The Measurement Of Human Trafficking, Sexually Exploited & Missing Children In The European Union. The MONTRASEC Model – The Great Leap Forward ?

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Abstract

Recent European Union policy discussions have again highlighted the urgent need for consistent recording and analysis of data relating to trafficking in human beings. This article highlights how the MONTRASEC model for monitoring trafficking in human beings, sexually exploited and missing children can address these long standing concerns. The process by which a workable IT tool with contents based on international legal instruments and definitions concerning the three phenomena has been designed and tested by a range of operational agencies in two separate EU Member States is described. The article also illustrates how the MONTRASEC IT tool provides the capacity for these phenomena to be described, interpreted and analysed in an integrated and multidisciplinary fashion for the first time. Critical questions relating to compliance with both Member State and European data protection and privacy legislation are subsequently addressed. The article concludes with an assessment of the role and function of the National Rapporteur within the European Union highlighting that more substantial action at EU level in this area may be required if the potential afforded by the MONTRASEC model is to be effectively realised.

1 Introduction

The development of a more extensive knowledge base upon which to base initiatives to counter trafficking in human beings, the sexual exploitation of children and missing children is of crucial importance in making both evidence based policy and the formulation of operational decisions in the field. Much useful and relevant information concerning these phenomena is still spread over different departments, services, institutions and organisations. Such information is, moreover, often partial and incomplete. Evidence-based policy needs to be built on reliable information about the present developments, the threats, the recent methods, modus operandi, the number of persons and the sums of money involved in trafficking in human beings, sexually exploited children and missing children. The need for

information exists for all actors in the field, both at national and international level. Without this data, a policy based on clear insights into the actual extent and nature of the problem cannot be formulated.

Recent European Union policy discussions have again highlighted the urgent need for consistent recording and analysis of data relating to trafficking in human beings. This article highlights how the MONTRASEC model for monitoring trafficking in human beings, sexually exploited and missing children can address these long standing concerns. The process by which a workable IT tool with contents based on international legal instruments and definitions concerning the three phenomena has been designed and tested by a range of operational agencies in two separate EU Member States is initially described. The article also illustrates how the MONTRASEC IT tool provides the capacity for these phenomena to be described, interpreted and analysed in an integrated and multidisciplinary fashion for the first time. Critical questions relating to compliance with both Member State and European data protection and privacy legislation are subsequently addressed. The article concludes with an assessment of the role and function of the National Rapporteur within the European Union highlighting that more substantial action at EU level in this area may be required if the potential afforded by the MONTRASEC model is to be effectively realised.

2 European Union data collection perspectives on trafficking in human beings

The need for a more coherent and concerted response to trafficking in human beings has been recognised in a number of different ways by the European Union since its first policy statement on the issue in 1997[1]. For example, the European Commission's 2007 Assessment Manual highlighted the need for an adequate legal framework and definition of the problem to be complemented by more standardised systems for recording data on the problem. The Manual asserted that in addition to collecting information systematically about trafficking in human beings to inform their policies, Member States should collect and analyse information about all the activities in their country to combat trafficking and assist trafficked persons. There was, furthermore, a need to identify a central place at national level where information from different sources is brought together and analysed. This function could be assumed by an independent National Rapporteur or a comparable independent mechanism with a similar mandate or expertise. In order to compile or compare information from different agencies, it was considered essential that each Member State should ensure that its various

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1 The Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat

Trafficking in Women for the Purpose of Sexual Exploitation.

agencies share a common "language" and have standard mechanisms for recording data.[2]

More recently, the EU has reaffirmed the importance of measures to combat trafficking in human beings, sexual exploitation of children and missing children as part of the Stockholm Programme. Such measures are envisaged as extending beyond the boundaries of the EU itself to countries from where victims of trafficking originate or through which they are transported. The need for more systematic data collection on the phenomena to facilitate prevention, law enforcement and assistance to victims are again highlighted.[3]

These issues were also considered during the 3rd EU anti-trafficking day in October 2009, where it was emphasised that better data collection was essential not only for assessing present trends but also for formulating future policy responses. Delegates were asked to consider whether the EU should ensure, by legislative means if necessary, that all Member States collect data using common methodology and comparable approaches. Such measures could, moreover, theoretically extend to third (non-EU) countries. The conference declaration highlighted the need to develop a common or at least comparable template for the collection and analysis of sex and age-disaggregated data relating to all aspects of trafficking in human beings which conformed to adequate data protection standards. This template could form the basis for a THB index – a concise information collection system with key indicators by which the phenomenon and the impact of polices to counter it could monitored both within the EU and beyond. In addition, the feasibility of establishing a central EU co-ordination mechanism to maximise resources, avoid duplications and increase the effectiveness and sustainability of actions was considered.[4] Such a mechanism would essentially complement the proposal for an informal EU network of National Rapporteurs on trafficking in human beings designed to provide the Union and its Member States with objective, reliable and comparable information in the field of trafficking in human beings: this proposal was adopted by the European Council in June 2009.[5]

3   Previous data collection initiatives in the field of trafficking in human beings

A number of initiatives have been undertaken which have attempted to address issues arising from the lack of coherence in the collection of data on

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2 Measuring Responses to Trafficking in Human Beings in the European Union: an Assessment Manual, 28p

3 Justice, Freedom and Security in Europe Since 2005: An Evaluation of the Hague Programme and Action Plan, SEC (2009), final 76p, An area of freedom, security and justice serving the citizen, COM (2009) 262/4, 20-24pp

4 2009 Declaration On Trafficking In Human Beings: Towards Global EU Action against Trafficking in Human Beings, October 2009

5 Council conclusions on establishing an informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings, 2946th JUSTICE and HOME AFFAIRS Council meeting, Luxembourg, 4 June 2009

trafficking in human beings and sexually exploited and missing children. For example, within the framework of the EU Group of Experts on the policy needs for data on crime and criminal justice, a sub-group was established to work on criteria for data collection and assessment on trafficking in human beings. In this context, the European Commission, in cooperation with ILO (International Labour Organisation) launched an exercise based on the DELPHI method, aimed at reaching consensus among a wide group of experts on a selected list of indicators for data collection[6]. A project undertaken by the International Organisation for Migration (IOM) in conjunction with the Austrian Ministry of the Interior resulted in the publication of a series of recommendations concerning the collection of data on core indicators of human trafficking including information on victims, authors, characteristics of the human trafficking process and criminal justice responses. The project also produced guidelines to assist with more consistent definitional interpretations of the phenomenon alongside recommendations concerning the necessary data collection architecture at both Member State and European level.[7] Similarly, the International Centre for Migration Policy Development (ICMPD) in partnership with the Portuguese Ministry of Internal Affairs have been working to create a harmonised information management system including the development of comparable indicators for the collection of data on victims of trafficking.

It was against this emerging policy backdrop that the MONTRASEC project was conceived and executed. In full awareness of the parallel exercises highlighted above (and the potential for synergies therein), the MONTRASEC project aimed to address many of the shortcomings in cohesive data collection by the development of a statistically responsible IT-platform, which brought together differing data originating from relevant partners in an integrated collection mechanism. In this way, a more accurate view of the phenomena of trafficking in human beings, sexually exploited and missing children could be effectively obtained.

4   SIAMSECT and MONTRASEC

The SIAMSECT project – the elaboration of an EU template and collection plan for Statistical Information and Analysis on Missing and Sexually Exploited Children and Trafficking in Human Beings – was undertaken by IRCP, Institute for International Research on Criminal Policy at Ghent University (Belgium) together with Transcrime, Joint Research Centre on Transnational Crime, Università degli Studi di Trento/Università Cattolica del Sacro Cuore (Italy) under the European Commission funded DAPHNE II programme.

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6 2006/581/EC

7 Guidelines For The Collection Of Data On Trafficking In Human Beings Including Comparable Indicators, IOM/BMI, Vienna, 2009

The starting point for the research consisted of two previous epidemiological studies of data collection on missing and sexually exploited minors in the (then) 25 EU Member States (Childoscope)[8]. Insights gleaned from the earlier Mon-EU-TRAF I[9] and II[10] research projects conducted by Transcrime in the (then) 15 Member States were also incorporated.

The SIAMSECT project addressed the need for reliable and comparable collection and analysis of indicators and other relevant data concerning the phenomena of missing and sexually exploited children and trafficking in human beings. The project found that data collection on these phenomena was chaotic and unreliable entailing that an accurate insights into the extent and nature of the phenomena could not effectively be provided.

The project's authors concluded that a robust data collection methodology required a standardised EU template and collection plan that would provide consistent and integrated statistical information thereby assisting with strategic analysis at both Member State and EU level. However, such a matrix of relevant indicators, characteristics and variables, standardised for the entire EU area did not exist.[11]

It was established, for example, that there was a lack of available data on the respective phenomena and an absence of centralisation and coordination of the data gathered. Furthermore, the definitions used differed to such an extent that the information collated on the basis of these definitions could not be compared. Only a few countries (Belgium and the Netherlands) were able to present a real data set of variables on the different components of the phenomena.

A lot of other Member States did collect some kind of data on the different components of the phenomena of missing and sexually exploited children and trafficking in human beings. However, the collection of variables was, in many cases, limited to indicators relating to the criminal law definition of the phenomena. The indicators used also differed from organisation to organisation in the same country which again rendered the information gathered by way of these indicators incomparable.

Because only a few countries had a real data set and because even these data sets were not always standardised, a global picture on missing and sexually exploited children and trafficking in human beings could not be obtained.

At the international level, the situation was not much better. Apart from a few organisations which had an extensive data set (IOM and UNODC),

8 G. Vermeulen and H. De Pauw, Missing and sexually exploited children in the EU (Childoscope) , Antwerp, Maklu, 2004, 553 p. and G. Vermeulen (ed.), Missing and sexually exploited children in the enlarged EU, Antwerp, Maklu, 397 p.

9 MON-EU-TRAF - A pilot study on three European union immigration points for monitoring the international trafficking of human beings for the purpose of sexual exploitation across the European Union.

10 MON-EU-TRAF II: A study for monitoring the international trafficking in human beings for the purpose of sexual exploitation in the EU Member States.

11 G. Vermeulen, A. Balcaen, A. Di Nicola and A. Cauduro, The SIAMSECT Files, Anwterp, Maklu, 13p

many other organisations collected data on the phenomenon but this information was not collated on the basis of standardised variables.

In short, the organisation of data collection at both local, Member State and international level showed considerable shortcomings. Centralisation of data proved to be a real problem nationally as well as internationally.

In order to solve these problems, a template and a data collection plan were developed within the framework of the SIAMSECT research. The data collection template had three general aims: the first concerned the development of an instrument that would enable comparable data to be obtained in order to glean a truer picture of the actual extent of the phenomena of trafficking in human beings, sexually exploited children missing children. The mechanism of the template also aimed to provide an overall EU insight into the phenomena through the Member States and national Focal Points. As a third objective, the template was envisaged as a tool to facilitate communication and cooperation between the EU, other EU bodies and external organisations.

The template also aimed to address problems of a more operational nature within the EU cluster. Firstly, it was envisaged that the mechanism of the template would cast some light on the links between the spheres of trafficking in human beings and missing and sexually exploited children. Furthermore, the template could provide insight into the links between cases. Finally, it was hoped to illustrate any links between authors and victims of crime.

There was, in addition, one specific operational objective outside the EU cluster. This involved providing an insight into the links between EU data gathering and the gathering of data by international organisations such as IOM, ILO, and the UNODC.

Three interlinked templates were developed by the SIAMSECT project team, one for each of the following phenomena:-

- Trafficking in Human Beings

- Sexually Exploited Children

- Missing Children

The content of each template was developed with reference to a range of sources: previous research projects (see above), an extensive literature study, working visits to various international organisations, criminal law definitions, reporting variables used by law enforcement authorities and working definitions used by governmental and non-governmental organisations.

In summary, the SIAMSECT project concluded that from a methodological point of view, such an EU template and collection plan were indispensable for centralized, coherent, scientifically reliable and comparable data mapping by national data collection focal points at member state level. They

were also seen as critical to any genuine attempt to undertake EU strategic monitoring of the phenomena concerned and to subsequent evidence-based policy making on missing and sexually exploited children and trafficking in human beings at both Member State and EU level

5 MONTRASEC

5.1 Project objectives

The process of developing such statistical templates was a necessary exercise but still very theoretical. What was presented in the final SIAMSECT report was the ideal situation of working with standardised templates. In order to enhance the practical applicability of the templates it was recognised, however, that they would need to be transformed into a user-friendly database whose utility could be tested by performing 'live' testing in the field in a number of EU Member States. This was, in essence, the genesis of the MONTRASEC project. Building on the work undertaken above, the MONTRASEC project aimed to operationalise the theoretical work carried out under the auspices of the SIAMSECT research. Funding was secured from the European Commission to underpin this activity.

The MONTRASEC project encompassed two complementary high level objectives intended to assist with the development of a more accurate view of the phenomena of human trafficking and missing and sexually exploited children:

- the development and delivery of a ready-to-use and statistically responsible IT-platform which built on the template developed in 'the Siamsect Files' and which brought together the different spread partial data of the relevant partners in an integrated data collection mechanism

- the development of a' report style sheet' for use by National Rapporteurs for Trafficking in Human Beings of which the integrated data collection mechanism would be the kernel. The starting point for this tool would be the benchmarking of existing reports produced by the National Rapporteurs themselves.

In the short term, the project aimed to provide the European Commission with a practical and suitable IT-tool, by which the phenomenon of human trafficking could be accurately described, interpreted and analysed in an integrated and multidisciplinary way. In addition, it was hoped to provide National Reporters or their equivalent with a standard reporting tool (uniform reporting sheet) through which local, national and European information on the trafficking phenomenon could be presented and analysed in a consistent fashion.

Looking further forward, in the medium term, the project aimed to enable the European Commission or a future European Monitoring Centre on THB to make horizontal comparisons between the reports produced by Member States.

It was hoped that the results of the project would be sustainable in the longer term as the development of an IT-platform and the uniform reporting style sheet were considered essential methodological tools for the robust collection, interpretation, analysis and comparison of data concerning the phenomenon of trafficking in human beings, at both local, national and European level.

The following organisations were identified as potential beneficiaries of the project:-

- all actors active in the area of THB or missing and sexually exploited children at local, Member State level and EU level

- Police services

- Prosecutors

- Pan- European judicial bodies e.g. Europol, Eurojust,

- Judges, courts,

- Victim reception and assistance centres, NGO's, hotlines

- policy makers in the EU and the Member States

5.2   Project Methodology

The project was comprised of a number of interlinking phases. Firstly, the content of the IT tool had to be identified. It was decided to base the tool around the three data collection templates designed during the previous SIAMSECT project. At the same time, consideration was given to the data collection architecture – which agencies would be involved in inputting data, who were the potential users of the database, at what level did these actors operate etc. As above, the project architecture followed the model developed within the SIAMSECT research. It was envisaged that "live" data would be entered by operational actors working in the fields of trafficking in human beings, sexually exploited and missing children. Whenever, these agencies came into contact with an "event" which fell within the project's remit, they would input relevant data concerning the "event" itself, a victim or an author into the database. Such data would thereafter be aggregated via the IT tool at national (Member State) level and subsequently, at European Union level. In this way, a more complete picture of the three phenomena in question could be established.

In parallel with this process, technical work was undertaken by UNISYS Belgium concerning the development of the IT tool itself. Using the three

data collection templates, an internet database system was designed mirroring the three tier architectural model highlighted above. Specific consideration was given to ensuring the security of the system (this being highly important in gaining the confidence of agencies who would be asked to input data) and to questions concerning the protection of personal data on both victims and authors.

To ensure the functionality of the model in practice, it was decided to test the IT tool in two countries – Belgium and Italy – these being the locations of the project partners: IRCP and Transcrime respectively. In each country, a range of operational agencies prepared to participate in the research were identified. These agencies were provided with unique ID's and passwords allowing access to the IT tool. They subsequently entered "live" case information into the database over an eight month period. Facilities were also made available for data inputting agencies to make comments and observations regarding the functionality of the IT tool.

In order to maximalise the potential for analysis of the data entered, a benchmarking exercise was undertaken to establish the types of information which National Rapporteurs on trafficking in human beings currently used in their reports to stakeholders and the public in the respective EU Member States. This exercise allowed the project team to develop an extensive range of reporting tools which were subsequently built in to the functionality of the MONTRASEC database. In this way we wanted to demonstrate that the database could be used as a standard reporting tool in all countries where operational agencies were inputting data thereby enhancing both epidemiological knowledge of the three phenomena and the ability to analyse and assess them. Such information is, of course, important, for the development of more effective evidence based policy and practice measures.

Finally, work was also undertaken to benchmark the generic work of National Rapporteurs in trafficking in human beings and any equivalent organisations working in the field of sexually exploited and missing children. This exercise was designed to provide information concerning the infrastructure required to support the roll out of any MONTRASEC type initiative across the European Union in the future.

Each component of the project is described in more detail in the subsequent sections of this article.

6   The MONTRASEC IT Tool

Following the approach adopted in the SIAMSECT research, three interlinking templates were developed for the MONTRASEC database one for each of the respective phenomena:-

- Trafficking in Human Beings
- Sexually Exploited Children

- Missing Children

Each template was divided into three parts:

- Event
- Victim and;
- Author

The templates were made available in four languages on the website: Dutch and French (for Belgian users), Italian and English.

A detailed guidance manual was developed in the above languages to assist all users with navigation and use of the database and to ensure that interpretation of definitions and questions was as consistent as possible thereby enhancing the comparability of the information entered.

In the following paragraphs, a synopsis of the process by which the indicators and variables used to populate the database is provided.

6.1 Definitions of trafficking in human beings and missing and sexually exploited children

Trafficking in human beings

Following the previous research projects MON EU TRAF I[12] and II[13], the definition of trafficking in human beings used in the template was based on the Council Framework Decision on combating trafficking in human beings of 19 July 2002[14] and the UN Protocol of 2000 to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organised crime.[15]

Definitions of types of sexual exploitation of children

Based on previous research concerning sexual exploitation of children and missing children in the 25 Member States of the European Union

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12 MON-EU-TRAF - A pilot study on three European union immigration points for monitoring the international trafficking of human beings for the purpose of sexual exploitation across the European Union.

13 MON-EU-TRAF II: A study for monitoring the international trafficking in human beings for the purpose of sexual exploitation in the EU Member States.

14 Council Framework Decision 2002/629/JHA on combating trafficking in human beings of 19 July 2002

15 UN Protocol of 2000 to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organised crime, URL: http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf.

15 Council Framework Decision 2002/629/JHA on combating trafficking in human beings of 19 July 2002, OJ L 203, 1 August 2002, p 1-4.

(Childoscope) undertaken by IRCP and its partners, uniform definitions of sexual exploitation and missing children were developed[16].

The definitions concerning sexual exploitation of children were mainly based on European guidelines, such as the Council Framework Decision on combating trafficking in human beings of 19 July 2002 (see above)[17] and the Council Framework Decision on combating the sexual exploitation of children and child pornography of 22 December 2003[18]

Definitions of types of missing children

The definitions for different types of missing children were largely based upon the definitions used by various organisations active in the field of missing children in tandem with source documents from the United Nations High Commissioner for Refugees.

6.2   The identification of indicators or variables for the templates

The templates contain a list of indicators that describe the three phenomena. To identify which variables or indicators were to be included in the templates, the least common multiple was taken of all the indicators frequently occurring in criminal law definitions of the phenomena, working definitions used by non-governmental and governmental institutions, definitions used by various international organisations, indicators used by law enforcement authorities and data collection systems at national and international level.

Current criminal law definitions used in the different Member States were a first source of inspiration to identify which variables should be included in the templates. These definitions needed to be deconstructed into their smallest components after which the variables included in the templates were based on the least common multiple of these components.

As previously described, a number of international instruments on trafficking in human beings and missing and sexually exploited children were also taken into consideration when constructing the templates.

Furthermore, working definitions applied by non-governmental and governmental institutions were used as an additional source for the variables in the templates. Indicators were, for example, borrowed from the

16 G. Vermeulen and H. De Pauw, Missing and sexually exploited children in the EU (Childoscope), Antwerp, Maklu, 2004

17 Council Framework Decision 2002/629/JHA on combating trafficking in human beings of 19 July 2002, OJ L 203, 1 August 2002, p 1-4.

18 Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography, OJ 13/44, 20 January 2004.

Belgian Centre for Equal Opportunities and Combating Racism which is charged with the incitement, coordination and follow-up of the Belgian policy regarding THB. This Centre established an electronic user-friendly web-interface database on victims of THB. For this purpose, the Centre co-operates with three specialised centres for the reception and assistance of victims of human trafficking in Belgium, who supply the data: Payoke (in Antwerp), Pag-Asa (in Brussels) and Surya (in Liège). This database contains information regarding the victims the three specialised centres have assisted during recent years. The database is official and confidential, and until now has only been accessible by the abovementioned Centre and (with lower access rights) the three reception and assistance centres.

Importantly, in order ensure interoperability of the MONTRASEC database templates with other EU bodies and international organisations, certain variables were also selected from within the data collection framework of the International Organisation for Migration (IOM), International Labour Organisation (ILO) and Europol.

6.3 Composition of the templates

Links between the three templates

As highlighted, each template was divided into three main parts: event, victim and author. The event refers to all the available information on the features of the case of trafficking in human beings, sexually exploited children and missing children. The part concerning the victim refers to the information to be collected on the features of the victims of the aforementioned phenomena. Finally, the part on the authors refers to information to be collected on the features of the authors.

Each of these parts can be completed independently on the basis of available data. This aspect provided flexibility within the structure of the template allowing the final user to insert, for example, information on multiple victims of the same case or a case with unidentified victims/authors.

All three templates were based on a closed question structure in order to avoid incomparable answers

As one aim of the template was to highlight the visibility of links between the phenomenon of missing and sexually exploited children and trafficking in human beings, links between the three templates were established. For example, the template on trafficking in human beings referred to the template on sexual exploitation of children when one encountered a victim of trafficking for the purpose of sexual exploitation and this victim is below the age of 18. Equally, the template on sexual exploitation referred to the template on trafficking in human beings when the variable 'offences committed in the context of sexual exploitation', trafficking in human beings was completed.

New entry form

Before completing the template, some administrative information was required in order to enable the identification of links between cases. This administrative information was entered on a form called the *New Entry form*

Firstly, it was important to know the type of source providing the information on the phenomenon. The following sources were included:-

- law enforcement authorities (police, customs, others),

- judicial authorities (public prosecutors, courts)

- NGOs and GOs

Secondly, the level at which the aforementioned actor worked was also important. Whether they worked at central, regional or local level is, for example, relevant when assessing the effectiveness of a criminal justice system. For the same reason, the knowledge of the region, reporting date and date of reference was necessary. An example of the latter could be: the police gather and process data in 2006 about an event which took place in 2005; similarly, the prosecution office processes data for 2004-2005 in 2006. This means that the data for the police delivered in 2006 and the data delivered by the prosecution office in 2006 will be incomparable and no assessment can be made.

To be able to identify cases, an identification code was necessary for each case for which information was entered. For the police/customs this was a police/customs file identification number. The public prosecutor was then required to fill in the police/customs file identification number and, when different from the latter, the public prosecutor's file identification number. The courts were then required to fill in the police/customs file identification number, the public prosecutor's file identification number and, when different from the previous numbers, the courts file identification number.

Links between authors and victims

While the New Entry Form enabled the identification of links between cases, information on the identity of the victim and the author was necessary in order to make links between these victims and authors. Establishing such linkages was possible due to the unique identity information generated by the database in respect of victims and authors. Of course, such personal information is sensitive data to which special data protection regulations apply. These data protection issues and other issues relating to the anonymisation of personal data are discussed in a subsequent section of this article.

Insight into links between EU data gathering and data gathering at international organisations

Alongside identifying links between phenomena, cases, victims and authors, the templates also enabled the bridging of relevant information retrieved from international organisations and NGOs into overall EU statistics. To

achieve this end, indicators specifically used by the international organisations were included in the templates so that the comparison between the information gathered by them and the information gathered through the templates became possible.

6.4   Project architecture and data collection structure

The MONTRASEC Project was designed and operationalised around a three tier architectural model:-

- Ground Level

- National Focal Point

- EU Monitoring Centre

The database itself exhibits differing levels of functionality at each of these three levels.

At each level, different categories of users were envisaged.

6.4.1   Ground level

Ground level actors were defined as organisations working in the fields of trafficking in human beings, sexual exploitation of children and missing children. They included police services, prosecutors, courts, victim reception and assistance centres, NGO's and social work providers. To access the MONTRASEC database, each ground level organisation was provided with a unique ID and password. Using these tools, the organisation was able to add data based on their live casework into the three templates.

The ID and password systems entailed that each ground level organisation was able to access and view only the data which they themselves had entered into the database. The MONTRASEC database also allowed ground level organisations to export their data automatically into an Excel spreadsheet. A range of automatically generated reporting tools was also available: again, these were comprised only of the data which had been inputted by the ground level organisation itself. Both these tools were designed to assist ground level organisations with their own caseload and performance management assessments as well as contributing to the wider goals envisaged by the MONTRASEC project.

A fuller description of the reporting functions provided by the MONTRASEC database is provided in section 6.6 of this article.

6.4.2   National Focal Point

The information gathered in the templates by has to be centralised in order to make the necessary analyses. For the purposes of the project, it was envisaged that this task would fall to a National Focal Point. For the potential afforded by the MONTRASEC database to be fully realised, it will be necessary to designate one National Focal Point per EU Member State. The work of the National Focal Points can, of course, be assumed by existing National Rapporteurs on trafficking in human beings or their equivalent.

As above, the MONTRASEC project architecture envisaged that each National Focal Point would be allocated a unique ID and password. Using these tools, the NFP can gain access to the database. The ID and password systems allow the NFP to view only the aggregated and anonymised data which has been entered by ground level organisations in their own Member State. This data can also be exported automatically into an Excel spreadsheet. Again, the NFP can take advantage of a range of automatically generated reporting tools. In both instances, reports are based on the aggregate of information entered by ground level organisations in the NFP's Member State itself.

It was envisaged that National Focal Points would play an active role in the information gathering and analysing process producing reports on the national position for distribution to national legislatures and policy makers as well as to ground level organisations working in the field. Such reports would enable stakeholders to compare and integrate different epidemiological data in relation to each phenomenon thereby assisting in the development of evidence based policy and practice.

In a fully operating EU wide MONTRASEC system, National Focal Points would also be responsible for the selection of the organisations at ground level who can complete the templates and the issuing of ID's and passwords. Furthermore, they would provide guidance to ground level organisations to ensure that the information was completed in a similar fashion by each selected organisation and in each Member State.

6.4.3   EU Monitoring Centre

The MONTRASEC database also provided the facility for data to be collated and analysed at pan-European Union level. Such a task could be assumed by a dedicated EU Monitoring Centre. Working again around a system of unique ID and passwords, it is possible to view aggregated and anonymised data received from each National Focal Point. As with the ground level and National Focal Points, this data can be exported to an Excel spreadsheet or viewed in a range of automatically generated reports. This facility would allow an EU Monitoring Centre to provide law and policy makers with a range of analytical information concerning the phenomena of trafficking in human beings, missing and sexually exploited children both within the EU

and beyond. The database enables comparisons to be made both within and between EU Member States across a range of indicators extracted from the aggregated data. Contextual reports can thus be generated which will assist with analysis at both EU, Member State and ground levels. Such information will also be of assistance to pan-European justice organisations such as Europol, Eurojust and Frontex alongside international bodies such as the IOM, ILO, UNODC, CoE and OSCE.

A tabular depiction of the MONTRASEC Project data collection architecture is set out below.
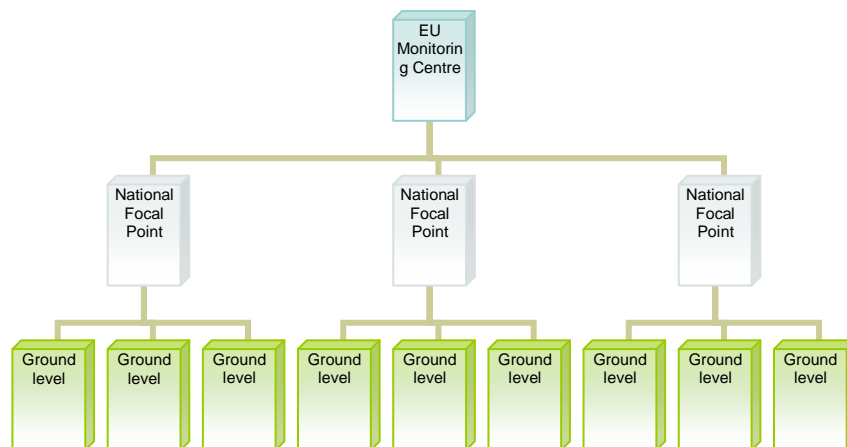
6.5   Data protection and privacy considerations

6.5.1   Personal information, hashing and encryption and website security

Because the templates asked for personal information on both victims and authors, it was necessary to ensure that this information was adequately protected. This was particularly important given the types of event with which the MONTRASEC Project is concerned. Personal information is, furthermore, subject to strict data protection rules. In order to comply with these regulations, the MONTRASEC database had a number of in-built safeguards to ensure the integrity of the information contained within it.

6.5.2   Hash functions

SHA hash functions are a set of cryptographic tools designed by the National Security Agency and published as a U.S. Federal Information Processing Standard. SHA stands for Secure Hash Algorithm. Such secure has algorithms are required by law for use in certain U.S. government

applications for the protection of sensitive information. In essence, hashing involves the taking of a data message and creating a new message from the original data in such a way that the process cannot be reversed. This is in contrast to encryption which is the process of transforming information using an algorithm to make it unreadable to anyone except those possessing an encryption key. This result of is this process is encrypted information which can subsequently be decrypted if the original encryption key is applied.

The MONTRASEC database used the most secure of the currently available hash functions, SHA2, to ensure the anonymity and security of personal data entered into the system. The system was based around the use of 'double keys'.

At the ground level, personal data entered by ground level organisations was automatically encrypted using a first SHA2 hash key. This meant that the name, date of birth and nationality of a victim or author were transformed into a unique anonymised 'digest' or irreversible code. This 'digest' was then cut digitally into two halves the second of which was automatically deleted. Consequently, the recovery of data which by which the identity of the victim or author could be established was impossible even with the most powerful of computers.

By way of illustration, let us assume that the a ground level organisation enters the details of a (fictitious) victim whom we shall call John Smith, of Belgian nationality, born on 1 January 1970 into the MONTRASEC database. John Smith's details would be transformed using the SHA2 function to:-

1e230c8e9aa6068d19d79f58292b643980c9eebc670ec4cf69.

When the National Focal Point opens their version of the database, they will only be able to see this anonymised digest of John Smith's personal data. As all ground level organisations use the same SHA2 key, the NFP will be able to identify linkages between cases involving the same actors because John Smith's details will always produce the same unique digest.

Subsequently, when aggregated and anonymised data is sent by the National Focal Point to the EU Monitoring Centre further automatic encryption takes place using a second SHA2 key. In this way, the first unique digest of John Smith's details:-

1e230c8e9aa6068d19d79f58292b643980c9eebc670ec4cf69 becomes a second

unique digest:-

*c658bda0521021759dafd7d1afbd956d02d486502a4c4570ab.*

When the EU Monitoring Centre opens their version of the database, they will only be able to see the second anonymised digest of John Smith's personal data. As above, linkages between cases involving the same actors can be made because John Smith's details always become:-

1e230c8e9aa6068d19d79f58292b643980c9eebc670ec4cf69 and subsequently:-

1e230c8e9aa6068d19d79f58292b643980c9eebc670ec4cf69 (but never the other way around.)

The integrity of personal information is maintained in the production of reports by the EU Monitoring Centre as an open database containing details of all cases entered into the system can be provided by the Centre to National Focal Points in which only the second unique digest of John Smith's details will be visible. The NFP cannot recover details of John Smith's identity because they don't have access to the SHA2 key. This process is mirrored when a National Focal Point provides an open database to ground level organisations.

The double key hashing process is illustrated diagrammatically below:-

SHA 2 Key One
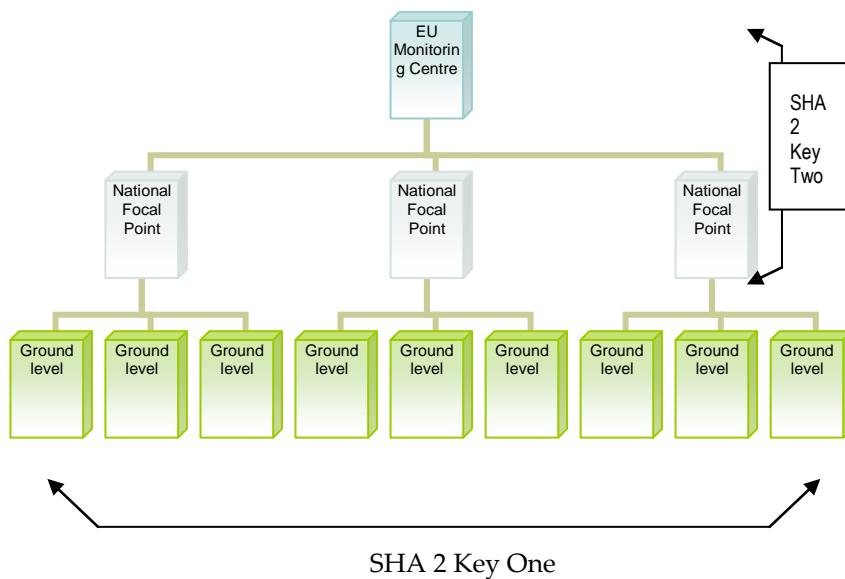
6.5.3   Website security

The MONTRASEC database operated using the Secure Sockets Layer (SSL) system. SSL is a commonly-used protocol for managing the security of a message transmission on the Internet. The system employs a programme layer located between the Internet's Hypertext Transfer Protocol (HTTP) and Transport Control Protocol (TCP) layers. The "sockets" part of the term refers to the sockets method of passing encrypted data back and forth between a client (browser) and a server (website) programme in a network or between programme layers in the same computer. This effectively ensures that all data passed between the web server and browser remains private and integral. SSL systems are commonly used in situations where it is important to ensure a secure protocol on web pages that process functions involving the transmission of credit card numbers, bank account details, Social Security numbers and other sensitive personal information. The system is designed to prevent electronic 'eavesdroppers' from perusing web activity and thereby gaining access to unencrypted forms of such data.

6.5.4 Data protection and privacy

Prior to testing the MONTRASEC database with ground level partners in Belgium and Italy, formal advice was sought concerning the compliance of the instrument with Belgian privacy and data protection legislation. The Privacy Commission confirmed that the functionality and procedures designed for the database were commensurate with the relevant law and procedure in Belgium in that personal data relating to victims and authors was effectively anonymised (rather than depersonalised) by the double key irreversible hashing system. The Commission emphasised, however, the importance of ensuring that no parallel manual dossiers containing personal data were kept and that, furthermore, the data collection mechanism needed to operate at a sufficiently high level of aggregation to ensure that individual victims and offenders could not be identified. In respect of the latter point, the safeguards built into the EUROSTAT Comext system may be a useful point of reference. The Comext system automatically analyses the number of respondents within given data collection categories and prevents data from being viewed when only a limited number of respondents or entries have been made.

Subsequently, formal advice was also sought from the European Data Protection supervisor concerning the compliance of the database with European Data Protection legislation. The EDPS confirmed that the functionality and procedures of the database were indeed compliant with European data protection regulations but also highlighted that were the facility to be rolled out across EU Member States, an individual assessment would be required in each country to ensure compliance with that Member State's data protection legislation.

The EDPS also suggested that the hashing procedure could be made more secure by increasing the range of information to be transformed into the unique anonymised digest. He noted, furthermore, that appropriate security safeguards needed to be maintained between the ground level actors, National Focal Points and the EU Monitoring Centre. Both points were subsequently discussed with the IT developer who confirmed that whilst the range of information used to produce the anonymised digest could be technically extended, this actually had relatively little impact on the security of the data which were, in any event, fully and irreversibly anonymised. Additional security measures could, of course, be built into the facility in advance of any decision for roll out.

6.6 The reporting function

As highlighted above, the MONTRASEC IT tool allows for the generation of a range of reporting information based around key variables extracted from

the database. The following paragraphs outline the origin of the variables used for generating reports at practitioner, member state and EU level. The starting point for this process was to benchmark the existing reports produced by the National Rapporteurs within the EU alongside a selection of international organisations working in the field of trafficking in human beings, sexually exploited and missing children.

The project team collected information on the reporting variables and graphs that are currently being used by all the different National Rapporteurs for trafficking in human beings or their equivalents in their reports to stakeholders and the public. This process was repeated for the organisations working in the field of missing and sexually exploited children. National Rapporteurs and organisations with the most extensive reporting mechanisms were thereafter selected for further analysis. We subsequently identified both the reporting graphs used by these bodies to analyse the respective phenomena and the linked variables. The second step was to link the variables that are being used in these existing reports with the variables from the MONTRASEC database.

Thereafter, two broad categories of variables were selected to underpin the reporting function of the MONTRASEC database:-

- demographic variables and;

- variables regarding the type of event.

On the basis of the above exercise, a range of reporting tools were designed and integrated into the website. The tools are comprised of a mixture of bar graphs and crystal reporting formats. Users of the database at all three levels – ground level, National Focal Point and EU Monitoring Centre - are able to automatically generate these reports for their respective levels of functionality by entering the "generate report" menu on the website and selecting from the range of tools on offer.

In total some 250 graphs and charts can be generated covering 50 separate categories and sub-categories associated with the phenomena of trafficking in human beings, sexually abused and missing children. The MONTRASEC database is therefore able to provide analytical information which is equal to or greater than the reporting functionality of any National Rapporteur or other organisation working in the fields of trafficking in human beings, sexually exploited and missing children within the European Union.

Users can, in addition, automatically export all data from the database to an Excel spreadsheet thereby allowing for additional analysis.

7   Testing the IT tool in Belgium and Italy

The IT tool was tested over an eight month period in Belgium and Italy. The project partners consulted criminal justice organisations, NGO's and other organisations coming into contact with cases involving trafficking in human

beings, sexually exploited and missing children and reached agreement concerning their participation in the pilot. Each agency agreed to enter 'live' case data to the database thereby allowing the project team to test the functionality of the IT tool at both ground level, National Focal Point and EU Monitoring Centre level. Agencies were also able to post comments regarding the usability of the IT tool as a result of which, a number of amendments were made to enhance user friendliness mid-way through the pilot phase.

In total, information on some 150 events was entered into the database by ground level organisations in the two countries during the pilot phase.

8   The role and function of national rapporteurs

The final component of the MONTRASEC project revolved around a "state of play" assessment of the implementation status and task package associated with National Rapporteurs for trafficking in human beings or their equivalents. The purpose of this exercise was to ascertain whether or to what extent National Rapporteurs approached their function a similar way and in so doing, to cast some light on the potential for existing National Rapportuers to act as a lynchpin of any EU wide strategy for data collection and analysis on THB based around the potential afforded by the MONTRASEC IT tool. The exercise was also designed to assess the extent to which moves to establish an informal network of National Rapporteurs as agreed by the European Council in June 2009 might need to be supplemented by additional action either to ensure that a National Rapporteur or their equivalent was established in all EU Member States or, to ensure a greater degree of consistency in the tasks undertaken by such institutions. To facilitate this process, the project team created an instrument which allowed for the documentation and assessment of available information on National Rapporteurs in a consistent way.

The most striking result of this analysis of the status and task package of National Rapporteurs and their equivalents within European Union Members States was a lack of homogeneity. Six European Union Member States have yet to establish a National Rappoteur or their equivalent despite four of their number – Cyprus, France, Luxembourg and Malta - having both signed and ratified the legally binding 2005 Council of Europe Convention on Action Against Trafficking in Human Beings a key obligation of which is the establishment of such an institution. Furthermore, by benchmarking the definition and core tasks of a National Rapporteur based on the Council of Europe Convention with the work of existing National Rapporteurs in practice, it became apparent that not all Member States understood or interpreted these in the same way. Only seven European Union Member States appear to have established institutions which fully correspond to the COE's vision of a National Rapporteur. In the remaining Member States, compliance with these provisos appears weak.

Perhaps unsurprisingly, the lack of consistency highlighted above is also apparent in relation to the tasks and approach adopted by such bodies. Significant variances appear to exist concerning the role, function, responsibilities and legal status of National Rapporteurs within the European Union. In some Member States, the institution appears to be relatively embedded within the appropriate political and operational structures thereby allowing for access to appropriate data and providing opportunities to influence both policy and practice in the field. In other Member States, National Rapporteurs appear to occupy a more marginal position.

In the areas of data collection, analysis and reporting – the very issues which coincide with the focus of the MONTRASEC Project - it would seem that many of the problems concerning accuracy, consistency and comparability of information on trafficking in human beings continue to exist. National Rapporteurs or their equivalents still rely on differing sources of information which is some Member States is restricted to criminal justice data only. Significantly differing approaches were also apparent in relation to the analysis of data and reporting functions. Each of these issues will have a material impact on the ability of National Rapporteurs or their equivalents to thoroughly analyse the phenomenon of trafficking in human at Member State level and thereby, the ability of the European Union to effectively grasp the scale and nature of the problem.

Taken together, it would seem that significant work remains to be done if the potential of the institution of National Rapporteur is to be effectively realised. In this context, it remains questionable whether the current EU initiative concerning the establishment of an informal network of National Rapporteurs will address the lack of consistency highlighted by this exercise. If the European Union is serious about attempting to deal with the problem of human trafficking, more formal action is likely to be required.

9   Conclusion – from rhetoric to reality

The MONTRASEC project was conceived as a response to problems associated with inaccurate, incomplete or incomparable information concerning the phenomena of trafficking in human beings, sexually exploited and missing children. Building on the work undertaken in the previous SIAMSECT research, the project aimed to provide the European Commission with a practical IT-tool with which these phenomena could be described, interpreted and analysed in an integrated and multidisciplinary way. The IT tool was also intended to provide National Rapporteurs or similar mechanisms with the means to report in a uniform way concerning the three trafficking phenomena. Recognising the European Union's emerging policy line, it was, furthermore, envisaged that the tool could enable the European Commission or a future European Monitoring Centre

on THB to make a horizontal comparison between the reports of the Member States.

To a significant extent, all of these objectives have been achieved. A workable IT tool with contents based on international legal instruments and definitions concerning the three phenomena has been tested by a range of operational agencies in two separate EU Member States. The design of the tool ensured that its functionality was compliant with both Member State and European data protection and privacy legislation whilst assuring the highest possible levels of security for sensitive personal data relating to both victims and authors. Live data has been entered into the database concerning over 150 cases over an eight month period. Front line users and international experts were consulted over the content and user-friendliness of the database and amendments were made during the test phase to take account of their comments. A benchmarking exercise of the reports produced by National Rapporteurs for trafficking in human beings allowed the project team to build in over 250 different automatically generated charts concerning key aspects of the phenomena to the database. Such reports can be generated at both operational, Member State and European Union level providing a significant degree of flexibility for a wide variety of potential users – criminal justice agencies at both Member State and European level, NGO's, National Rapporteurs and European and domestic policy makers. Finally, the project team also undertook a benchmarking exercise which highlighted inconsistencies in the status and task package of National Rapporteurs for trafficking in human beings.

As described earlier in this report, a number of initiatives have been recently undertaken in an attempt to overcome the problems of data collection and analysis in the area of human trafficking. The MONTRASEC project has, however, gone several steps further. The test phase for the IT tool has shown that it is actually possible to move beyond theoretical discussions concerning data collection to a point where agencies operating in the field are prepared to work within a unified and consistent data collection regime, inputting "live" data which can thereafter be analysed at Member State and European Union level. This represents a significant step forward. The content of the MONTRASEC IT tool, moreover, extends beyond the phenomena of human trafficking alone to encompass information concerning sexually exploited and missing children. Given the links between these three phenomena, this is also an important development.

Recent European Union policy discussions have again highlighted the urgent need for consistent recording and analysis of data relating to trafficking in human beings recognising that without such a framework, the Union's ability to assess the scale and nature of the problem and, consequently, to formulate effective policy responses is severely impaired. The MONTRASEC project provides the European Commission with an important building block by which many of these problems can be

effectively overcome. Given the momentum provided by the Stockholm programme, the time is now ripe to capitalise on this potential.

10 Bibliography

10.1 Legal and political documents (in alphabetical order)

Council conclusions on establishing an informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings, 2946th JUSTICE and HOME AFFAIRS Council meeting, Luxembourg, 4 June 2009

Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography

Council Framework Decision 2002/629/JHA on combating trafficking in human beings of 19 July 2002

Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) 29

Declaration On Trafficking In Human Beings: Towards Global EU Action against Trafficking in Human Beings, October 2009

Justice, Freedom and Security in Europe Since 2005: An Evaluation of the Hague Programme and Action Plan, SEC (2009), final 76p, An area of freedom, security and justice serving the citizen, COM (2009) 262/4

Measuring Responses to Trafficking in Human Beings in the European Union: an Assessment Manual

The Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation.

UN Protocol of 2000 to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organised crime, URL: http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf

10.2 Literature

A. Di Nicola (ed), MON-EU-TRAF II: A study for monitoring the international trafficking in human beings for the purpose of sexual exploitation in the EU Member States, Transcrime 2005

Guidelines For The Collection Of Data On Trafficking In Human Beings Including Comparable Indicators, IOM/BMI, Vienna, 2009

J. Kane, Analysing REACT: Gaps, challenges and next steps. Yokohama review combating Sexual Exploitation of Children. 8-9 of July 2005, Ljubljana, Slovenia, 2005

E. Savone, A. Di Nicola & S. Decarli (eds), MON-EU-TRAF - A pilot study on three European union immigration points for monitoring the international trafficking of human beings for the purpose of sexual exploitation across the European Union, Transcrime 2002

G. Vermeulen (ed.), Missing and sexually exploited children in the enlarged EU, Antwerp, Maklu, 2005

G. Vermuelen, A. Balcaen, A. Di Nicola and A. Cauduro, The SIAMSECT Files, Anwterp, Maklu, 2006

G. Vermeulen and H. De Pauw, Missing and sexually exploited children in the EU (Childoscope), Antwerp, Maklu, 2004