



▶ The international dimension  
of Austrian measures  
to prevent and combat  
trafficking in human beings  
and protect the victims

Martin Stiller

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Publisher: National Contact Point Austria in the  
European Migration Network

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This publication was issued without formal editing by IOM.

This publication was issued without IOM Publications Unit (PUB) approval for adherence to IOM's brand and style standards.

This publication was issued without IOM Research Unit (RES) endorsement.

This publication was issued without official translation by IOM Translations Unit (TRS). It is an unofficial translation of the original version in German, entitled *Die internationale Dimension der österreichischen Maßnahmen zur Prävention und Bekämpfung des Menschenhandels und zum Schutz der Betroffenen*.

Required citation: Stiller, M. (2024). *The international dimension of Austrian measures to prevent and combat trafficking in human beings and protect the victims*. International Organization for Migration (IOM), Vienna.

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# The international dimension of the EU policy to prevent and combat trafficking in human beings and protect the victims of this crime

## National Contribution from Austria

The present was conducted by the National Contact Point (NCP) Austria in the EMN within the framework of the EMN's 2023–2025 Work Programme. The study follows a common study template with a predefined set of questions developed by the EMN, in order to facilitate comparability of the findings across all Member States. The Austrian responses to the study template can be found below.<sup>1</sup>

### TOP-LINE FACTSHEET

Trafficking in human beings<sup>2</sup> is seen as a modern form of slavery as well as a serious violation of fundamental human rights and human dignity. This phenomenon includes various forms, for example sexual exploitation or domestic servitude and labour exploitation in the construction industry. Trafficking in human beings affects people regardless of age and gender (IOM Austria, n.d.a:5; Task Force on Combating Human Trafficking, 2021:5). Given that human trafficking is a global phenomenon that can only be tackled at a global level and in an international context (Stiller, 2021:1), Austria was – as in previous years – also a country of destination and transit for human trafficking during the 2021–2023 period covered by the study. This fell within the 27th Legislative Term in Austria (2020–2024), during which, for the first time, the Austrian Federal Government included the fight against human trafficking in its government programme as both a domestic and foreign policy priority. The programme set out a number of thematic priorities in the fight against human trafficking. Developed by the Task Force on Combating Human Trafficking, the National Action Plan on Combating Human Trafficking for 2021 to 2023 was of key importance in implementing these initiatives. It included a total of 109 measures and prioritized areas such as coordination, prevention/awareness-raising, the protection of trafficked persons, monitoring and evaluation, and law enforcement. The National Action Plan implementation report concluded that Austria had taken important steps in all areas of the fight against human trafficking through activities such as operational consultations, police exchange programmes, and projects and initiatives carried out in close cooperation with (third) countries and international organizations (Federal Ministry for European and International Affairs, 2024:4,6,26,27). This study is limited to the international dimension of the measures taken in third countries and Austria to combat trafficking in human beings, and covers the following areas:

- Preventing and reducing the demand for human trafficking;
- Strengthening law enforcement and judicial action in order to break the criminal model of human traffickers;
- Identifying, protecting, supporting and empowering trafficked persons;
- Cooperating with third countries and international organizations;

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1 Disclaimer: The following information has been provided primarily for the purpose of contributing to this EMN study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Country.

2 In order to be considered human trafficking, the three elements of action, unfair means and specific purpose must be present. Specifically, this means that actions are taken that use unfair means for the purpose of exploiting another person. With regard to minors, it is also considered human trafficking if unfair means are not used. Cf. Art. 3 Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, FLG. III No. 220/2005.

- Addressing current needs and developing future national measures to combat trafficking in human beings.

A previous study has already examined in detail the trafficking of third-country nationals in Austria and the ways in which these trafficked persons are detected, identified and protected (see Stiller, 2021).

During the period covered by the study, Austria focused on a number of geographical regions – including South-East Europe, Ukraine and the Middle East – in its fight against human trafficking and funded anti-human trafficking projects in both EU Member States and third countries. Relevant projects in specific regions were funded through the Austrian Development Agency, which monitored human trafficking-related issues in the development cooperation projects.

In Austria, structured and institutionalized cooperation with third countries primarily concerned the cooperation of law enforcement agencies and judicial authorities. However, non-state actors such as non-governmental organizations were also involved in the fight against trafficking in human beings and in international cooperation.

Challenges faced when implementing appropriate measures to combat trafficking in human beings in third countries or when cooperating with third countries were identified in the different areas examined by the study. It should be noted here that there can always be challenges in cross-border cooperation. In contrast to the implementation of national measures in a particular country, collaborative implementation is based on identifying and pursuing common interests. In this regard, cooperation with third countries is even more complex than with EU countries due to potentially diverging interests.

## SECTION 1: INTRODUCTION AND MAPPING OF POLICIES AND MEASURES

### 1. Which are your country's thematic priorities when addressing the international dimension of trafficking in human beings?

As in previous years, Austria was a country of destination and transit for human trafficking during the 2021–2023 period covered by the study (Federal Ministry for European and International Affairs, 2024:3; Federal Ministry of the Interior, 2023:21; Stiller, 2021:7).<sup>3</sup> This fell within the 27th Legislative Term in Austria (2020–2024). The government programme drawn up by the Austrian Federal Government set out a number of thematic priorities in the fight against human trafficking (Federal Chancellery, 2020:139), including:

- Effective measures to prevent and combat the smuggling of migrants<sup>4</sup> and trafficking in human beings, especially the trafficking of women and children, as well as exploitation (the government programme mentions in this context sexual exploitation, human trafficking for the purpose of organ removal, labour exploitation, forced begging, forced criminality). Since migrants who travel to Austria irregularly with the help of traffickers may owe a debt to the traffickers or the organization behind them, they are at risk of being exploited.<sup>5</sup> Although human trafficking and the smuggling of migrants are essentially different phenomena,<sup>6</sup> they are often dealt with together in Austria due to the points of contact mentioned above.

<sup>3</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>4</sup> Smuggling of migrants is understood as the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the irregular entry of a person into a (United Nations) Member State of which the person is not a national or a permanent resident. Cf. European Migration Network, 2018:298.

<sup>5</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>6</sup> See for human trafficking in particular Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, pp. 1–11; For smuggling of migrants, see in particular Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, FLG. III No. 11/2008.

- Targeted national action and international cooperation to combat human trafficking as a form of transnational organized crime, which includes measures to prevent this trafficking, to punish the traffickers and to protect trafficked persons, in particular by protecting their internationally recognized human rights.
- A comprehensive commitment to protect and support persons affected by human trafficking and exploitation, especially women, girls and children in general, in the countries of origin, transit and destination.
- Support for persons affected by human trafficking and exploitation, especially women, girls and children in general, through strategies such as creating prospects for the future and building resilience.

Developed by the Task Force on Combating Human Trafficking<sup>7</sup> that was set up in 2004, the National Action Plan on Combating Human Trafficking (referred to below as the National Action Plan) for 2021 to 2023 (Task Force on Combating Human Trafficking, 2021) was of key importance in implementing these initiatives. The National Action Plan included a total of 109 measures and prioritized areas such as coordination, prevention/awareness-raising, the protection of trafficked persons, monitoring and evaluation, and law enforcement. Austria adopted a variety of measures<sup>8</sup> in these areas during the period covered by the study. These measures, which are part of the international cooperation effort to combat trafficking in human beings, include:

- **Bilateral and multilateral dialogue:** In the area of **coordination**, bilateral and multilateral dialogue was stepped up in order to achieve the best possible results in the fight against human trafficking.<sup>9</sup>
- **Awareness-raising and prevention with an international focus:** In order to raise awareness and help prevent human trafficking, Austria organized events and campaigns to inform people about the phenomenon (see Q6).
- **Support for international monitoring and evaluation mechanisms:** In the area of **monitoring and evaluation**, the Federal Ministry for European and International Affairs sought to support international evaluation and monitoring mechanisms as actively as possible and to cooperate with the relevant bodies.<sup>10</sup> Accordingly, the annual review and reporting processes required by the European Union, the Organization for Security and Co-operation in Europe (OSCE), the United Nations Office on Drugs and Crime (UNODC) and the United States of America<sup>11</sup> were completed during the period covered by the study (Federal Ministry for European and International Affairs, 2024:75).
- **Transnational cooperation with law enforcement authorities:** With regard to **law enforcement**, cooperation with law enforcement authorities – which is working well, according to an expert at the Federal Ministry for European and International Affairs interviewed for this study – was a key priority. These authorities were also very well networked in third countries, especially as far as police work was concerned (see also Q2 and Q7).<sup>12</sup> Their work focused on **prevention**.

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<sup>7</sup> For details see Stiller, 2021:1 as well as Federal Ministry for European and International Affairs, n.d.

<sup>8</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> The United States Department of State compiles the annual Trafficking in Persons Report based on information from United States embassies, government officials, non-governmental organizations and international organizations, as well as consultations with authorities and organizations in all regions of the world (see for example United States Department of State, n.d.:70).

<sup>12</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

Informed dialogue between experts played a key role in enabling the business model of human trafficking to be tackled effectively.<sup>13</sup>

The National Action Plan implementation report thus concluded that Austria had taken important steps in all areas of the fight against human trafficking through activities such as bilateral operational consultations, police exchange programmes, and projects and initiatives carried out in close cooperation with international organizations (Federal Ministry for European and International Affairs, 2024:4,6,26,27).

2. Does your country target any specific third countries, geographic regions or third-country nationalities when addressing the international dimension of trafficking in human beings?

Yes

No

As already mentioned in Q1, Austria was and is a country of destination and transit for trafficking in human beings. From an Austrian perspective, the country's expertise in the fight against human trafficking can therefore be employed especially effectively in cases where the routes used by human traffickers either end in or pass through Austria. During the period covered by the study, this mainly involved the migration route into the European Union via countries in South-East Europe (known as the Balkan Peninsula). This route was and continues to be a major focus for Austria, particularly since other countries along this route are, like Austria, also working towards the goal of stamping out human trafficking. Austria therefore works in close collaboration with Serbia, for example, since most routes also pass through Serbia.<sup>14</sup>

In light of the fact that economic hardship is a key factor in making people vulnerable to exploitation (Stiller, 2021:35f; Heilemann, 2023:20f), Austria increased its focus on Ukraine, especially after the start of the Russian war of aggression (see Q7).<sup>15</sup> At the beginning of the war in Ukraine, Ukrainians were at particular risk of human trafficking due to their hasty departure from the country and the fact that their admission to the European Union was still unregulated. As the war continued, their stay in the European Union was better regulated and strengthened through appropriate legislation (Stiller, 2023b:7),<sup>16</sup> but the risk of human trafficking had not yet been averted. A lack of employment could lead to precarious conditions and financial hardship when their savings had run out, for example, and this would once again leave them in a vulnerable position (Heilemann, 2023:VII, 21, 22; Schocher, 2023). In addition, certain groups of people from Ukraine – such as third-country nationals who had a permanent residence permit in Ukraine, persons with a student visa or undocumented persons – were and are not covered by temporary protection in Austria. This means that they do not have unrestricted access to the labour market<sup>17</sup> or access to support services, putting them at an even greater risk of exploitation and human trafficking.<sup>18</sup>

There was also a focus on networking with the Republic of Türkiye, where there is a very high density of migrants and refugees (IOM Türkiye, n.d.) who are at risk of exploitation. Jordan and Lebanon, which were and still are particularly affected by the crisis in the Syrian Arab Republic (UNHCR, n.d.a, n.d.b), were also of particular interest to Criminal Intelligence Service Austria, as was the Syrian Arab Republic itself.<sup>19</sup> With Nigerians and Chinese nationals often being at risk of sexual exploitation in

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<sup>13</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>14</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>15</sup> During the study period, the Task Force on Trafficking in Human Beings Ukraine set up by the Criminal Intelligence Service Austria created a low-threshold, direct, operational exchange at the level of the law enforcement authorities in order to identify trafficked persons and track down criminal networks (Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024; Stiller, 2023b:31).

<sup>16</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>17</sup> See for the labour market access of persons with temporary protection Ammann, 2024:20.

<sup>18</sup> Written input: LEFÖ-IBF, 31 August 2024.

<sup>19</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

Austria, this group of people was also closely monitored by Criminal Intelligence Service Austria (United States Department of State, n.d.).<sup>20</sup>

Although there was no explicit focus on a particular region or specific nationalities, it should nevertheless be mentioned that during the period covered by the study (2021–2023), Austria paid close attention to (third-country national) applicants for international protection.<sup>21,22</sup> This also included all irregular migrants intercepted in Austria who showed physical signs of possible organ trafficking.<sup>23</sup>

### 3. Does your country have any specific policies aimed at (see points a) and b) below):

It should be noted that the period covered by this study (2021–2023) fell within the 27th Legislative Term in Austria (2020–2024), during which the Austrian Federal Government – a coalition of the Austrian People’s Party and the Austrian Green Party – included the fight against human trafficking in its government programme as both a domestic and foreign policy priority for the first time (Stiller, 2021:7).

#### a) Addressing trafficking in human beings towards EMN Member and Observer Countries in third countries of origin and transit of victims (and potential victims)?

Yes

No

During the 2021–2023 period covered by the study, one measure implemented by Austria to combat human trafficking from third countries into the European Union was the signing of agreements with third countries. A prime example was the agreement with India<sup>24</sup> that came into force on 1 September 2023. This agreement regulates Austria’s interest in forced returns on the one hand and satisfies India’s interest in facilitating lawful migration to Austria on the other; it also cites the explicit goal of “preventing and combating irregular migration, the smuggling of migrants and human trafficking, and their consequences” (Art. 1 para. 1 subpara. 4).<sup>25</sup> From Austria’s perspective, making it easier for migrants to enter the country lawfully means they no longer need to choose to enter via irregular means, such as through smuggling.<sup>26</sup> Since migrants who travel to Austria irregularly with the help of smugglers may owe a debt to the smugglers or the organization behind them, they are at risk of being exploited.<sup>27</sup> Although such agreements primarily have an impact on the smuggling of migrants, they also reduce the risk of exploitation and ultimately also help to combat trafficking in human beings as a result. Austria therefore also proposed signing agreements of this kind with a number of other countries<sup>28</sup> and the issue of human trafficking was addressed in bilateral declarations of intent.<sup>29</sup> An expert at the

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<sup>20</sup> Ibid.

<sup>21</sup> Labour exploitation was mentioned in particular in connection with the exploitation of applicants for international protection. Applicants for international protection were and are particularly at risk of exploitation, as their stay in Austria is not yet permanently secured during their ongoing procedure and they are largely prohibited from gainful employment (Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024).

<sup>22</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024; Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>23</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>24</sup> Agreement between the Austrian Federal Government and the Government of the Republic of India on a Comprehensive Migration and Mobility Partnership, FLG. III No. 127/2023. For details see Ammann, 2024:6, 33, 38.

<sup>25</sup> For specific measures to combat irregular migration and human trafficking, such as the development of a joint action programme, see Art. 13 of the Agreement between the Austrian Federal Government and the Government of the Republic of India on a Comprehensive Migration and Mobility Partnership, FLG. III No. 127/2023.

<sup>26</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>27</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>28</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>29</sup> Examples include declarations of intent concluded between Austria and Indonesia or the Philippines (Federal Ministry of Labour and Economy, n.d.).



International Organization for Migration Austria (IOM Austria) also underlined the potential to reduce human trafficking by facilitating lawful immigration.<sup>30</sup>

b) Addressing trafficking in human beings of third-country nationals [in your country?](#)

Yes

No

With regard to Austria's efforts to enter into contractual arrangements with other countries on the return of trafficked persons,<sup>31</sup> Austria put significant emphasis on ensuring adequate protection against revictimization in its National Action Plan 2021–2023 (see Q6 below on the SAFE RETURN project).<sup>32</sup>

4. [In your country, are there any interconnections between national policies addressing the international dimension of trafficking in human beings and other policy areas \(e.g. border management, asylum, migrant smuggling and irregular migration, fundamental rights, gender equality, organised crime, etc.\)?](#)

Yes

No

In Austria's view, the fight against trafficking in human beings also requires a comprehensive approach and cooperation at international level. Given the international dimension of this phenomenon, a senior official at the Federal Ministry for European and International Affairs heads the human trafficking task force in Austria and also acts as the national coordinator for combating trafficking in human beings (Federal Ministry for European and International Affairs, n.d.).

The comprehensive approach is also reflected in the linking of different policy areas and areas of responsibility. For instance, the link between **human rights** and the fight against human trafficking plays a major role in Austria. This is illustrated by the fact that human rights was the overarching theme of the most recent Vienna Conference on Combatting Trafficking in Human Beings, held on 19 October 2023, and is also why the United Nations High Commissioner for Human Rights, Volker Türk, gave the opening speech at this conference. Austria is also committed to a gender-sensitive approach since personal attributes and individual characteristics such as gender (and other categories such as age) influence the way in which trafficked persons are affected.<sup>33</sup> In the area of **law enforcement**, a link can be seen between aspects of human trafficking and the smuggling of migrants – a phenomenon that is similar in some ways – since these two phenomena are not only considered separately, but are often dealt with and prosecuted together (see also Q1 and Q12). In addition, the phenomenon of human trafficking is addressed in connection with **irregular migration** and **international protection** by, for example, watching out for possible signs of exploitation in people who have been intercepted or who are being cared for (see Q2).

5. [Has your country funded or implemented any measures aimed at addressing trafficking in human beings towards EMN Member and Observer Countries in third countries of origin and transit of victims \(and potential victims\)?](#)

Yes

No

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<sup>30</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024.

<sup>31</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

It should be noted that the Austrian National Action Plan for 2021 to 2023 included a total of 109 measures – at both national<sup>34</sup> and international level – in the fight against human trafficking (Task Force on Combating Human Trafficking, 2021:5f). Selected measures in third countries will be described in more detail below by way of example, with a distinction being made based on the type of measure (non-monetary measures, project funding).

During the period covered by the study, Austria’s measures to combat human trafficking in third countries included the dissemination of information in the countries of origin. For instance, Austrian embassies and consulates provided visa applicants with information about the risks of human trafficking (United States Department of State, 2021:99, 2022:100, n.d.). Likewise, the information sheet for au pairs in Austria was translated into seven languages in 2021 and handed out to persons who visited Austrian representation authorities to apply for a visa for au pair work (Federal Ministry for European and International Affairs, 2024:51).

In addition, Austria entered into an array of cooperation projects, mainly with interior ministries of other countries. This is not least due to the fact that since the Joint Operational Office (JOO) was established in 2016, which plays a key role in combating human trafficking and the smuggling of migrants as well as in networking with investigating authorities in other (EU Member) States (Stiller, 2021:37), many of the Austrian measures to combat trafficking in human beings converge within the Federal Ministry of the Interior.<sup>35</sup> These projects supported initiatives such as victim protection organizations, the provision of technical material and the networking of police authorities.<sup>36</sup>

During the period covered by the study, Austria also funded projects to combat human trafficking in EU Member States as well as in third countries (see the table below; United States Department of State, 2021:99, 2022:100, n.d.). The Federal Ministry for European and International Affairs was responsible for funding relevant projects in specific regions through the Austrian Development Agency (ADA),<sup>37,38</sup> which monitored human trafficking-related issues in its development cooperation projects during the period covered by the study.<sup>39</sup> The ADA therefore funded projects that addressed human trafficking in the context of transnational security and supported trafficked persons on the one hand. On the other, it supported projects that aimed to tackle trafficking in human beings by improving the framework conditions for preventing and combating human trafficking as well as by enhancing protection, employment and integration measures for particularly vulnerable groups (Federal Ministry for European and International Affairs, 2024:29).

|   |
|---|
| <b>Name of the measure:</b> Intergovernmental Authority on Development (IGAD): Promoting Peace and Stability in the Horn of Africa Region                                     |
| <b>Third country/ies of implementation:</b> Region of East Africa and the Horn of Africa  |
| <b>Implementation period:</b> October 2017/November 2018 to September 2023  |
| <b>Total funding and source(s) of funding:</b> EUR 25,300,000 of EU funds as well as approximately EUR 1,000,000 each from Austria, Sweden and the Kingdom of the Netherlands |
| <b>Implementing partners:</b> Austrian Development Agency, Intergovernmental Authority on Development   |

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<sup>34</sup> Due to the transnational nature of human trafficking, from an Austrian perspective, national measures have also contributed to combating human trafficking at an international level (Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024).

<sup>35</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>36</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>37</sup> Ibid.

<sup>38</sup> The Austrian Development Agency is a limited liability company under the jurisdiction of the Federal Ministry for European and International Affairs and owned by the Republic of Austria (Art. 6 Federal Act on Development Cooperation, FLG. I No. 49/2002 in the version of FLG. I No. 37/2018).

<sup>39</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

**Name of the measure:** Intergovernmental Authority on Development (IGAD): Promoting Peace and Stability in the Horn of Africa Region

**Beneficiaries:** Policy organs as well as governmental and non-governmental institutions in the Horn of Africa

**Objective(s):** Contribute to achieving sustainable peace, security and stability

**Main activities:**

1. Promoting the implementation of the regional peace and security strategy, including in the context of transnational security threats and human trafficking;
2. Improving the new data collection system;
3. Conducting assessments and reviews of existing systems, policies and strategies;
4. Coordinating government institutions to develop regional mediation strategies and protocols.

**State of implementation:** Closed

**Thematic area (please select all that apply):**

Prevention, awareness raising and reduction of the demand that fosters trafficking in human beings

Law enforcement and judicial cooperation to break the criminal model of traffickers

Identifying, protecting, assisting, supporting and empowering victims

Source: Austrian Development Agency, n.d.d; Federal Ministry for European and International Affairs, 2024:29; European Union, n.d.; Austrian Embassy Addis Ababa, n.d.

**Name of the measure:** The Child Protection Hub for South-East Europe

**Third country/ies of implementation:** Albania, Bosnia and Herzegovina, Kosovo,<sup>40</sup> Republic of Moldova, Serbia

**Implementation period:** June 2018 to March 2022

**Total funding and source(s) of funding:** EUR 780,000

**Implementing partners:** Terre des hommes Foundation "Lausanne"

**Beneficiaries:** Child protection professionals in all areas, children at risk of or who are victims of trafficking in human beings, exploitation and other forms of violence in targeted countries

**Objective(s):** Establish a child protection system that influences the development of policies, structures and accountability mechanisms of child protection

**Main activities:**

1. Capacity-building;
2. Continued knowledge management of the ChildHub<sup>41</sup> portal as an interactive platform for professionals;
3. Annual regional conferences that enable professionals to exchange information;
4. Strengthened collaboration with existing networks such as Eurochild and ChildPact.

**State of implementation:** Closed

<sup>40</sup> References to Kosovo shall be understood to be in the context of United Nations Security Council resolution 1244 (1999).

<sup>41</sup> The Child Protection Hub is an interactive platform for professionals to exchange experiences and knowledge, learn from each other, offer and receive support (childhub.org, n.d.).

|   |
|---|
| <b>Name of the measure:</b> The Child Protection Hub for South-East Europe  |
| <b>Thematic area (please select all that apply):</b>  |
| <input checked="" type="checkbox"/> <b>Prevention, awareness raising and reduction of the demand that fosters trafficking in human beings</b> |
| <input type="checkbox"/> <b>Law enforcement and judicial cooperation to break the criminal model of traffickers</b>                           |
| <input type="checkbox"/> <b>Identifying, protecting, assisting, supporting and empowering victims</b>   |

Source: Austrian Development Agency, n.d.f.

|  |
|--|
| <b>Name of the measure:</b> Support for Justice, Law and Order Services  |
| <b>Third country/ies of implementation:</b> Uganda   |
| <b>Implementation period:</b> July 2021 to June 2025   |
| <b>Total funding and source(s) of funding:</b> EUR 8,000,000   |
| <b>Implementing partners:</b> Ministry of Finance, Planning and Economic Development – Uganda  |
| <b>Beneficiaries:</b> Population of Uganda, 18 institutions in the legal and judicial sector in Uganda, including the Ministry of Justice and Constitutional Affairs, judiciary (coordination), Office of the Public Prosecutor, Human Rights Commission, Uganda Police Force, Ministry of Gender  |
| <b>Objective(s):</b> Improve access to the justice service delivery system   |
| <b>Main activities:</b>  |
| <ol style="list-style-type: none"> <li>1. Capacity-building;</li> <li>2. Development of service delivery standards;</li> <li>3. Construction of courts, police stations and prisons as well as other activities;</li> <li>4. Support trafficked persons by temporarily providing food, accommodation, medical care, transportation and comprehensive criminal investigations.</li> </ol> |
| <b>State of implementation:</b> Ongoing  |
| <b>Thematic area (please select all that apply):</b>   |
| <input type="checkbox"/> <b>Prevention, awareness raising and reduction of the demand that fosters trafficking in human beings</b>   |
| <input checked="" type="checkbox"/> <b>Law enforcement and judicial cooperation to break the criminal model of traffickers</b>   |
| <input checked="" type="checkbox"/> <b>Identifying, protecting, assisting, supporting and empowering victims</b>   |

Source: Austrian Development Agency, n.d.e; Federal Ministry for European and International Affairs, 2024:29.

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| <b>Name of the measure:</b> Contribution to IOM Tunisia Appeal   |
| <b>Third country/ies of implementation:</b> Tunisia  |
| <b>Implementation period:</b> February 2022 to February 2024   |
| <b>Total funding and source(s) of funding:</b> Foreign Disaster Relief Fund, <sup>42</sup> EUR 2,000,000                   |
| <b>Implementing partners:</b> International Organization for Migration   |
| <b>Beneficiaries:</b> Vulnerable migrants, victims of trafficking and exploitation, and survivors of gender-based violence |

<sup>42</sup> For details see Austrian Development Agency, n.d.c.

**Name of the measure:** Contribution to IOM Tunisia Appeal

**Objective(s):** Reduce acute vulnerabilities, provide protection, and improve resilience and access to critical services

**Main activities:**

1. Establishing emergency shelters;
2. Recruiting and training relevant protection personnel;
3. Offering orientation and vocational training to migrants;
4. Providing socio-economic support interventions for unaccompanied migrant children;
5. Providing exit orientation and referrals.

**State of implementation:** Closed

**Thematic area (please select all that apply):**

**Prevention, awareness raising and reduction of the demand that fosters trafficking in human beings**

**Law enforcement and judicial cooperation to break the criminal model of traffickers**

**Identifying, protecting, assisting, supporting and empowering victims**

Source: Austrian Development Agency, n.d.a; Federal Ministry for European and International Affairs, 2024:30.

**Name of the measure:** Strengthening civil society organizations for the promotion and protection of human rights

**Third country/ies of implementation:** Lesotho

**Implementation period:** February 2023 to January 2026

**Total funding and source(s) of funding:** EUR 44,400

**Implementing partners:** World Vision Austria – an organization providing development cooperation, humanitarian relief and advocacy

**Beneficiaries:** Children and 8,500 members of the community are to be reached as direct target groups of the initiative at municipal level. All in all, the improved reporting structures and greater efficiency in the delivery of services should indirectly benefit 100,000 members of the community

**Objective(s):** The project aims to strengthen social protection systems in monitoring, preventing and responding to human trafficking and violations of the rights of persons with disabilities

**Main activities:**

1. Delivering training (including training-the-trainer courses) for children's clubs and assistant social workers on how to approach and raise awareness of human trafficking and violations of the rights of persons with disabilities;
2. Delivering training for journalists on human trafficking and the rights of persons with disabilities;
3. Delivering psychosocial support sessions and training for trafficked persons, as well as providing materials for establishing income-generating business activities;
4. Developing simplified versions of the 2011 Anti-Trafficking in Persons Act and the 2021 Persons with Disability Equity Act.

**State of implementation:** Ongoing

**Thematic area (please select all that apply):**

**Name of the measure:** Strengthening civil society organizations for the promotion and protection of human rights

**Prevention, awareness raising and reduction of the demand that fosters trafficking in human beings**

**Law enforcement and judicial cooperation to break the criminal model of traffickers**

**Identifying, protecting, assisting, supporting and empowering victims**

Source: Austrian Development Agency, n.d.b; Federal Ministry for European and International Affairs, 2024:29f.

In addition to these projects, voluntary contributions were also made to various international organizations at multilateral level.<sup>43</sup> For example, Austria provided a total of EUR 190,000 to support projects from the United Nations Office on Drugs and Crime (UNODC; Federal Ministry for European and International Affairs, 2024:27); this included a voluntary annual financial contribution of EUR 10,000 for the UN Voluntary Trust Fund for Victims of Trafficking in Persons (Federal Ministry for European and International Affairs, 2024:28) and a contribution of EUR 100,000 for the project “Enhancing criminal justice response to address evidential issues for trafficking in persons in the South Eastern Europe” (Federal Ministry for European and International Affairs, 2024:27).

6. [Has your country funded or implemented any specific measures \(with an international component\) aimed at addressing trafficking in human beings of third-country nationals towards EMN Member and Observer Countries in your country?](#)

Yes

No

During the period covered by the study, Austria implemented a number of measures (with an international component) to combat the trafficking in human beings towards Austria. These included appropriate education and training measures aimed at preventing trafficking in human beings and facilitating the identification of trafficked persons (from third countries). Criminal Intelligence Service Austria cooperated with IOM Austria, the criminal intelligence service in the provinces, LEFÖ – Intervention Center for Trafficked Women (hereinafter: LEFÖ-IBF), MEN VIA and the MAG 11 Drehscheibe crisis centre of the City of Vienna to support and deliver Austria-wide courses, seminars and training sessions on the following topics: human trafficking, cross-border trafficking in prostitution and identifying trafficked persons. These training courses were offered to various target groups, including members of the police force, child and youth welfare authorities, and legal advice organizations (Federal Ministry of the Interior, 2022:31, 2023:30). In addition, ongoing training courses were held for employees of the Federal Office for Immigration and Asylum.<sup>44</sup> The education and training measures cited here are not international-level measures. Given that the vast majority of trafficked persons come from the EU and third countries, the international dimension of human trafficking is addressed in these training courses by drawing upon case studies to explore the various possible scenarios in human trafficking. Scenarios relating to third-country nationals and exploitation in third countries are a particular focal point.<sup>45</sup>

The following are examples of measures that Austria has implemented with the aim of preventing and raising awareness of this subject:

- The Federal Ministry for European and International Affairs organized the annual Vienna Conference on Combatting Trafficking in Human Beings, a bilingual event held in German and English.<sup>46</sup> Thanks to the new hybrid format, the number of conference participants grew to around 600 people, including members of civil society, representatives of international

<sup>43</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>44</sup> Written input: Federal Ministry of the Interior, Department V/B/8 (Asylum), 8 November 2024.

<sup>45</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024.

<sup>46</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

organizations and members of the diplomatic and consular corps, who used the event as a platform for exchange, among other things. With high-ranking keynote speakers – for example, the United Nations High Commissioner for Human Rights Volker Türk, Austrian Scientist of the Year 2021 Peter Klimek, and EU Anti-Trafficking Coordinator Diane Schmitt – the conference has achieved international recognition. The conference expanded during the period covered by the study, becoming one of the biggest and most important regular European conferences in this domain (Federal Ministry for European and International Affairs, 2024:31ff; United States Department of State, n.d.);

- A public information event for private domestic staff in Austria was also held each year. All accredited embassies, consulates and international organizations in Austria were informed of this event and invited to facilitate participation for their private domestic staff (GRETA, 2023:13);
- Efforts to raise awareness of the issue also continued, for instance by way of a poster campaign (Federal Ministry for European and International Affairs, 2024:35; United States Department of State, 2022:108). Several projects were also selected in spring 2023 in keeping with the provision for a campaign of “awareness-raising measures on human trafficking in appropriate projects relating to the external dimension of migration” in the National Action Plan (Federal Ministry for European and International Affairs, 2024:30).

Lastly, Austria financed various projects in the period covered by the study, including the Safe Return project described below:

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| <p><b>Name of the policy or measure:</b> SAFE RETURN: safe return through risk assessments for victims of human trafficking and SAFE RETURN II – safe return through hazard analyses for victims of human trafficking</p>  |
| <p><b>Third country/ies of nationality targeted (if the measure does not target specific nationalities but third-country nationals in general, please specify):</b> The initiative was and continues to be available to trafficked persons from third countries</p>  |
| <p><b>Implementation period:</b> April 2021 to December 2022; January 2023 to December 2024</p>  |
| <p><b>Total funding and source(s) of funding:</b> The project was and continues to be funded by the Federal Ministry of the Interior</p>   |
| <p><b>Implementing partners:</b> LEFÖ-IBF</p>  |
| <p><b>Beneficiaries:</b> Trafficked persons from third countries</p>   |
| <p><b>Objective(s):</b> The aim was and still is to support the voluntary, safe return of trafficked persons from third countries by means of a risk assessment and ongoing protection for victims, including prior to their return. A high-quality assessment of potential risks is intended to prevent the possibility of trafficked persons finding themselves in situations of exploitation, violence and human rights violations again following their voluntary return</p> |
| <p><b>Main activities:</b> Risk assessment prior to return, protection in the country of origin (in cooperation with IOM if necessary),<sup>47</sup> international exchange between experts (LEFÖ-IBF, n.d.a)</p>  |
| <p><b>State of implementation:</b> Closed/ongoing</p>  |
| <p><b>Thematic area (please select all that apply):</b></p> <p><input type="checkbox"/> Prevention and reduction of the demand that fosters trafficking in human beings</p> <p><input type="checkbox"/> Law enforcement and judicial cooperation to break the criminal model of traffickers</p> <p><input checked="" type="checkbox"/> Identifying, protecting, assisting, supporting and empowering victims</p>   |

Source: Federal Ministry for European and International Affairs, 2024:58; LEFÖ-IBF, n.d.b, n.d.c.

<sup>47</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024.

**Name of the policy or measure:** Dissemination of skills and knowledge to support Austrian asylum and migration management with a focus on vulnerable persons (KOMPASS)

**Third country/ies of nationality targeted** (if the measure does not target specific nationalities but third-country nationals in general, please specify): Since this project was and continues to be aimed at the dissemination of skills and knowledge among Austrian actors in the asylum and migration system, it does not directly address any third-country nationals specifically

**Implementation period:** May 2023 to December 2025

**Total funding and source(s) of funding:** EUR 1,157,936 (consisting of a contribution of EUR 225,799.10 from the Asylum, Migration and Integration Fund and EUR 932,136.90 from the Federal Ministry of the Interior)

**Implementing partners:** IOM Austria

**Beneficiaries:** Actors in the Austrian asylum and migration system

**Objective(s):** The aim of the measure was and still is to support decision makers, counsellors, social workers and other relevant actors, helping them to expand their skills and knowledge, particularly regarding vulnerable persons in procedures relating to asylum and the rights of foreign nationals, thus contributing to the optimization of processes, structures and decisions in the context of asylum and migration in Austria. As part of the project, a programme of training on human trafficking is offered for actors in the field of asylum and immigration (for example, the Federal Office for Immigration and Asylum and the Federal Agency for Reception and Support Services). The international dimension of trafficking in human beings is addressed by drawing upon case studies to explore the various possible scenarios of human trafficking. Scenarios relating to third-country nationals and exploitation in third countries are a particular focal point<sup>48</sup>

**Main activities:** Skills and knowledge transfer, as well as the provision of supporting materials in the following areas:

1. Human trafficking and other forms of violence, exploitation and abuse, particularly of unaccompanied migrant children;
2. General and specific knowledge of migration;
3. Intercultural competences and communication skills.

**State of implementation:** Ongoing

**Thematic area (please select all that apply):**

Prevention and reduction of the demand that fosters trafficking in human beings

Law enforcement and judicial cooperation to break the criminal model of traffickers

Identifying, protecting, assisting, supporting and empowering victims

Source: Federal Ministry for European and International Affairs, 2024:30; IOM Austria, n.d.b.

Additionally, the National Action Plan 2021–2023 implementation report states that, for example, IOM Austria’s RESTART IV project was selected in 2023 as an awareness-raising measure “on human trafficking in appropriate projects relating to the external dimension of migration” (Federal Ministry for European and International Affairs, 2024:30). Although this is not a project that focuses on human trafficking specifically, measures aimed at raising awareness of trafficking in human beings do form a component.



7. Has your country engaged in (see points a) and b) below):

The National Action Plan provided, inter alia, for the active participation of members of the task force on human trafficking in the context of national and international committees and events relating to human trafficking during the period covered by the study (Federal Ministry for European and International Affairs, 2024:18). Accordingly, Austria has forged ahead with this cooperation at international level.

a) Structured (bilateral and/or multi-lateral) cooperation with third countries of origin and transit for preventing trafficking in human beings towards the EU; breaking the criminal model of traffickers; and/or protecting, assisting, supporting, and empowering third-country national victims of trafficking?

Yes

No

In particular, the cooperation of law enforcement agencies and judicial authorities on the basis of various international and bilateral (legal assistance) agreements should be mentioned in connection with structured and institutionalized cooperation with third countries in the Austrian context. Networking was especially good in the field of policing.<sup>49</sup> The collaboration with the Nigerian National Agency for the Prohibition of Trafficking in Persons (NAPTIP)<sup>50</sup> was cited as a concrete example of police cooperation, as Nigerians are often at risk of sexual exploitation in Austria.<sup>51</sup> Austrian police authorities also participated in bilateral and multilateral operative measures as part of the European Multidisciplinary Platform Against Criminal Threats in Trafficking in Human Beings project. There were also direct consultations with investigators from Hungary, Kosovo,<sup>52</sup> Lebanon, North Macedonia, Romania and Serbia in the context of this project (Federal Ministry of the Interior, 2024:24). Additionally, Austria cooperated with other countries during the period covered by the study, for instance through mutual postings of police officers for the purpose of carrying out targeted joint operations,<sup>53</sup> and it financed the deployment and participation of experts as part of national and international projects to combat trafficking in human beings (Federal Ministry for European and International Affairs, 2024:22).

From the Austrian perspective, activities relating to the fight against human trafficking and international cooperation were not exclusively the domain of government actors; non-state actors such as non-governmental organizations were also to play an active role in their implementation. Two such institutions in the case of Austria were (and are) the victim protection organizations LEFÖ-IBF and MEN VIA, which received appropriate funding from government agencies for this purpose. A portion of this funding was also fed into the respective international cooperation projects.<sup>54</sup> For example, LEFÖ-IBF held several networking meetings with foreign representation authorities in order to help raise awareness of the situation of trafficked persons in Austria. MEN VIA was also continuously involved in case-related collaborations with foreign representation authorities and attended several exchanges with the US Ambassador, including a meeting in connection with the preparation of the annual Trafficking in Persons Report (see Q1; Federal Ministry for European and International Affairs, 2024:18).

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<sup>49</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>50</sup> For details on this agency see National Agency for the Prohibition of Trafficking in Persons, n.d.

<sup>51</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>52</sup> References to Kosovo shall be understood to be in the context of United Nations Security Council resolution 1244 (1999).

<sup>53</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024; Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>54</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

b) Structured cooperation with [international organisations](#) for preventing trafficking in human beings of third-country nationals towards the EU; breaking the criminal model of traffickers; and/or protecting, assisting, supporting, and empowering third-country national victims of trafficking?

Yes

No

Austria is a contracting party to all the relevant international legal instruments on combating human trafficking, including the supplementary protocol to the Palermo Convention,<sup>55</sup> the United Nations Convention against Transnational Organized Crime<sup>56</sup> and the Council of Europe Convention on Action against Trafficking in Human Beings.<sup>57</sup> Furthermore, Austria has implemented the EU Directive on preventing and combating trafficking in human beings and protecting its victims<sup>58</sup> (Federal Ministry for European and International Affairs, 2024:4).

Furthermore, during the period covered by the study, Austria cooperated with international organizations such as the United Nations Office on Drugs and Crime (UNODC), the Organization for Security and Co-operation in Europe (OSCE), and the International Organization for Migration (Federal Ministry for European and International Affairs, 2024:4).<sup>59</sup> At the level of non-governmental organizations, the victim protection organizations LEFÖ-IBF and MEN VIA both presented expert input from their own experience several times a year at events organized by international organizations, in particular the OSCE and UNODC.<sup>60</sup>

At the level of government institutions, as part of the focus on the Western Balkan Peninsula, Austrian representatives participated in a series of UNODC workshops in the region. Here, general matters relating to the international cooperation in the fight against human trafficking were addressed and concrete models – for example relating to protecting trafficked persons – were also presented. Austria also supported networking among practitioners (including representatives of international organizations and non-governmental organizations) in order to contribute to more efficient law enforcement based on an international exchange of expertise (Federal Ministry for European and International Affairs, 2024:27,28). Additionally, as a member of the national working group on combating child trafficking and the national working group on combating human trafficking for the purpose of labour exploitation, IOM Austria was involved in the development and implementation of the National Action Plan on Combating Human Trafficking (IOM Austria, n.d.a). Europol (Federal Ministry for European and International Affairs, 2024:22) and INTERPOL played a major role in police cooperation, especially since Criminal Intelligence Service Austria was committed to actively involving these organizations in its measures.<sup>61</sup> At the operational level, activities of note in this context include participation in Joint Action Days on labour exploitation, child trafficking and human trafficking under the direction of Europol (Federal Ministry of the Interior, 2022:30, 2023:29), as well as participation in various measures as part of the European Multidisciplinary Platform Against Criminal Threats project (EMPACT THB; Federal Ministry for European and International Affairs, 2024:22). The establishment of the Ukraine Task Force on Combating Trafficking in Human Beings on 21 April 2022 should also be mentioned here. It was coordinated via the Federal Criminal Intelligence Service by the Joint Operational Office (JOO) Vienna in close coordination with Europol and other international institutions (Stiller, 2023a:21f; United States Department of State, n.d.). In relation to preventing trafficking in human beings from Ukraine, the Austrian victim protection institution LEFÖ-IBF was the first European

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<sup>55</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, FLG. III No. 220/2005.

<sup>56</sup> United Nations Convention against Transnational Organized Crime, FLG. III No. 84/2005 in the version of FLG. III No. 105/2024.

<sup>57</sup> Council of Europe Convention on Action against Trafficking in Human Beings, FLG. III No. 10/2008 in the version of FLG. III No. 204/2023.

<sup>58</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, pp. 1–11.

<sup>59</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>60</sup> Written input: LEFÖ-IBF, 31 August 2024.

<sup>61</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

victim protection organization to initiate a prevention campaign (Be Safe on the Way), which reached over 100,000 people through the victim protection organization's social media channels alone. The United Nations High Commissioner for Refugees and the European Commission also drew upon elements of the campaign as a model for their own media content.<sup>62</sup> Additionally, Austria played an active leading role in the cooperation with INTERPOL, for instance in May 2023, when Austria spearheaded the Global Chain operation together with Romania. This operation led to 212 arrests and the identification of more than 1,400 potentially exploited persons (INTERPOL, n.d.).

## SECTION 2: POLICIES AND MEASURES RELATED TO PREVENTING TRAFFICKING IN HUMAN BEINGS

8. Has your country identified any challenges in relation to policies and measures aimed at:
- a) Preventing trafficking in human beings towards EMN Member and Observer Countries in third countries of origin and transit of victims (and potential victims)?

Yes

No

The expert from IOM Austria interviewed for this study noted that, in general, challenges tend to arise around cross-border cooperation. In contrast to the implementation of national measures in the individual countries, collaborative implementation is based on identifying and pursuing common interests. In this regard, cooperation with third countries is even more complex than with EU countries due to potentially diverging interests.<sup>63</sup> In addition to this, the expert from IOM Austria drew attention to the challenges posed by the apparent lack of alternatives for irregular migrants. In this regard, the expert believed that opportunities for regular migration may also reduce the risk of trafficking in human beings for non-highly qualified individuals.<sup>64</sup>

From an Austrian perspective, an appropriate level of mutual trust is required for cooperation between the authorities and non-governmental organizations to combat trafficking in human beings. In this context, an expert from the Federal Ministry for European and International Affairs interviewed for this study noted that a lack of trust exists between actors in third countries. The expert stated that cooperation between authorities and non-governmental organizations is often marked by mutual distrust. The lack of mutual trust between the actors on a national level, to the distinct disadvantage of the trafficked persons, meant that cross-border cooperation with Austria was often either impossible or not possible in an effective manner.<sup>65</sup>

- b) Preventing and reducing the demand for trafficking in human beings of third-country nationals within your country?

Yes

No

In Austria, the COVID-19 pandemic increased the risk of individuals being affected by trafficking in human beings and led to the emergence of new forms of exploitation. Before the COVID-19 pandemic, for example, the authorities had tended to associate child trafficking with begging. At that time, the affected persons were mostly children from Central and Eastern Europe, often those from the Roma ethnic group, who were often brought to Austria on a daily basis and forced into begging.<sup>66</sup> This model of child trafficking was all but brought to a standstill by both the COVID-19 pandemic and the measures taken to contain the virus and only appears to have reestablished itself since to a lesser extent. According to an interviewed expert, a new and difficult to target variant of child trafficking which came to light during the period covered by the study was

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<sup>62</sup> Written input: LEFÖ-IBF, 31 August 2024.

<sup>63</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024.

<sup>64</sup> Ibid.

<sup>65</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>66</sup> Ibid.

computer-assisted sexual exploitation.<sup>67,68</sup> The challenge posed by this was and remains that no change of physical location is needed for this form of exploitation and that established preventative mechanisms are therefore not effective. In the case of computer-assisted exploitation, intensely monitoring airports for children (from third countries) entering the country (alone) who could be exploited is impractical, for example, as the exploitation takes place in the country of origin.<sup>69</sup>

9. Has your country identified any good practices in relation to policies and measures aimed at (see points a) and b) below):

In contrast to the number of trafficked persons identified, it is not possible to make a reliable statement regarding the number of cases of trafficking in human beings, if any, that were prevented by one of the measures implemented.<sup>70</sup> This means that assessing the measures taken and rating them as a “good practice” is only possible to a limited extent.<sup>71</sup>

a) Preventing trafficking in human beings towards EMN Member and Observer Countries in third countries of origin and transit of victims (and potential victims) (e.g. awareness raising activities; educational programs; survivor inclusion, etc.)?

- Yes  
 No

b) Preventing and reducing the demand for trafficking in human beings of third-country nationals within your country (e.g. awareness raising activities and demand reduction initiatives in foreign languages or aimed at specific nationalities or regions; information campaigns involving/targeting the diaspora; cultural mediators, etc.)?

- Yes  
 No

In an interview conducted as part of this study, an expert from the Federal Ministry for European and International Affairs referred to the regulation of sex work in Austria in the context of trafficking in human beings in the form of sexual exploitation. Austria has had a well-scrutinized, controlled and functioning legal model of prostitution for decades, which has helped to reduce (sexual exploitation as an aspect of) trafficking in human beings.<sup>72</sup>

10. Please describe the main outcomes/outputs resulting from the implementation of policies and measures aimed at preventing, raising awareness and reducing the demand of trafficking in human beings of third-country nationals

One of the main outcomes in the context of prevention, awareness and reduction in the demand for trafficking in human beings is the creation of mutual trust, both between actors in transit countries and those in countries of origin, and also between those in transit countries and countries of origin and destination. This is designed to lead to a more efficient international exchange of information (between police authorities). With its large number of national and international participants from various different sectors, the annual Vienna Conference on Combatting Trafficking in Human Beings has also helped to raise awareness of the subject of trafficking in human beings.

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<sup>67</sup> See also United Nations Office on Drugs and Crime, 2021:119, 2023:70 on the use of the internet for exploitation purposes.

<sup>68</sup> In concrete terms, this means that children in a (third) country are deprived of their freedom in order to perform sexual acts on them in front of a webcam (Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024).

<sup>69</sup> Ibid.

<sup>70</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024; Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>71</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024.

<sup>72</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

### SECTION 3: POLICIES AND MEASURES RELATED TO LAW ENFORCEMENT AND JUDICIAL RESPONSE

11. Has your country identified any challenges in relation to policies and measures aimed at enhancing the law enforcement and judicial response to trafficking in human beings towards EMN Member and Observer Countries:

a) in third countries of origin and transit of victims?

Yes

No

In an interview conducted as part of this study, an expert from Criminal Intelligence Service Austria noted that, in the context of police and judicial cooperation with third countries, defining exploitation is an ongoing challenge. Exploitation is a key element of the offence of trafficking in human beings (Stiller, 2021:3). Although the different international agreements contain similar definitions, practice shows that Austrian law enforcement authorities also report these offences as other crimes in order to avoid the complex crime of trafficking in human beings. The offences “cross-border trafficking in prostitution” and “coercion” were and still are often used as an alternative to “trafficking in human beings” in Austria, as the specific elements of these offences are easier to prove.<sup>73,74</sup> The international context of the study also revealed that, while Austria may have established exploitation in a particular case, another country was unable to detect exploitation in the same case.<sup>75</sup> However, even in cases where both countries assumed that exploitation had occurred, this still presented a challenge when the exploitation itself did not take place in Austria or when the perpetrators were in another country (see below, Q14b).<sup>76</sup>

The experts on combating trafficking in human beings interviewed for this study agreed that, for the most part, intensive police cooperation has worked well (see e. g. Q7). However, different legal systems, for example where Anglo-American common law and Romano-Germanic civil law intersect, may have made cooperation more difficult.<sup>77</sup> As a result of the dynamic development of new variants of the coronavirus and the resulting regulations, provisions and restrictions in force in the countries of origin, for example, the planned police cooperation, the execution of bilateral operational consultations and the sharing of best practices with investigators from countries of origin for preventing and combating trafficking in human beings (Task Force on Combating Human Trafficking, 2021:15; Federal Ministry for European and International Affairs, 2024:26) included in the National Action Plan 2021–2023 could not be implemented (Federal Ministry for European and International Affairs, 2024:27). It was also noted that Austrian political goals and those of third countries were often not aligned, leading to conflicts of interest or tension on a political level, which in turn affected police cooperation.<sup>78</sup>

b) within your country?

Yes

No

According to the expert from Criminal Intelligence Service Austria interviewed as part of this study, existing data protection regulations have hindered effective cooperation with third countries. In accordance with Austrian law, the exchange of data with the country of origin of persons who have made an application for international protection is not possible or only possible to a limited extent (Art. 33 Federal Office for Immigration and Asylum Procedures Act).<sup>79</sup> This legal specification also applies when (presumed) trafficked persons from a third country make an

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<sup>73</sup> See also Stiller, 2021:9.

<sup>74</sup> While the offence of “cross-border trafficking in prostitution” is listed in the human trafficking statistics of the Criminal Intelligence Service Austria, the offence of “coercion” is not recorded, meaning that these cases remain invisible (Interview with Katie Klaffenböck, IOM Austria, 11 July 2024).

<sup>75</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>76</sup> For further details see Stiller, 2021:28.

<sup>77</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>78</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>79</sup> Federal Office for Immigration and Asylum Procedures Act, FLG. I No. 87/2012, in the version of FLG. I No. 134/2024.

application for international protection. Although this regulation is justified in the case of persons who have made an application for international protection, it has made cross-border cooperation in combating trafficking in human beings more difficult in some cases. Without further data, for example the region of origin of the trafficked persons or the names of family members, cooperation with third countries was severely hampered or prevented entirely.<sup>80</sup>

12. Has your country identified any good practices in relation to policies and measures aimed at enhancing the law enforcement and judicial response to address trafficking in human beings towards EMN Member and Observer Countries:

a) in third countries of origin and transit of victims (and potential victims)?

Yes

No

From the perspective of Criminal Intelligence Service Austria, cross-border police cooperation requires an appropriate legal framework. However, in this context it is equally important at least that the persons involved know each other personally, as this helps to foster effective cooperation.<sup>81</sup> In this context, an expert from Criminal Intelligence Service Austria interviewed for this study noted that Austria ran a mentoring programme with Tunisia, involving a short-term secondment programme for police officers between the two countries. During the secondment, officers carried out joint operational work, thus supporting the programme on a practical level.<sup>82</sup>

b) within your country?

Yes

No

(Third-country national) migrants who travel to Austria irregularly with the help of smugglers may owe a debt to the smugglers or the organization behind them, putting them at risk of exploitation. In this context, the existing responsibility of the police for investigating both crimes, which – acting at the point at which they intersect – takes into account the potential link between the smuggling of migrants and trafficking in human beings when apprehending irregular migrants, has proved its reliability for the fast identification and prosecution of these crimes.<sup>83</sup> Merging these two areas of responsibility can therefore be considered a good practice.

In addition, the use of “intercultural mediators” at Criminal Intelligence Service Austria has proved successful. This includes the targeted recruitment of personnel who, in addition to their professional suitability for the task, are well connected to the diaspora communities or regions that are important for Austria in the fight against trafficking in human beings. This means that important (inside) information can be gathered quickly and easily.<sup>84</sup>

13. Please describe the main outcomes/outputs resulting from the implementation of policies and measures aimed at enhancing the law enforcement and judicial response to trafficking in human beings of third-country nationals

The expert from Criminal Intelligence Service Austria interviewed for this study was of the opinion that the objective of preventing trafficking in human beings was achieved during the period covered by the study, although no reliable data confirming the number of cases prevented could be provided.<sup>85</sup>

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<sup>80</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Ibid.

<sup>84</sup> Ibid.

<sup>85</sup> Ibid.

## SECTION 4: POLICIES AND MEASURES RELATED TO IDENTIFICATION, PROTECTION AND SUPPORT OF VICTIMS OF TRAFFICKING

14. Has your country identified any challenges in relation to the implementation of specific policies and measures aimed at enhancing the identification, protection, support and empowerment of:

a) victims trafficked towards EMN Member and Observer Countries in third countries of origin and transit?

Yes

No

b) third-country national victims of trafficking identified within your country?

Yes

No

During the period covered by the study, only relatively few trafficked persons were identified in Austria, the majority of whom were from EU Member States and third countries (Federal Ministry of the Interior, 2022:27, 2023:24, 2024:23). Accordingly, the fact that the trafficked persons were not German speakers also presented a challenge during the period covered by the study (as in the previous period).<sup>86</sup> Communication with trafficked persons was therefore facilitated by the use of intermediaries. According to the expert from Criminal Intelligence Service Austria interviewed for this study, the decisive factor when communicating via an intermediary was that the intermediary had a good understanding of the area in which the exploitation had taken place. For example, labour exploitation on building sites was cited and it was noted that a working knowledge of building site operations meant that the intermediary was better able to translate trafficked persons' accounts of the exploitation they had experienced into German.<sup>87</sup>

Regarding the identification of trafficked persons, the area of jurisdiction for criminal investigations continued to present a challenge during the period covered by the study.<sup>88</sup> A practical example referred to a third-country national applicant for international protection who claimed to have been exploited in Italy, but had not contacted the police in Italy. In cases such as these, the fact that the criminal proceedings do not fall under the jurisdiction of the countries concerned means that no country takes responsibility for these investigations.<sup>89</sup> Regarding the protection of trafficked persons who have applied for international protection, the study noted that transfer to another EU Member State as per the Dublin III Regulation<sup>90</sup> also presented a significant challenge.<sup>91</sup> Dublin procedures were and are generally conducted under strict time constraints, which put additional pressure on the trafficked persons and did not take into account the trauma they had potentially suffered.<sup>92</sup>

Compensation for trafficked persons and reparations for the psychological and physical violence they had suffered presented a further challenge (Stiller, 2021:31). In accordance with Article 17 of the EU directive for preventing and combating trafficking in human beings and protecting its victims, the Member States guarantee trafficked persons access to existing regulations concerning compensation for victims of intentional acts of violence. In Austria, such claims may be made

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<sup>86</sup> See also Stiller, 2021:39.

<sup>87</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>88</sup> See also Stiller, 2021:28.

<sup>89</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>90</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), OJ L 180, pp. 31–59.

<sup>91</sup> For details see Stiller, 2021:33f.

<sup>92</sup> In this context, another challenge mentioned was that Austria rarely invokes the sovereignty clause provided for in the Dublin III Regulation, meaning that procedures for international protection are not authorized in Austria. For trafficked persons, this means that they are sometimes transferred to EU Member States where no continuous victim protection can be guaranteed or, in the worst case, they are at the unprotected mercy of the traffickers (Written input: LEFÖ-IBF, 31 August 2024).

under the Victims of Crime Act<sup>93</sup> (Stiller, 2021:31), although cases have been reported in which compensation was hindered by the return of the trafficked persons to their country of origin (United States Department of State, n.d.).

15. Has your country identified any good practices in relation to the implementation of specific policies and measures aimed at enhancing identification, protection, support, and empowerment of:

a) victims trafficked towards EMN Member and Observer Countries in third countries of origin and transit?

Yes

No

b) third-country national victims of trafficking identified within your country?

Yes

No

The Austrian human trafficking hotline (+43 677 61 34 34 34, [menschenhandel@bmi.gv.at](mailto:menschenhandel@bmi.gv.at))<sup>94</sup> is not specifically an international operation. However, there have been instances where calls were made to the 24-hour multilingual hotline from abroad to report suspected cases (directly linked to Austria). The expert from Criminal Intelligence Service Austria interviewed for this study stated that the human trafficking hotline has therefore proved very successful.<sup>95</sup>

Regarding the protection of trafficked persons, providing them with comprehensive stabilization and support, for example through working with victim protection organizations,<sup>96</sup> has proved positive from an Austrian perspective. Stabilization included both psychological (psychosocial assistance) and legal (support during legal proceedings) elements.<sup>97</sup> As part of the stabilization effort, attempts were made to bring family members of trafficked persons to Austria. This approach seemed particularly appropriate in cases where trafficked persons were not willing to cooperate with the Austrian authorities out of fear for the welfare of family members in their country of origin.<sup>98</sup> In the context of these measures, Austria regarded itself as being on the right track and, from the perspective of the expert from the Federal Ministry for European and International Affairs interviewed, can be seen as leading the way in Europe in this respect.<sup>99</sup>

In addition, the use of “intercultural mediators” in Criminal Intelligence Service Austria has proved successful (see Q12).

16. Please describe your country’s main outcomes/outputs resulting from the implementation of policies and measures aimed at improving the identification, protection, support and empowerment of third-country national victims of trafficking.

The measures Austria put in place during the period covered by the study should be seen as an attempt to improve Austria’s ability to identify trafficked persons. The necessary use of intermediaries within the scope of foreign-language communication quickly provided the police authorities with comprehensive information about instances of exploitation and allowed them to take the appropriate investigative steps. In addition, the network of Criminal Intelligence Service Austria staff within diaspora communities and in regions which are important for Austria in the fight against trafficking in human beings helped investigators to quickly and easily obtain important information in the fight against trafficking in human beings.

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<sup>93</sup> Victims of Crime Act, FLG. No. 288/1972, in the version of FLG. I No. 99/2024.

<sup>94</sup> For details see Stiller, 2021:18; United States Department of State, n.d.

<sup>95</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>96</sup> For details on the entrustment of victim protection centres and their services, see Stiller, 2021:26f.

<sup>97</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

<sup>98</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>99</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.



## SECTION 5: COOPERATION WITH THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS

17. Has your country identified any good practices in the cooperation with third countries of origin and transit of victims to: prevent the trafficking of third-country nationals towards the EU; break the criminal model of traffickers; and/or protect, assist, support, and empower third-country national victims of trafficking?

Yes

No

As explained above (Q12f), in-person contact between the actors involved, the merging of areas of police responsibility for trafficking in human beings and smuggling of migrants and the use of “intercultural mediators” have all proved successful for police cooperation. Austrian experience has also shown that strategies, programmes and projects as well as measures to combat trafficking in human beings should not be implemented without the involvement of the country concerned. The expert from the Federal Ministry for European and International Affairs explained in the interview that responsibility for and identification with the programmes, projects and measures (“ownership”) can only be achieved through cooperation with the country involved. As a result of this cooperation, Austria was able to drive the successful implementation of these items and reduce the risk of overburdening the affected country. A disproportionately high number of measures or a lack of resources may have unintentionally impeded the implementation of the measures.<sup>100</sup>

18. Has your country identified any good practices in the cooperation with international organisations to prevent the trafficking of third-country nationals towards the EU; break the criminal model of traffickers; and/or protect, assist, support, and empower third-country national victims of trafficking?

Yes

No

19. Has your country identified any challenges in relation to the cooperation described in questions 17 and 18?

See Q11 for further information regarding police cooperation with third countries, according to which the (varying) definitions of exploitation, the different legal systems and global developments may have had a negative impact on the cooperation efforts. No further challenges were mentioned.

## SECTION 6: NEEDS AND FUTURE NATIONAL MEASURES AND POLICIES

20. Has your country identified any particular needs in addressing the international dimension of trafficking in human beings?

Yes

No

In view of the international dimension of the fight against trafficking in human beings, the Federal Ministry for European and International Affairs regards the current measures as adequate. It was, however, mentioned that, in comparison with the sphere of law enforcement, there is still potential for cooperation with other countries in the spheres of prevention and victim protection. These two areas should be given more consideration at a political level.<sup>101</sup> Regarding the increase in exploitation in digital spaces, it was also noted that introducing improvement measures in a law enforcement context would be a possibility, for example cyber police officers to better confront criminals. In this area, some other countries are more advanced than Austria.<sup>102</sup>

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<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

An expert from Criminal Intelligence Service Austria stated that many EU-funded projects ultimately left very little money to allocate to operational work with trafficked persons. They therefore noted that the funds should be distributed based upon desired outcomes. Practical guidelines should also be provided for the targeted use of funds for specific activities in aid of trafficked persons. These should produce immediate results for the trafficked persons.<sup>103</sup> The expert also recognized a need to promote working visits by foreign police officers as well as the secondment of Austrian officers abroad. This does not refer to liaison officers, rather to working visits, ideally with a limited duration of a few weeks. Working visits such as these would be more manageable for officers on a personal level and would prevent the loss of expert knowledge of domestic developments resulting from longer periods of absence.<sup>104</sup>

During the period covered by the study, there was no residence permit available for trafficked persons in Austria that would allow them to remain in Austria solely on the basis of their personal situation. This is still the case. In this context, IOM Austria referred to Art. 14 para. 1 (a) of the Council of Europe Convention on Action against Trafficking in Human Beings, according to which the contracting parties shall issue a residence permit to trafficked persons if their stay is necessary due to their personal situation.<sup>105</sup> The creation of this residence permit would be an important measure in the protection of third-country nationals, as the lack of prospects of remaining in Austria means that they may otherwise return to their country of origin, where they may again be at risk of being trafficked.<sup>106</sup>

21. Are there any ongoing discussions at national level on how future national and EU actions/policies could address identified needs and build on existing good practices?

Yes

No

22. Is your country planning to develop any new policies or measures that address the international dimension of trafficking in human beings?

Yes

No

The successful measures implemented in recent years will be continued as part of the National Action Plan on Combating Human Trafficking for 2024–2027 (Task Force on Combating Human Trafficking, 2024:5). According to an expert from the Federal Ministry for European and International Affairs, the development of measures at national level will also be prioritized.<sup>107</sup> LEFÖ-IBF assumes that the Austrian Federal Government is closely monitoring new developments in trafficking in human beings,

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<sup>103</sup> Interview with Gerald Tatzgern, Criminal Intelligence Service Austria, 8 August 2024.

<sup>104</sup> Ibid.

<sup>105</sup> In this context, LEFÖ-IBF mentioned that the current legal solution excludes women from staying in Austria who do not have enough information about perpetrators or who are not willing to testify for fear of retaliation or traumatization. Even in the case of cooperation, a statement to the criminal prosecution authorities is not enough; rather, it must be an ongoing procedure so that those affected can apply for a residence permit in accordance with Art. 57 para. 1 subpara. 2 Asylum Act 2005 (FLG. I No. 100/2005 in the version of FLG. I No. 67/2024). However, as the victims have no influence on the duration of the proceedings, it must be possible to switch to a residence permit regardless of whether criminal or civil proceedings are ongoing (Written input: LEFÖ-IBF, 31 August 2024). The Federal Ministry of the Interior could not understand the reference to the duration of the criminal proceedings and pointed out that criminal proceedings already begin with the preliminary proceedings (Written input: Federal Ministry of the Interior, Department V/B/8 (Asylum), 8 November 2024).

<sup>106</sup> Interview with Katie Klaffenböck, IOM Austria, 11 July 2024. In this regard, the Federal Ministry of the Interior referred to Art. 57 Asylum Act 2005, according to which, in implementation of the corresponding EU Directive (Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities), the Federal Office for Immigration and Asylum grants the “Residence Permit for Individual Protection” upon application or ex officio. A decision on the application must be made within six weeks. This residence permit is valid for 12 months and can be extended if criminal proceedings are ongoing (Written input: Federal Ministry of the Interior, Department V/B/8 (Asylum), 8 November 2024).

<sup>107</sup> Interview with Wolfgang Spadinger, Federal Ministry for European and International Affairs, 22 July 2024.

such as the increasing misuse of digital technologies by human traffickers, and that future measures will also address these new challenges.<sup>108</sup>

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<sup>108</sup> Written input: LEFÖ-IBF, 31 August 2024.

## LIST OF TRANSLATIONS AND ABBREVIATIONS

| English term  | English abbreviation | German term   | German abbreviation |
|---|----------------------|---|---------------------|
| Asylum Act 2005   | –                    | Asylgesetz 2005   | AsylG 2005          |
| Austrian Development Agency                                   | ADA                  | Agentur der Österreichischen Entwicklungszusammenarbeit           | ADA                 |
| European Commission   | EC                   | Europäische Kommission  | –                   |
| European Migration Network                                    | EMN                  | Europäisches Migrationsnetzwerk                                   | EMN                 |
| European Multidisciplinary Platform Against Criminal Threats  | EMPACT               | European Multidisciplinary Platform Against Criminal Threats      | EMPACT              |
| European Union  | EU                   | Europäische Union   | EU                  |
| Federal Law Gazette   | FLG                  | Bundesgesetzblatt   | BGBL.               |
| Federal Ministry of the Interior                              | MoI                  | Bundesministerium für Inneres                                     | BMI                 |
| Federal Office for Immigration and Asylum                     | –                    | Bundesamt für Fremdenwesen und Asyl                               | BFA                 |
| Group of Expert on Action against Trafficking in Human Beings | GRETA                | Expertengruppe für die Bekämpfung des Menschenhandels             | –                   |
| Joint Operational Office                                      | JOO                  | Joint Operational Office  | JOO                 |
| LEFÖ-Intervention Center for Trafficked Women                 | LEFÖ-IBF             | LEFÖ-Interventionsstelle für Betroffene von Frauenhandel          | LEFÖ-IBF            |
| National Contact Point  | NCP                  | Nationaler Kontaktpunkt   | NKP                 |
| Official Journal of the European Union                        | OJ                   | Amtsblatt der Europäischen Union                                  | ABl.                |
| Organization for Security and Co-operation in Europe          | OSCE                 | Organisation für Sicherheit und Zusammenarbeit in Europa          | OSZE                |
| paragraph   | para                 | Absatz  | Abs.                |
| subparagraph  | subpara              | Ziffer  | Z                   |
| United Nations High Commissioner for Refugees                 | UNHCR                | Hoher Flüchtlingskommissar der Vereinten Nationen                 | UNHCR               |
| United Nations Office on Drugs and Crime                      | UNODC                | Büro der Vereinten Nationen für Drogen- und Verbrechensbekämpfung | UNODC               |
| Victims of Crime Act  | –                    | Verbrechensopfergesetz  | VOG                 |

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