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2023 Trafficking in Persons Report: Germany

GERMANY (Tier 1)

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Germany remained on Tier 1. These efforts included funding and appointing an independent national rapporteur and increasing the number of victims identified. Several regional governments and government-funded NGOs conducted awareness campaigns, including on preventing trafficking of refugees from Ukraine. The government also signed a national-level cooperation agreement with a government-funded NGO network and increased law enforcement efforts for labor trafficking. Although the government meets the minimum standards, the government prosecuted and convicted fewer traffickers. Judges continued to issue lenient sentences, resulting in 74 percent of convicted traffickers receiving fully suspended sentences, fines, or less than one years' imprisonment, which undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns for victims, and was not equal to the seriousness of the crime. The government did not provide judges with training on the severity of trafficking crimes and the importance of applying the stringent penalties available under the trafficking law. The government remained without national victim identification and referral guidelines for all forms of trafficking, which may have hindered victim identification, particularly among refugees and asylum-seekers. Compensation and restitution for victims remained rare, and shelter and NGO funding for victim care and assistance remained insufficient.

PRIORITIZED RECOMMENDATIONS:

- Vigorously investigate, prosecute, and convict traffickers and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Improve sentencing practices by training judges about the severity of trafficking crimes and the importance of applying the stringent penalties available under the trafficking law.
- Ensure equitable treatment of victims by creating a national identification and referral guideline for all forms of trafficking across all states.
- Ensure systematic and continuous anti-trafficking training for immigration officers to increase proactive victim identification among vulnerable populations, including foreign migrants and asylum-seekers.
- Ensure systematic provision of care for child victims and extend more specialized care, services, and sufficient accommodations for male victims.
- Increase awareness of and trafficking survivor access to damages and compensation and increase prosecutor's efforts to systematically request restitution for victims during criminal trials.
- Increase funding for NGOs that provide survivor care and assistance.
- Adopt an anti-trafficking NAP for all forms of trafficking.
- Increase the capacity of investigators, prosecutors, and courts with specific expertise on trafficking cases to minimize delays in bringing cases to trial and consider additional dedicated human trafficking units.
- Continue to increase prioritization of labor trafficking, including victim identification and investigation and prosecution of labor traffickers.
- Increase worker protections by eliminating recruitment or placement fees charged to workers by German labor recruiters and ensuring employers pay any recruitment fees.
- Implement effective regulations and oversight of recruitment companies and industries comprised predominantly of migrant workers, which are consistently enforced, including prosecution for fraudulent labor recruitment and labor trafficking.
- Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.
- Establish a uniform and comprehensive data collection system, including publicly available disaggregated data on sentencing where courts convict defendants of both trafficking and other serious crimes.

- Consider appointing a national coordinating body, responsible for both sex and labor trafficking, to increase harmonization of the institutional framework and coordination structures at the federal and state levels.
- Increase survivor engagement, including by establishing accessible mechanisms for receiving and providing compensation for survivor input when forming policies, programs, and trainings.
- Increase efforts to pursue financial crime investigations in tandem with human trafficking cases.

PROSECUTION

The government slightly decreased law enforcement efforts. The criminal code criminalized sex trafficking and labor trafficking under Sections 232, 232(a), 232(b), 233, and 233(a) and prescribed punishments of six months to 10 years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The law did not require proof of force or coercion to prosecute suspected sex traffickers when victims were younger than 21 years old. State law enforcement completed 335 pre-trial trafficking investigations of 470 suspects in 2021, the most recent year for which the government had comprehensive statistics; this was similar to 325 investigations into 421 suspects in 2020 and 313 investigations into 472 suspects in 2019, but less than 386 investigations into 602 suspects in 2018. Of the investigations in 2021, 44 were for labor trafficking (compared with 34 in 2020), including six for forced begging and 10 for forced criminality, and 291 were for sex trafficking, including 55 investigations for child sex trafficking, compared with the same number of overall sex trafficking investigations, 291, in 2020. Authorities attributed the recent increase in labor trafficking investigations to the 2019 extended mandate of the Federal Customs Financial Control of Illegal Work Directorate (FKS), which was expanded to include human trafficking. In 2021, law enforcement initiated investigations into 16 organized crime groups (10 for sex trafficking and six for labor trafficking). In 2021, German law enforcement and international partners (including EUROPOL and Slovakia) conducted at least six targeted operations against Vietnamese criminal organizations involved in human trafficking and smuggling, resulting in the arrest of at least six suspects and identification of at least 13 victims. Police in North Rhine-Westphalia (NRW) continued to investigate and prosecute individuals involved in the Wermelskirchen child sex trafficking case and investigated 73 suspects in 14 states, identifying 33 victims.

For each case in which a court convicted a defendant of multiple crimes, the government recorded it only under the charge with the highest statutory sentence. Therefore, reported statistics did not include cases in which the court convicted a defendant of trafficking and where that

defendant received an aggregate sentence for another crime carrying a higher statutory sentence. Current data collection classification and procedures, in addition to strict privacy laws, continued to result in incomplete data and underreporting. This likely lowered the reported number of trafficking convictions and average length of sentences. To obtain a more complete understanding of its efforts, the government provided prosecution and conviction statistics for trafficking cases when it was the primary and secondary charge. Total prosecutions for 2021 were at least 223, a significant decrease compared with at least 262 total prosecutions in 2020, but similar to 215 total prosecutions in 2019. In 2021, state prosecutors prosecuted 97 defendants with trafficking as the primary charge and at least 126 suspects with trafficking as the secondary charge. The total number of convictions for 2021 was 196, a decrease compared with 224 in 2020, but similar to 195 in 2019. Courts convicted 70 traffickers with trafficking as the primary charge and 126 traffickers with trafficking as the secondary charge in 2021. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking crimes.

The government only provided sentencing statistics for convictions with trafficking as the primary charge. Of the 70 traffickers convicted in 2021 with trafficking as the primary charge, 74 percent (52 traffickers) received either a fully suspended sentence (34 traffickers), a fine or education (15 traffickers), or less than one year of imprisonment (three traffickers); this compared with 66 percent of traffickers convicted with trafficking as the primary charge receiving lenient sentences in 2020 and 72 percent in 2019. Only 26 percent of convicted traffickers (18) received significant prison sentences of more than one year imprisonment, compared with 34 percent in 2020 and 28 percent in 2019. In comparison, of the 475 convicted rapists in 2021, 55.2 percent (262) were sentenced to one year or longer imprisonment. Judges typically suspended sentences less than two years for most crimes, including human trafficking, particularly for first-time offenders. This practice weakened deterrence, potentially undercut efforts of police and prosecutors, and created potential security and safety concerns, particularly for victims who cooperated with investigations and prosecutions.

While government efforts to address labor trafficking increased in 2021, they remained low when compared with the suspected scale. According to data available for 2021 under Section 232 (b) for forced labor, there were 44 investigations, 18 prosecutions, and 11 convictions for forced labor, an increase compared with 34 investigations, 14 prosecutions, and five convictions for forced labor in 2020. However, sentences for labor trafficking remained lenient, and all convicted traffickers received fines or fully suspended sentences in 2021. The Ministry of Justice (MOJ) funded and published, in September 2021, a study of criminal code Sections 232 to 233a, as amended in 2016. The study concluded to effectively address forced begging and criminality, law enforcement would need specialized

training and an agency assigned with specific responsibility; it also found, in general, there was an insufficient amount of trafficking-specialized professionals. A notable case during the reporting period included the July 2022 conviction, with a significant sentence, of a female ISIS member accused of enslaving a Yazidi woman; the trials and convictions conducted in Germany are considered the first in the world for crimes against humanity committed against the Yazidi population.

Frequent turnover, insufficient personnel, and limited dedicated trafficking resources hindered law enforcement efforts, sometimes leading to protracted court cases that were ultimately dismissed because of the statute of limitations or unwillingness of victims to participate in prolonged proceedings. The federal criminal police (BKA) had dedicated human trafficking investigators. Most, but not all, states had dedicated anti-trafficking investigation units, and several states had specialized prosecutors. Prosecutors with experience assisting victims through trial processes frequently led sex trafficking cases; however, labor trafficking cases were more often assigned to financial, economic, or organized crime sections that lacked similar experience.

As a federal system, jurisdiction for criminal prosecutions in Germany rested with state courts, and, consequently, procedures, staffing, and funding varied from state to state. The complex wording and scope of the trafficking and exploitation sections in the criminal code (Sections 232 to 233a) reportedly resulted in state prosecutors sometimes charging suspected traffickers with crimes considered easier to prove than coercion in labor and sex trafficking. Furthermore, the 2021 MOJ-funded study on the 2016 amended Sections 232 to 233(a) concluded the amendments did not significantly increase prosecutions or convictions; the provisions were confusing and relied almost exclusively on victim testimony; and the government had not introduced sufficient structural changes to effectively enforce the expanded provisions, resulting in prosecutors charging and convicting traffickers for other crimes.

The government and state-funded NGOs continued to organize and provide training to law enforcement officials, although civil society recommended increased labor trafficking training, specifically on identifying migrant workers as trafficking victims. BKA reported providing a variety of training throughout the reporting period to police, prosecutors, the FKS, and specialized counseling centers on various forms of trafficking. The NGO-run Service Center against Labor Exploitation, Forced Labor and Trafficking in Human Beings (*Servicestelle*) reported providing several anti-trafficking trainings, while government-funded NGOs regularly provided trainings to police, asylum-center workers, prosecutors, and other officials, including on labor trafficking, services for refugees, and coercion tactics. The government did not report providing trafficking-specific training to judges, and state prosecutors noted additional training for judges would be helpful. The BKA maintained an

information portal for federal and state police forces with information on current trends, guidelines, and investigative tools for combating trafficking. The *Servicestelle* maintained an online platform, providing access to information on guidelines, agreements, and counseling centers for victims. Federal and state-level police continued extensive efforts to cooperate on international operations with EUROPOL on joint action days, with EU-funded programs, and with dozens of countries, which resulted in Germany's participation in at least 14 operational actions, the arrest of at least 319 suspects, and the identification of 1,572 victims across all participating countries. The government also continued to cooperate bilaterally with Hungary, which resulted in the arrest of three suspects and the identification of 25 victims.

PROTECTION

The government maintained uneven protection efforts – while victim identification increased, state funding for victim assistance decreased. In 2021, the most recent year for which comprehensive statistics were available, state government authorities, who are responsible for protection efforts, identified 581 trafficking victims, a significant increase compared with 494 in both 2020 and 2019, and 503 in 2018. Of the government-identified victims, 417 were sex trafficking victims (406 in 2020) and 164 were labor trafficking victims (88 in 2020), which included six forced begging victims (four in 2020) and 11 forced criminality victims (11 in 2020). Almost all sex trafficking victims were women (93 percent) and, of those whose age was known, 33 percent were younger than 21. Similar to the prior year, the majority of identified sex trafficking victims were from Germany (95), Bulgaria (70), and Romania (67). In 2021, most labor trafficking victims were from Bosnia-Herzegovina (68) and Romania (24) and identified in the nursing and health care sectors. Of the forced begging victims, all were female, the majority were Romanian, and their ages ranged from 13 to 43.

Police continued to proactively identify the majority of labor trafficking victims; however, in 2021, police-initiated identification of sex trafficking victims decreased, and government authorities emphasized the importance of consistent proactive identification through in-person and internet-based inspections and searches. In 2021, 59 percent of sex trafficking victims made statements to law enforcement, a decrease compared with 68 percent in 2020. Berlin law enforcement initiated a new effort to focus on the identification of boys as child sex trafficking victims. Authorities noted most of the boys were of Romani decent and exploited by family members; thus, they did not consider themselves victims, which resulted in an overall reluctance to cooperate with law enforcement. The government continued to prioritize efforts to identify and assist Vietnamese victims, including by training front-line officials on identification of this population and supporting an NGO that used cultural mediators and distributed a pocket guide with sample questions first

responders could ask. As many traffickers moved to online platforms, exacerbated by the pandemic, authorities reported increased difficulty in identifying sex trafficking victims.

In its 2019 report, GRETA noted the official figures of identified trafficking victims did not reflect the true scale of human trafficking in Germany because of the absence of a comprehensive and coherent approach to detecting and identifying victims, including among migrants and asylum-seekers; problems with data collection; and insufficient prioritization of labor trafficking. In its 2021 annual report, the government stated it identified most labor trafficking victims through inspections and therefore significantly underreported, predominantly due to fear of reprisals from traffickers or regulatory consequences.

NGOs were concerned the government did not have national victim identification or referral guidelines to address all forms of trafficking, and children and adults remained without systematic provision of care. At the federal level, there were procedures in place to identify and refer victims to care, but state-level entities handled most victim care. The government also had a national cooperation strategy for child victims of trafficking and exploitation, which functioned as a referral mechanism; it provided €200,000 (\$213,675) annually to an NGO to implement the strategy. The implementing NGO reported previously establishing a total of eight networks in six states and continued providing training to officials and practitioners. Each state had a separate system to refer victims to either state-run support or NGOs, and several states had written identification guidelines. Thirteen of 16 states had formal cooperation agreements in place between police and NGOs for various purposes, but not all included all forms of trafficking, such as labor trafficking, forced begging, and forced criminality.

While the government did not report comprehensive data or the total number of victims that received care, it did report that of the 417 identified sex trafficking victims in 2021, at least 129 received care, including 113 from specialized counseling centers and 16 from youth welfare offices; this was similar to 130 assisted in 2020. The government provided victim services primarily through state-funded NGOs, including the Network against Trafficking in Human Beings (KOK) and the *Servicestelle*, and its affiliated counseling centers and advice centers, which specialized in assisting labor trafficking victims, foreign migrants, and refugees. KOK comprised 43 member organizations, including specialist counseling centers, migrant projects, and women's shelters; KOK acted as a convening and coordinating entity for anti-trafficking NGOs. This model allowed victims to obtain support without the need to interact with law enforcement, which officials found increased the likelihood victims would seek assistance. In 2021, KOK reported government-funded specialized counseling centers provided assistance to at least 725 victims of trafficking and exploitation; of these 725 victims,

only 175 were newly assisted in 2021, while the remaining victims began receiving care in prior years. There may be some overlap and duplication regarding the statistics reported by the government and by KOK for victim assistance. Nineteen of 43 counseling centers provided input into KOK's report, which included provision of: psycho-social support (546), information on victim rights (530), referral and accompaniment to medical appointments (402), support during asylum proceedings (366), crisis intervention (331), assistance with documentation (320), support during residence permit proceedings (296), assistance accessing a means of subsistence (289), literacy and language courses (213), referral for legal advice (146), obtaining compensation or back wages (80), support during criminal proceedings (72), referral to training and education (71), and employment (43). In 2021 and part of 2022, due to the pandemic, some shelters and counseling centers operated at limited capacity; NGOs noted difficulty in finding open shelter spaces for victims, and social services were unable to provide intensive counseling.

In 2022, the federal government allocated €546,578 (\$583,951) to KOK's management operations, a slight increase compared with €506,000 (\$540,598) in 2021. The government also allocated approximately €282,810 (\$302,147) to the NGO operating the *Servicestelle*, compared with €271,000 (\$289,530) in 2021 and 2020. State governments also supported trafficking victims and, in 2022, allocated at least €2.61 million (\$2.788 million) to human trafficking NGOs, a significant decrease compared with €5.91 million (\$6.314 million) in 2021, including some additional funding for pandemic-related costs, and €3.3 million (\$3.526 million) in 2020. However, civil society continued to report staffing and funding were insufficient for operational needs, especially with expanded pandemic-related mandates, requiring a dependence on private donations. Government-funded NGO counseling centers served both labor and sex trafficking victims, although many centers only had a mandate to work with female sex trafficking victims. Trafficking-specific NGO service providers operated in 45 cities and in all 16 states, providing shelter, medical and psychological care, legal assistance, vocational support, assistance acquiring residence permits, counseling and preparation for police or judicial interrogations and court appearances, repatriation, and resettlement support. Counseling centers were also responsible for public relations and cooperation with law enforcement agencies or social service providers. Civil society noted many rural areas continued to lack trafficking-specific resources. A government-funded NGO reported establishing a mobile team to assist refugees from Ukraine in rural areas. Government authorities and NGOs noted the influx of refugees from Ukraine strained resources during the reporting period. In July 2022, KOK signed a comprehensive agreement with the federal police to expand and strengthen their existing agreement in order to increase coordination on suspected trafficking cases at the regional and local levels and improve coordination on awareness campaigns and training efforts. Victims were entitled to between 15 and 18 sessions of emergency aid in outpatient

trauma clinics. However, a civil society organization reported many trafficking victims were not covered by the government's health care system, and those who were covered typically received treatment by health care workers not trained to identify trafficking victims. Furthermore, civil society noted shelter for all trafficking victims was severely deficient and lacked national harmonization. There was limited long-term or comprehensive support, including shelter, within centers for children, transgender women, and adult male trafficking victims; civil society noted while there was more availability for women victims, accommodation for men was ad hoc, and children lacked specialized shelter catered to the needs of trafficking victims. Overall availability of services and shelters was inconsistent or inadequate depending on the state. In KOK's 2021 report, of the data available for 386 cases, 94 individuals were not provided with accommodation because of its unavailability. Another 2021 KOK study analyzed court rulings from 2017 to 2021, including trafficking cases, and concluded access to social benefits and assistance was strongly correlated with preventing re-trafficking of victims. In April 2022, the NRW state government adopted a child protection law, which included provisions for child trafficking victims, that dictated the minimum standards for all 186 youth welfare offices in NRW, including risk assessments and immediate mandatory recording and processing.

The Federal Agency for Migration and Refugees (BAMF) continued to utilize its SOPs and trafficking indicator lists to identify potential victims in the asylum protection system and made referrals to government-funded NGO counseling centers, although NGOs continued to suggest needed improvements in victim identification. Each BAMF branch office included at least one representative to assist in identifying and supporting potential trafficking victims. While the government reported screening foreign migrants and asylum-seekers for trafficking indicators, and identified victims were entitled to social benefits and deportation relief, unidentified victims remained vulnerable and could be deported without first receiving protection services. NGOs reported some potential labor trafficking victims may have inappropriately been deported prior to being screened or given the opportunity to claim compensation for lost wages. Counseling centers reported specialized trafficking BAMF officers were not always involved or included in deportation hearings. Civil society noted non-specialized immigration and police officers rarely identified trafficking victims among the asylum-seeking and migrant populations, even when victims directly referenced trafficking experiences, especially if NGOs or counseling centers were not involved. Counseling centers could identify and refer trafficking victims to services; however, they continued to report BAMF officers often disagreed with their identifications and deported the victim anyway. Federal courts sometimes overturned BAMF's deportation decisions. In 2022, NGOs continued to note cases where courts denied asylum for individuals who stated they had been exploited in trafficking and were ultimately deported.

Prosecutors, together with other authorities, offered undocumented victims a reflection period of three months to decide if they would testify in court. However, NGOs and GRETA noted the reflection period was not uniformly or adequately applied, and victims were not systematically informed of their rights; they urged investigators to increase efforts to inform victims of their rights. In 2022, KOK reported of 198 victims, 125 applied for a reflection period and 119 were approved; NGOs noted applying for a reflection period was increasingly difficult and complicated by inconsistent rules that varied by state. NGOs also noted that, oftentimes, immigration authorities would request confirmation of victim status from police, which was challenging if the victim did not wish to interact with law enforcement. Victims who agreed to testify were eligible for temporary residence permits, which allowed them to remain and work in Germany through the duration of the trial; however, the government did not report how many victims received permits during the reporting period. Specialized counseling centers provided a significant amount of support assisting foreign victims with their residency status, including accompanying them to immigration proceedings; clarifying residency status was often difficult, though a pre-requisite for receiving many of the benefits available to trafficking victims, like accommodation and employment. NGOs continued to highlight the need for a humanitarian stay of deportation independent from a victim's cooperation in criminal proceedings. The law provided legal alternatives to removal to countries in which victims would face retribution or hardship. After completion of the trial, the law granted officials the authority to issue residence permits to victims in cases of humanitarian hardship, for public interest, or for those who faced injury or threats to life or freedom in their countries of origin; however, GRETA noted there were significant discrepancies from state to state in the application of the law. Family members of foreign trafficking victims were eligible for residency in certain circumstances.

The law entitled victims to an interpreter and a third-party representative from a counseling center to accompany them to all interviews. Subject to certain requirements, victims could join criminal trials as joint plaintiffs and were entitled to free legal counsel, a psychological assistant, an interpreter, and the pursuit of civil remedies as part of the criminal proceeding. The government had a guide for child-friendly criminal proceedings and interactions. The law allowed victims to submit video testimony; however, NGOs reported not all states had the required equipment for video testimony, and use of the equipment was subject to the judge's discretion. Ultimately, victim testimony by video only happened in about 10 percent of cases because video testimony was not considered equivalent to in-person, unless the victim was a child. Law enforcement noted judges sometimes viewed victims as criminals, especially if their exploitation involved forced criminality. State prosecutors noted additional trafficking training for judges could encourage increased use of video testimony. The government took measures to lessen the burden on victims and their potential re-

traumatization by trying to reduce the number of times they had to testify in trials and sometimes not requiring them to testify at all. However, civil society noted these victim protections were not implemented uniformly, and sometimes judges did not dismiss suspects from the courtroom before victim testimony. NGOs also reported instances of law enforcement and judges lacking a victim-centered and trauma-informed approach, where victims were interrogated like criminals or judged for becoming trafficking victims. Furthermore, the 2021 MOJ-funded study concluded the 2016 changes to the criminal code, which were partially intended to decrease the importance of victim and witness testimony, were largely unsuccessful. State prosecutors remarked that an understanding of trauma, trafficking-specific victim interviewing training, protection from deportation, and early access to a psychologist and legal assistance were necessary for successful prosecution of trafficking cases.

The government continued to lack comprehensive statistics on compensation and restitution awarded to victims and did not require prosecutors to systematically request restitution during criminal trials. While the law allowed for compensation from the government, it could only be awarded to victims who had experienced direct physical violence; however, the government did not report providing compensation to any victims. Although the government amended the Victims of Crime Act in November 2019 to address the requirement of physical violence and expand protections to include psychological violence, the amendments will not enter into force until January 2024. In one instance in April 2022, a Duesseldorf court awarded restitution to two trafficking victims. However, traffickers would often claim inability to pay restitution owed to victims, leaving victims with little recourse. The government did not report whether any victims filed civil suits or that it awarded damages to any victims in 2022.

Section 154(c) of the German Code of Criminal Procedure exempted victims from prosecution for minor criminal offences committed as a direct result of being trafficked; however, the 2021 MOJ-funded study concluded prosecutors rarely used section 154(c) because they preferred to use more familiar sections of the criminal code, which lacked the trafficking-specific language of 154(c). The report recommended required mandatory use of Section 154(c) when interacting with trafficking victims. In its 2022 report, KOK noted trafficking victims remained at risk of penalization for immigration and other administrative violations committed as a direct result of being trafficked; traffickers often used the threat of government penalization as a coercive tactic to maintain control of victims. Counseling centers reported expending extensive resources to inform victims of their rights and supported victims through criminal proceedings in 72 cases in 2021. NGOs reported undocumented victims often feared obtaining medical care or submitting a claim for lost wages because Section 87 of the German Residency Act required public entities

to report undocumented persons. The government offered victim-witness assistance as needed, and police accompanied witnesses to trials.

PREVENTION

The government maintained efforts to prevent trafficking. The government had three federal-state interagency working groups that coordinated with each other and addressed all forms of trafficking. The Federal Ministry for Families, Seniors, Women, and Youth coordinated human trafficking efforts at the international level and national efforts on sex trafficking, while the Federal Ministry of Labor and Social Affairs coordinated efforts on labor trafficking. The government working groups met at least four times in 2022 to discuss various topics, including an NRM, drafting the NAP, the implications of vulnerable refugees fleeing Russia's war against Ukraine, and the labor trafficking framework agreement. The government continued cooperation under a framework agreement, which aimed to intensify cooperation and improve distribution of responsibilities among the FKS, specialized counseling centers, and the *Servicestelle* on labor trafficking. The framework agreement focused on labor trafficking prevention, establishing a referral mechanism, and improving access to services for labor trafficking victims; the FKS and the *Servicestelle* reported conducting trainings and workshops for victim service coordinators on labor trafficking during the reporting period. In November 2022, the government appointed the Human Trafficking Reporting Unit as its independent national rapporteur; the unit covered all forms of trafficking and was responsible for implementation of international anti-trafficking standards through collecting and analyzing data. The government remained without a NAP for all forms of trafficking.

The government continued to publish its annual report on human trafficking and funded several studies, including the *Servicestelle's* second industry analysis for seasonal agricultural work and home care, which aimed to raise awareness of forced labor indicators and improve victim identification. Unlike prior years, the government did not report conducting any national anti-trafficking awareness campaigns in 2022; however, several regional governments conducted awareness campaigns on sex trafficking and preventing the trafficking of refugees from Ukraine. One regional campaign of note was launched by the Berlin police, in cooperation with several NGOs, which focused on the child sex trafficking of boys. It included the distribution of flyers, posting of signs, and establishment of a tip hotline. Government-funded NGOs reported raising awareness through podcasts, articles, brochures, press releases, and other methods, including on preventing the trafficking of refugees from Ukraine, victim rights during criminal proceedings, child trafficking, and other topics. KOK also reported extensive awareness-raising efforts. The *Servicestelle* developed a variety of materials to help prevent trafficking, including an informational flyer and pocket card on trafficking for law enforcement agencies, a template for police and customs officials

to use in investigations, and an informational flyer for refugees from Ukraine on preventing forced labor. The federal government did not have a trafficking-specific hotline but continued to fund a 24/7 hotline in 19 languages for women affected by violence; in 2021, the hotline received calls from 81 potential trafficking victims (compared with 93 in 2020). In addition, the government had several other national and regional hotlines for sexual abuse of children and male victims of violence, including trafficking, in addition to a government-funded, NGO-operated national helpline for migrant workers; however, statistics on trafficking victims were unavailable for these hotlines.

The law prohibited recruitment fees for temporary workers, but non-temporary foreign migrants could be charged a fee up to €2,000 (\$2,137), although au pairs could only be charged a maximum of €170 (\$182). Foreign workers needed prior government permission, via a new residence permit, prior to changing employers, which may have increased their vulnerability to trafficking. Private labor recruiters did not require a license to operate. While inadequate oversight, fraudulent labor recruitment, and the continued vulnerability of migrant and seasonal workers remained concerns during the reporting period, the government reported several efforts to deter fraudulent labor recruitment, exploitation, and trafficking. The government had a law prohibiting short-term contracts for migrant workers in the meat industry. Civil society continued to express concern regarding the recruitment of foreign nurses, asserting their working conditions, especially in private homes, were exploitative and, in some cases, may have amounted to labor trafficking. The government previously established a voluntary certificate that health care recruiting companies could obtain if they complied with all labor and employment laws. The government reported of the approximately 150 eligible private recruitment agencies in Germany, all major private agencies were participating in the certificate process, and 56 certificates had been granted. Licensed companies were obliged to comply with the quality certificate, which was monitored, and fines could be issued for noncompliance. The government previously extended the mandate of the FKS to include trafficking, thereby increasing staff who could potentially identify forced labor victims. However, the FKS did not have the authority to perform labor inspections within private households without the homeowners' consent, thereby limiting their identification of domestic servitude.

Authorities usually conducted annual in-person interviews of approximately 170 domestic workers employed by embassies in Germany, without employers present, to inform workers of their rights. However, in July 2022, a Filipino woman alleged an Omani diplomat exploited her in domestic servitude for more than three years; while the victim received assistance from an NGO, she eventually returned home and received no restitution from the alleged trafficker. Due to diplomatic immunity, the Omani diplomat departed Germany with no prosecution or

accountability and returned to Oman. Civil society urged the government to prioritize its efforts to raise awareness among domestic workers of diplomats and increase its efforts to protect this vulnerable population.

In January 2023, the Human Rights Due Diligence in Supply Chains Act became effective and required all companies with more than 3,000 employees (approximately 700 companies) to exercise due diligence to ensure their supply chains did not use forced labor, including through risk analysis, risk management, and a complaints mechanism; the Federal Office for Economic Affairs and Export Control was appointed as the competent authority and granted enforcement measures that included inspections, document retrieval, and fines for noncompliance. The government prohibited convicted traffickers from being selected for public contracts. The government provided funding to several anti-trafficking programs abroad, including in Afghanistan, Egypt, Ethiopia, the Western Balkans, and several countries in the Horn of Africa. The government did not make efforts to reduce the demand for commercial sex acts. The government demonstrated efforts to reduce the demand for international sex tourism by German nationals by continuing an awareness campaign, operating a reporting website for the submission of suspected child sex tourism abroad, launching an action protocol model for tour guides in May 2022, and convicting a child sex tourist in December 2022 for crimes committed in Cuba, which included a three year prison sentence.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Germany. The pandemic exacerbated vulnerabilities for trafficking victims, including increased isolation of migrant and seasonal workers, as well as sex trafficking victims. Instigated by the pandemic, sex traffickers continue to increasingly use online platforms to recruit, exploit victims, and book apartment rentals to make their illicit operations difficult to track. Apartment rentals have become the predominant venue for sex trafficking to occur, compared with the more traditional brothel, bar, or street locations. Most identified sex trafficking victims in Germany are EU citizens, primarily Germans, Bulgarians, and Romanians (of which a significant percentage are ethnic Roma). Victims also come from most other regions of the world, particularly several countries in Latin America, Nigeria, the People's Republic of China, Thailand, and other parts of Africa. Transgender women from Thailand are particularly vulnerable to sex trafficking and are often misled regarding their working conditions and wages prior to their arrival. Similarly, Romani families sometimes force their children, both boys and girls, into commercial sex on the streets. Sex traffickers use fraudulent recruitment, force, and debt bondage to exploit Venezuelan women and LGBTQI+ persons fleeing collapsing social and economic conditions. Authorities continue to report the prevalence of young male

traffickers, known as “lover boys,” coercing girls and women into sex trafficking, often through a faux romantic relationship; in 2021, approximately 20 percent of sex trafficking victims were coerced using this method. In 2021, 13 percent of sex trafficking victims were recruited through the Internet, while 12 percent were recruited through model and talent agencies. In addition, in 2021, the government reported approximately 49 percent of sex traffickers were acquainted with their victim prior to exploiting them in sex trafficking.

Traffickers continue to target migrants and refugees upon arrival. In 2022, refugees from Ukraine, predominantly women and children, fleeing Russia’s war against Ukraine, are vulnerable to trafficking. Specialized counseling centers identified less than 10 suspected cases of refugees from Ukraine as trafficking victims in 2022, despite some NGOs noting an increase in online advertising of Ukrainian women. Traffickers, namely Nigerian “madams,” continue to fraudulently recruit and later coerce Nigerian women and girls to stay in exploitative situations using a “voodoo oath” they are forced to swear, while Nigerian “fraternities” increasingly recruit victims through force. The Nigerian and European mafias increasingly cooperate to facilitate human trafficking from Africa. Several foreign governments continue to report German citizens engage in sex tourism abroad. Labor trafficking victims are predominantly male and European, including from Bulgaria, Latvia, North Macedonia, Poland, Romania, and Ukraine. Organized Vietnamese criminal groups exploit Vietnamese victims in labor trafficking. Traffickers exploit victims of forced labor primarily at construction sites but also in hotels, seasonal industries like agriculture, entertainment, restaurants, and in private homes, with reported increases in the number of child victims. Foreign workers are vulnerable to labor trafficking, particularly in meat processing plants, and especially when companies hire employees through subcontractors, who may have used fraudulent practices to recruit workers to the jobs. Traffickers subject Roma and foreign unaccompanied children to sex trafficking, forced begging, and other coerced criminal behavior.

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