

ANNEX I: INTERVIEW PROTOCOLS

GENERAL INSTRUCTIONS

The interview protocols below provide general directions for the semi-structured interviews on the financing of trafficking in human beings with experts from the relevant institutions and criminal entrepreneurs (criminal offenders).

Below are listed tentative questions that should collect specific information on the key aspects related to financial aspects of THB. The listed questions are not obligatory. It is up to you to decide in what sequence and which of them are relevant to be asked.

Please bear in mind that the following definition is applied to the criminal activity in focus:

Trafficking in human beings shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

There are 2 protocols for these criminal activities. The first one is generally intended for experts (law enforcement officers, prosecutors, journalists, academics, NGO representatives, etc.), whereas the second one is intended for criminal entrepreneurs (offenders).

PROTOCOL I: EXPERTS

THE INTERVIEW SHOULD START WITH MORE GENERAL QUESTIONS ON BACKGROUND OF THE RESPONDENT, THE STRUCTURE OF THE MARKET AND THE PROFILE OF THE PERPETRATORS INVOLVED IN HUMAN TRAFFICKING IN THE COUNTRY.

BEAR IN MIND THAT THE TENTATIVE QUESTIONS BELLOW ARE INTENDED FOR LAW ENFORCEMENT EXPERTS. YOU CAN USE THE SAME PROTOCOL FOR INTERVIEWS WITH OTHER EXPERTS (PROSECUTORS, LABOR INSPECTORATE OFFICERS, ETC.), BUT YOU MIGHT NEED TO ADAPT SOME OF THE QUESTIONS.

Introductory questions

Institutional and professional background of expert interviewed

What kind of cases related to human trafficking does your institution handle? (e.g. THB for sexual exploitation, THB for labour exploitation)?

General characteristics of THB activities in the country:

What type of THB activities are present in the country?

How is the market structured (e.g. hierarchical and centralised, fragmented with loose networks)?

What is the profile of the perpetrators? What is the nationality of the traffickers?

To what extent THB criminal groups employ Internet in their activities – e.g. in recruitment and exploitation phase? How ICT technologies have changed their business model?

Are all of them linked to organised crime groups? If they are linked to OC groups – what is the profile of these groups? What is the nationality/ ethnicity of their members?

Do you have any estimation on the number of the active OC groups involved in THB? What is the size of these groups? Are there any ‘hotspot’ regions?

Are traffickers involved solely in THB? What other criminal activities they are involved in?

Do traffickers use some sort of legal business as a front company for their operations (e.g. travel agency, recruitment agency, modelling agency, nightclub business)?

Most common type of THB

What is the most common type of THB in the country (e.g. for sexual exploitation, labour exploitation, etc.)?

What are the typical origin/destination countries of THB?

What are the main modi operandi of the traffickers?

FOLLOWING THE INTRODUCTORY GENERAL QUESTIONS, THE FOCUS OF THE INTERVIEW SHOULD BE PLACED ON SPECIFIC CASES THAT THE RESPONDENT HAS HANDLED OR HAS KNOWLEDGE OF.

THE IDEA IS TO DISCUSS IN DETAIL BIG/TYPICAL CASES THAT HAVE BEEN HANDLED IN THE LAST 5 YEARS RELATED TO: 1) THB FOR SEXUAL EXPLOITATION; 2) THB FOR LABOUR EXPLOITATION.

Initial capital and source of money for initiating/sustaining criminal operations

Could you describe the last big case for THB that you have worked on in the last 5 years?

Do you have any information on how much money invested the group in order to recruit, transport, harbour and place the victim(s), before the actual exploitation begun?

Do you know anything about what was the source of the money invested? Own money invested? Manipulated the victim to pay the expenses? 'Business loan' received from other criminal businessman for interest and capital repayment?

Access to capital in critical moments

Have you had cases, where certain people/OC groups involved in THB are arrested or their victim turns them to the police, but after some time the perpetrators start over their business?

How do they secure the money needed to enter back business?

How did they secure the money needed to pay litigation expenses?

Settlement of payments

How do traffickers usually collect the money earned from the victims? Do they collect these personally from the victims or someone else collects the money for them? Do they collect these directly from the clients? Do they receive it from the owners of the venue/company, where the victim works?

How do traffickers ensure their payments from the victims? Threats or blackmailing of victims? Imposing some form of control over victims? Arrangements with owners of the venue/company, where the victim works?

What were the typical methods for payment used by the OCG to other parties (i.e. other actors in the OCG, facilitators, corrupt officials, owners of companies/venues)? Cash payments? Money transfers? Payments in goods/sexual services?

Did internet affected settlement of payments and money laundering?

What are the typical payment arrangements? Cash up-front? Periodical payments? Other arrangement? Could you provide examples?

Are there any specific actors who are used mainly (or solely) to facilitate the payment process? Could you please provide one or more examples that describe the role played by these actors and the type of relationships with the organised crime groups?

What would these facilitators/employees receive for the services provided?

How ICT technologies changed the patterns for collecting money earned from the victims?

Costs for doing business

Can you provide some more details on costs related to some recent THB case investigated by your institution? Can you provide some examples about the type and size of these costs – for example costs for taking victims abroad, costs for accommodation, payments to ‘supervisors’, money collectors, etc?

Do you have any information on differences in costs related to the modus operandi? What about ‘extra’ costs organised crime groups may face due for example to police operations or labor inspectorate inspections?

How in general ICT technologies changed the costs of THB criminal groups? Lowered costs for recruitment? Provided access to larger pool of victims? Lowered costs for advertisement? Increased competition of independent sex workers? Lowered prices of sexual services because of increased competition? Provided opportunities to extend portfolio of illegal services and thus increased profits? Obviated needs to pay extortion fees and bribes because services are now offered in the Internet (social networks, instant messengers, video chats, mobile apps, etc.)?

Profits and profit sharing

Sex trafficking

What is the usual number of victims exploited by a given trafficker or THB ring? What is the usual number of clients they serve on weekly basis? What is the average price they charge a client?

Labour trafficking

How much traffickers receive per trafficked labourer?

Do you have any information of the overall profits (subtracting costs for running the scheme and corruption) of the traffickers while they were operational? What are the variations in prices and profits depending on modus operandi?

Could you describe who is benefiting and how profits are shared?

What is the most typical way for spending the profits?

What is the most typical area for investments?

What is the most typical ways for money laundering?

In case of transnational movement of funds, how do traffickers send money abroad in order to avoid detection from authorities? Wire transfer through non-bank institutions? Do they use trade-based money laundering (e.g. buy luxury goods or cars and send these to their home countries for sale)? Do they use cash couriers or some form of informal value transfer services? Are there any specific differences between traffickers from different nationalities?

How in general ICT technologies changed the profits of THB criminal groups? How ICT changed risk mitigation strategies of traffickers for evasion of detection from law enforcement?

Institutional and legal gaps in countering criminal financing

How often in your THB cases do you track the financial flows of investigated THB rings or involve the ML unit?

What kind of financial data you usually trace? What usually is the focus of the financial investigation: (1) mapping the flows of money and (2) who is who in the organisation? How do you establish the link between cash and money flows to the people in the organisations? What kind of methods do you apply to establish these links?

Do you try to calculate overall revenues of THB rings as part of your financial investigation?

If, yes – How do you calculate their revenues and profits? Could you provide an example? What is the added value of having such calculations?

If, not – What is your opinion about including calculation of OCG's revenues as integral part of financial investigations? Please elaborate.

What are the typical problems that you face in financial investigations of THB groups? Legal constraints – e.g. access to certain data or permission to apply special investigative tools? Constraints linked to lack of resources? Constraints arising from lack of specific expertise or equipment?

How many of your investigations have cross-border dimensions? How do you proceed with financial investigations where you needed international police/judicial cooperation? What works and what does not work usually?

What about financial investigations as part of JIT operations? Are these more effective in comparison to the cases where you subsequently request police/judicial cooperation?

In an JIT external experts can be invited as well (tax services, financial experts,...). Who is the right partner to join a JIT financial investigation? Are there different ways of organising a JIT?

PROTOCOL II: CRIMINAL OFFENDERS

THE INTERVIEW SHOULD START WITH MORE GENERAL QUESTIONS ON THE SENTENCE OF THE RESPONDENT AND HIS INITIAL INVOLVEMENT IN THB. THE IDEA IS TO GET BETTER IDEA OF THE PROFILE AND THE BACKGROUND OF THE RESPONDENT IN ORDER TO BETTER FOCUS THE SUBSEQUENT QUESTIONS RELATED TO SOURCE OF FINANCING, SETTLEMENT OF PAYMENTS, COSTS AND REVENUES.

SINCE 'TRAFFICKING IN HUMAN BUSINESS' IS NOT A COMMON LABEL THAT CRIMINAL ENTREPRENEURS WOULD USE FOR THEIR BUSINESS, WE SUGGEST DURING THE INTERVIEW TO USE ONLY 'BUSINESS' OR 'PROSTITUTION BUSINESS', IF THE RESPONDENT IS INVOLVED IN THB FOR SEXUAL EXPLOITATION.

BEAR IN MIND THAT THE QUESTIONS BELOW ARE INTENDED FOR INTERVIEWS WITH PRISONERS. IF YOU USE THE SAME PROTOCOL FOR RESPONDENTS THAT ARE NOT IN PRISON YOU MAY SKIP QUESTIONS REFERRING TO PROSECUTION, PRISON, ETC.

Introductory questions

What was your sentence about?

For how many years have you been in this business? Have you been prosecuted/imprisoned before for the same offence or other offences?

Entering THB market / business model

How did you get involved in this business? How did you start?

Were you involved as a sole entrepreneur or as a part of a group?

If you have been involved as a part of a group, what was your role/position within the group/organisation you worked for? (e.g. partner, collector, enforcer, recruiter)

Did you need to establish some legal business as a front for your activities?

What were the key qualities/conditions needed for entering this business (e.g. certain skills, trust, acquaintances, etc.)?

What kind of difficulties/obstacles did you have to deal with when entering this business / market?

Have you changed role or have you progressed your career while in this business? If yes, how? (become sole-proprietor, managing more victims, expanding in more than one country)

Do you use internet in your business? What kind of applications do you use - e.g. social networks, dating websites and apps, chats, video chats?

How ICT technologies have changed your business model? How often do you use these applications and with what purposes – e.g. in recruitment and/or when girls/workers are already abroad (e.g. for advertisement purposes, to control them, etc.)?

Source of financing

Did you need any start-up capital to enter this business? If yes, what was the initial amount needed? How did you manage to secure it?

What was the source of the money (e.g. the girl/the workers provided the money themselves, your personal savings, own money from illegal activities, people involved in the same business, etc.)?

Have you ever borrowed money with interest in order to finance your business (e.g. from loan sharks, 'financiers')? **If yes**, at what terms could you borrow the money from them (interest, payment plans)? Did they request any collateral in order to secure their money /their share of profits?

If some specific person (other than the victim) provided the money, then ask:

Did/would he provide money to other people as well? If you needed money again, would he lend more money to you? What were the terms (interest, payment plan, etc.)?

Did you attempt to expand your business? If yes, what were the key factors for success? If not, what were the key factors that prevented you in doing so? Did you need additional money for this?

Have you ever had a situation when you ran out of money? How did you manage to find the money needed to stay or get back in business? Do you know people who could lend you money in such a situation? What about the terms?

If you have been prosecuted/imprisoned before, how did you managed to get back into business? How did you manage to secure the financing needed to cover the litigation expenses, as well as the capital to get back into the market?

Settlement of payments

How did you ensure the payments from the victims? How do you usually collect the money earned from the girls/workers? Do you collect the earnings personally from the girls/workers or someone else collects the money for you? Do they collect these directly from the clients? Do you receive the amounts from the owners of the venues/employers, where the victims work? At what rhythms/frequency (day by day, weekly, monthly etc.) and why?

How ICT technologies changed the patterns for collecting money earned from the victims?

What were the methods you used to settle the payments to other parties (i.e. other actors in the OCG, facilitators, corrupt officials, owners of venues)? Cash payments? Money transfers? Payments in goods/sexual services?

What are the typical payment arrangements? Cash up-front? Periodical payments? Other arrangement? Could you provide examples?

Were there any specific persons involved in the settlement of payments (debt collectors/money collectors/couriers, etc.)? How much they typically received for their services?

What would these facilitators/employees receive for the services provided?

Costs of doing business

Let's think again about one of your girls / workers. How much would you typically spend to take him abroad and place him to work? Do these costs change over time or depending on the destination place? If yes, ask for explanatory reasons.

What other costs do you have, while girls/workers work abroad? Costs for establishing some legitimate business as a front? Bribes? Accommodation? Payments to 'supervisors', money collectors?

Can you provide some examples about the type and size of your costs? What about 'extra' costs that you may face due for example to police operations or labour inspectorate inspections?

How in general ICT technologies changed the costs and profits of your business?

Lowered costs for recruitment? Provided access to larger pool of victims? Lowered costs for advertisement? Increased competition of independent sex workers? Lowered prices of sexual services because of increased competition? Provided opportunities to extend portfolio of illegal services and thus increased profits? Obviated needs to pay extortion fees and bribes because services are now offered in Internet?

Customers and revenue management

Would you consider your business as your main source of income? What about income from other illegal activities? Did you have legal incomes? If yes, coming from which kind of activities?

For sexual exploitation

What was the typical number of clients of your girls on an average week? What was the average price they would charge a client? Did they charge different prices to different customers? Did prices changed over time? What is the typical number of days they will work in a month?

For labour exploitation

What was the total number of workers that you provided or employed on monthly basis? For how long would they usually work for you/your client? What was the average fee (one-off/monthly) that you received for each of them? Did prices changed over time?

How did you use the money made with your business (e.g. personal life/lifestyle, invest the money)?

If you have invested the money, could you tell me how (i.e. legitimate businesses, criminal businesses, in this case ask which ones)?

Was there a need for concealing their origin/destination (money laundering)? If yes, how was that done? What were the costs? How did you send /receive money abroad in order to avoid detection from authorities? Wire transfer through non-bank institutions? Did you use some form of legitimate trade to conceal the money transfer (e.g. buy luxury goods or cars and send these to your home country)? Did you use cash couriers or some form of informal value transfer services?

How in general use of ICT technologies affected profits of your business? How ICT changed your strategy to evade detection from law enforcement?