were women, 10 percent men, one percent transgender, and the remainder unidentified. Children accounted for nine percent of victims, of whom 78 percent were female. The majority were victims of forced prostitution (81 percent), followed by forced domestic servitude (10 percent), forced labor (four percent), forced criminality (four percent), and forced begging (one percent).

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 23 specialized NGOs assisting adult victims of sex and labor trafficking. Ac-Se assisted 79 trafficking victims in 2017, compared with 82 in 2016, providing them shelter, legal, medical, and psychological services. Seventy-four were victims of sex trafficking, one of labor trafficking, and three were forced to commit a petty crime. The government maintained Ac-Se’s budget at €220,000 (\$264,110) for 2018. 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 a stipend of €340 (\$410) 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. Child trafficking victims were referred to the child welfare services (ASE) system. GRETA reported the existing ASE shelters varied in quality of care and many were not suited for the special assistance needs of child trafficking victims. During the reporting period, six child trafficking victims received services from ASE shelters. The office of the protection of refugees’ social workers, staff, senior protection officers, and 100 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. In 2017, hotline operators received 1,550 calls related to trafficking. Ac-Se, with assistance from 60 partner organizations, operated a separate hotline during the reporting period. The hotline received more than 900 calls and on average referred 50 trafficking cases a year to Ac-Se for assistance. 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 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 also held a seminar on victim identification procedures for members of the judiciary. Newly assigned border police and cybercrime investigators received victim identification training.

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. Criminal trials for trafficking or aggravated pimping could be heard in private at the victim’s request. GRETA reported child victims of forced begging and criminality had been arrested and prosecuted without being screened for trafficking indicators by law enforcement officials. 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.

Victims were eligible to receive restitution through the Crime Victims Compensation Program. The compensation request process often took several years to complete, and many victims had requests in progress.

PREVENTION

The government increased prevention efforts. MIPROF coordinated government-wide anti-trafficking efforts and the prevention of violence against women. MIPROF's anti-trafficking steering committee was composed of national, regional, and local governments, as well as NGOs. The government's national action plan to counter trafficking expired in May 2017; however, its 2017-2019 national action plan for mobilization against all violence against women included measures to counter trafficking, most notably the creation of multidisciplinary regional commissions to counter prostitution, pandering, and trafficking. Eleven departments had developed commissions by the end of the reporting period. Authorities, civil society, and GRETA reported the national action plan to counter trafficking was not fully implemented due to a lack of funding and MIPROF's dual mission diluted efforts against other forms of trafficking outside of sexual exploitation. The government's human rights commission continued to serve as the independent rapporteur for trafficking. In July 2017, the rapporteur published an assessment of the recently expired national action plan to counter trafficking, which recommended the creation of an inter-ministerial body solely dedicated to trafficking, increased financial and human resources to combat trafficking, and uniform processes for victim identification, among others. The government lacked comprehensive and centralized data on trafficking. In March 2017, parliament adopted a new bill, which required large companies (more than 5,000 employees) to create plans to mitigate risks against labor exploitation of sub-contractors. The government did not report investigating or prosecuting any cases of child sex tourism. The government-funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. The Ministry of Foreign Affairs researched and reported on indicators of child sex tourism abroad and monitored increases in the crime. The government continued to fund a regional technical advisor on trafficking to the UNODC and OSCE. OCRTEH provided training to Nigerian law enforcement, the MFA funded anti-trafficking capacity building programs across Africa's Gulf of Guinea region, and the government supported victim support operations in Libya. The government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions and MIPROF produced a new 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, France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean

are subjected to sex trafficking and forced labor. 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 number of children exploited in commercial sex has increased in recent years. Children are forced to commit crimes, mainly petty theft, often as part of larger criminal networks. Children, primarily from Romania, West and North Africa, and the Middle East, are victims of sex trafficking in France. 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. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking of male victims for sex and labor trafficking has increased. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport girls to France. Some migrants who could not pay their smugglers are held in debt bondage. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the United Kingdom. Vietnamese migrants are held in makeshift migrant camps awaiting transit to the United Kingdom for labor exploitation. Chinese victims often enter France on short-term student or tourist visas.

ecoi.net summary:

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