



Private Sector Engagement in the Prevention of Organized Crime

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Abstract

Human trafficking, that is the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them, remains an unacceptably prevalent human right violation and falls squarely within the scope of UNODC's activities as a guardian of the United Nations Convention against Transnational Organized Crime. In this paper we analyze human trafficking within the Balkan Region, its underlying structures and how inclusion of the private sector via private-public partnerships are proving to be successful countermeasures. We then investigate the role of UNODC in facilitating and engaging in such partnerships and highlight organizational and operational shortcomings that impede overall efficiency in fulfilling its mandate. Ultimately, we highlight that human trafficking must be seen in context of emerging technology, and conclude that future initiatives are most likely to succeed by close cooperation not only with the private sector at large but especially with commercial actors in the technology sector.

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List of Abbreviations

AI	Artificial Intelligence
CSO	Civil Society Organization
EU	European Union
FOSTA-SESTA	Allow States and Victims to Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act and
IES	Independent Evaluation Section
IOM	International Organization for Migration
ITU	International Telecommunication Union
NCMEC	National Center for Missing & Exploited Children
NGO	Non-Governmental Organization
OIEGWG	open-ended intergovernmental working group
OSCE	Organization for Security and Co-operation in Europe
PPP	Public Private Partnership
UK	United Kingdom
UN	United Nations
UNGIFT	United Nations Global Initiative to Fight Human Trafficking
UNGP	UN Guiding Principles on Business and Human Rights
UNODC	United Nations Office on Drugs and Crime
UNODC IES	United Nations Office on Drugs and Crime – Independent Evaluation Section

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1 Introduction

Combating human trafficking has remained a challenge as the world has become increasingly interconnected. More than ever, addressing domestic and transnational human trafficking structures requires the involvement of various stakeholders. Complementing the traditional actors of states and international institutions, we aim here to investigate the importance of and incentives for involvement of private sector entities, as they pertain to the mandate and activities of UNODC. This paper is structured as follows. First, we give a general overview over the prevalence of transnational organized crime and its geo-political context, in particular within the (Western-) Balkan Region. We then focus on the concepts of human trafficking and related public private partnership- initiatives. To concretize, we survey and summarize ongoing initiatives both in classical commercial sectors and within the technology sector. To complement this mapping endeavor, we conduct multiple case studies of visible and impactful partnerships, specifically of the global recruiting company Manpower group, the Accor Hotel Group and the Tech Against Trafficking Initiative. We also highlight some of the organizational and structural impediments of UNODC to more efficient cooperation. Finally, we evaluate the role of emerging technology and conclude by calling for more concrete and deeper integration of private sector initiatives within the mid- and long-term strategy of UNODC.

This research is motivated by the apparent lack of systematic and summarized reviews of Public-Private Partnership as applied to the work of UNODC. This analysis is undertaken by using qualitative methodology. Three case studies serve to highlight cooperation as a viable tool to establish best practices and frameworks to combat human Trafficking. The (Western-)Balkan region, and in particular states of analysis (Serbia and Northern Macedonia) were chosen based on geographical proximity for authors and availability of data and experts. Attached to this papers are Policy Recommendations, which serve to make actionable any lessons learned from our research for UNODC. These take the form of actions to be taken directly by UNODC and/or indirectly addressed to governments via toolkits to be created by UNODC. The authors remain fully aware

that not all recommendations may be transferable everywhere and possible implementation should be considered with consideration to local context.

2 Overall Context

Trafficking in persons is a complex phenomenon that affects large numbers of people around the world. Even though trafficking, smuggling and migration are separate actions they are often interrelated. The link between trafficking in persons in the context of large movements of people has been established by the UN Special Rapporteur on trafficking in persons, Maria Grazia Giammarinaro¹. According to M. Giammarinaro though not all migrants are trafficked, yet people fleeing conflicts, emergency situations and poverty are more vulnerable and can be exploited and/or trafficked during their journey, or at their destination country. It is estimated that trafficking is the third largest source of income for organized crime (exceeded only by arms and drugs trafficking), and is the fastest growing form of international crime². According to a relevant 2018 UNODC report, human trafficking remains a severe challenge especially in the transit regions. Based on geographical proximity and available data, the study focuses on the example of Western Balkan,³ that became the nexus point of human trafficking into Europe as a transit region. According to the Trafficking in Persons Report published by the U.S. Department of State in 2019,⁴ most of the victims were trafficked for sexual exploitation, the sale of children, forced begging and criminal activity. The situation became more disquieting with the development of digital technologies. The internet provides traffickers with enormous scope to seek out and groom marginalized and/or vulnerable individuals and the ways in which the online sphere is facilitating this process are multifaceted. It has changed the face of recruitment and advertising and led to new forms of exploitation such as webcam sex⁵. The United Nations defines human trafficking as the recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper purpose including forced labor or sexual exploitation⁶. The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 2000, is the main international instrument in the fight against transnational organized crime. States that ratify this instrument commit themselves

¹ <https://www.ohchr.org/EN/NewsEvents/Pages/MigrationHumanTrafficking.aspx>

² https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2FLabour%2FForced_labour%2FHUMAN_TRAFFICKING_-_BACKGROUND_BRIEFING_NOTE_-_final.pdf

³ UNODC, Global Report on Trafficking in Persons, 2018, passim; e.g. p. 8f

⁴ U.S. Department of State, Trafficking in Persons Report, 2019

⁵ <https://observatoryihr.org/blog/the-role-of-the-internet-on-sex-trafficking>

⁶ UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, summary Web page at <http://www.unodc.org/unodc/en/treaties/CTOC/index.html>

to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities⁷. This convention consists of three protocols, one of which, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children adopted by General Assembly resolution 55/25 (entered into force on 25 December 2003), explicitly refers to trafficking in persons. Additionally, Article 31(2)(a) of the Organized Crime Convention emphasizes the importance of the “strengthening of cooperation between law enforcement agencies or prosecutors and relevant private entities, including industry.” Similar language is contained in several resolutions of UNODC’s stakeholder conference.⁸ In implementation of the above, UNODC has created a toolkit for stakeholder engagement to serve as reference for cooperation with the private sector.⁹ In this toolkit presented in 2020, the multi-stakeholder approach has been adopted. Within this framework four critical non-governmental groups are defined whose involvement is essential for successfully tackling transnational organized crime. One of these groups is the private sector, where there is the biggest lack of previous successful cooperation. The toolkit offers two possibilities of the involvement of private entities :public-private partnership first , corporate social responsibility second . The idea of corporate social responsibility implies that incorporating ethical values to corporate culture will be mutually beneficial both for the company and for its employees. Therefore it has been widely discussed and implemented by different corporations around the world. The situation is somewhat different with public private partnership cooperation. Since private business is founded with the intention of making a profit, it might be difficult for the public sector to find non-financial incentives for the private sector to cooperate in the sphere of control over human resources. One of such leverages can be the idea of maintaining the reputation of a trustworthy company that works strictly in the legal framework and prioritizes the safety of its employees and clients. Such initiatives already exist, however their scope of influence is not as large as the situation with human trafficking in the world requires it to be.

⁷ UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, summary Web page at <http://www.unodc.org/unodc/en/treaties/CTOC/index.html>

⁸ E.g. most recently Resolution 10/3: Effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2020); see also FN 42.

⁹ <https://www.unodc.org/documents/NGO/SE4U/UNODC-SE4U-Toolkit-Interactive-WEB.pdf>

According to Human Rights First, a New-York based non-profit international human rights organization, the industries that are at the highest risk of human trafficking globally include construction, hospitality, transportation, textile and apparel manufacturing and housekeeping.

The sex industry is a high-risk sector for both labor and sex trafficking. Sex trafficking operations frequently rely on other legal industries and businesses, including hotels, classified advertising websites, and matchmaking and dating services¹⁰.

3 Transnational Organized Crime in the Balkan Region

The Balkan region, located in South-Eastern Europe, has suffered from a long history of instability, political interference from neighboring countries and wars which have led to persisting weak governance structures and established criminal networks.¹¹ During the Ex-Yugoslavian war, smuggling of food, weapons and people evolved. Due to serious shortages food was smuggled, arms were illegally imported, and people were smuggled in order to escape the war, emboldened by sanctions and embargoes. Not only was smuggling crucial in order to survive, it also generated high profits. During the Yugoslav war paramilitary activities were mainly financed through smuggling, drugs, plunder and extortion. Existing criminal structures persisted and fueled new types of organized crime, this was aided by the fact that they have been increasingly embedded in the political system after the war and smuggling channels were privatized by individuals close to the ruling regime.¹²

After the break-up of Yugoslavia, illicit activities were boosted by weak governance structures that enabled corruption of state officials and border officers, leading to porous borders and enabling organized crime. According to the Global Initiative against Transnational Organized Crime there are certain time slots at the border crossing points, where criminals can get through the border without border control as a result of bribery. The relatively new border triangle between Serbia, Kosovo and North-Macedonia, is even referred to as Balkan Medellin.¹³

Furthermore, the Balkan region has various geographical aspects that expose it to transnational organized crime. Its strategic location triggers rivalry about political interference especially between the EU, Turkey and Russia. These powerful global players vie for strategic partnerships with Balkan countries in order to gain political influence and access to the region's emerging markets and energy corridors. As political influence is commonly linked to monetary support for the Balkan countries,

¹⁰<https://www.humanrightsfirst.org/exploitation-and-private-sector>

¹¹ Frimann, Reich, 2007, p. 1

¹² Global Initiative against transnational organized crime, 2017, p. 3-4

¹³ Global Initiative against transnational organized crime, 2017, p. 4

local leaders try to continuously balance good relations with both powers. Therefore, “western concerns about corruption and crime have been downplayed in order to maintain beneficial strategic partnerships”.¹⁴ Additionally, the EU’s focus of attention has shifted after the end of the Kosovo war from the Balkan countries to more recent challenges such as the war in Georgia and Ukraine, the financial crisis and Brexit.¹⁵

Moreover, due to its geographical characteristics, the region is a frequently used transit area of illicit or semi-illegal activities. The Balkan is located between the world’s biggest market for heroin (Western Europe) and the world’s biggest producer of opium (Afghanistan).¹⁶ The Balkan route remains the most frequently used route for illegal movement from North Africa and the Middle East to Europe such as migrant smuggling or human trafficking. Furthermore, the lack of opportunities for the youth, as illustrated by a high unemployment rate for people under 25 years (up to 34.6%)¹⁷ is another factor that can be assumed to enable transnational crime.

Human trafficking, both in-region and transnational, has remained the main type of criminal activity over the past twenty years in the Balkan countries¹⁸. Initially, the region was the origin of most trafficking victims, however, nowadays it also acts as a transit and destination region for trafficking flows originating in third countries.¹⁹ Whereas transnational trafficking to Western and Central Europe has decreased, trafficking within the local borders remains the most frequent trafficking form. Most victims are trafficked within the region,²⁰ likely enabled by their common heritage and language compatibility.²¹ Recent UNODC data has shown that there is an emerging trend of more affluent countries in the Balkan region serving as destination countries of transnational trafficking.²² For a closer analysis of the Balkan countries of Serbia and North Macedonia see Annex 2.

Of known trafficking cases in the region, 70% are related to sexual exploitation, exhibiting an upward trend (93% female, of which 28% are young girls), 17% for labour exploitation (45% female, which is untypically high), and 13% for other reason which include forced begging, criminal

¹⁴ Global Initiative against transnational organized crime, 2017, p. 2

¹⁵ Global Initiative against transnational organized crime, 2017, p. 1

¹⁶ Global Initiative against transnational organized crime, 2017, p. 1

¹⁷ World Bank, 2019, p.28

¹⁸ Global Initiative against transnational organized crime, 2017, p. 10

¹⁹ UNODC, 2016, p. 86

²⁰ UNODC, 2016, p. 56-57 ; UNODC, 2018, p. 58-59

²¹ Interview with Davor Raus, UNODC

²² UNODC, 2016, p. 86-88 ; UNODC, 2018, p. 58-59

activities or the sale of children.²³ However, victims often experience a mixed form of exploitation and the various forms of trafficking cannot always be clearly distinguished.²⁴

In general, women were more often identified as trafficking victims than men (80%). Recent UNODC data show an increase in the share of child victims: girls are especially affected.²⁵ Social standing is also relevant; e.g. members of the Roma are especially exposed to human trafficking. Since the region is a prevalent transit route for refugees, migrants and asylum seekers, these populations are particularly vulnerable. During the migration crisis 2015/16 almost 1.3 million migrants crossed the region.²⁶ Due to the fear of being deported as irregular migrants, the victims are reluctant to report trafficking to the police. There has been increased incidences of unaccompanied migrant minors transiting the region in recent years, therefore, the concern arose that they could represent another vulnerable group.²⁷ Offenders of human trafficking are often national citizens of the restrictive countries (98%). More men are investigated and convicted than women.²⁸

Despite the enormous political process during the post-conflict period, recent developments show that the region is still vulnerable. After a coup attempt in Montenegro, the controversial status of Northern Kosovo among respective countries, a wire-tapping scandal in Macedonia, the contentious status of Republika Srpska and the refugee crisis in 2015 that has exceeded local capacities, the Balkan region continues to face major challenges that facilitate criminal activities including human trafficking.²⁹

4 The Role of Public-Private-Partnership in Preventing Human Trafficking

4.1 Human Trafficking and Commercial Activities

Business activities might be linked to the crime of human trafficking, for example when the workforce consists partly of victims of trafficking or when supplementary services (e.g. transport or hospitality) sectors unknowingly provide tools and loopholes to facilitate the transportation of persons being trafficked. Joy Ngozi Ezeilo, UN Special Rapporteur on trafficking in persons, notes

²³ UNODC, 2018, p. 56-57

²⁴ UNODC, 2016, p. 84

²⁵ UNODC, 2018, p. 56

²⁶ Interview with Davor Raus, UNODC

²⁷ UNODC, 2016 86-88

²⁸ UNODC, 2018, p. 57-58

²⁹ Global Initiative against Transnational Organized Crime, 2017, p. 2

in her report: “In today’s globalized world, the risks of human trafficking in supply chains are significant throughout economic sectors and affect all States”.³⁰

Inter alia, three sets of soft law instruments share the idea that businesses must be held responsible for trafficking. The UN Guiding Principles on Business and Human Rights (UNGP) – endorsed by the Human Rights Council in 2011 – provide the internationally-accepted framework for enhancing standards and practices with regard to business and human rights. In addition, the **OECD Guidelines for Multinational Enterprises**³¹ and the **Council of Europe’s Recommendation CM/Rec/(2016)3**³² on human rights and business provide non-binding principles and standards for responsible business conduct of multinational enterprises in a global context consistent with applicable laws and internationally recognized standards.

Going forward and in order to ensure that all ratified member states implement the UN Guiding Principles, the OIEGWG³³ is currently working on the second draft of a legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises.³⁴ Some countries have already adopted legally binding legislation integrating the prevention of human trafficking, promoting transparency in supply chains and strengthening corporate liability to enable the scrutiny of companies’ performances to prevent human trafficking and labor exploitation. An example is the UK which implemented in 2015 the Modern Slavery Act, requiring large companies to report their efforts to identify and address human trafficking and exploitative labor practices in their supply chains.³⁵

4.2 Measures to discourage Human Trafficking in Business through PPP:

At this point, it is interesting to take account of the growing importance of “multi-stakeholder governance” as well as of “multisectoral collaborations” on the national as well as the global level. A closer look at the challenges to tackle human trafficking in supply chains reveals the enormous complexity of the relationship between global, national and regional companies that are interconnected in a worldwide commercial network. It becomes therefore increasingly vital to

³⁰ <https://www.ohchr.org/EN/NewsEvents/Pages/Trafficking.aspx> (accessed 27.11.2020).

³¹ <http://mneguidelines.oecd.org/guidelines/> (accessed 27.11.2020).

³² <https://edoc.coe.int/en/fundamental-freedoms/7302-human-rights-and-business-recommendation-cmrec20163-of-the-committee-of-ministers-to-member-states.html>

³³ The UN’s intergovernmental working group on transnational corporations and other business enterprises with respect to human rights

³⁴ <https://www.ohchr.org/EN/HRBodies/HRC/WGTransCorp/Pages/IGWGOntNC.aspx> (accessed 27.11.2020).

³⁵ <https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>. Following the Independent Review of the Modern Slavery Act in 2019, the government committed to create an online central reporting service for businesses’ modern slavery statements, to make it easier for consumers, NGOs and investors to scrutinise the action that businesses are taking to prevent human trafficking in their supply chains.

establish a close dialogue within diverse business sectors as well as between businesses, governments and NGOs to acknowledge the need to share responsibilities in order to successfully combat human trafficking on a global scale. It can be highlighted at this point, that, besides judicial obligations, one primary motive for companies to engage in the fight against human trafficking – as has been stated in the interview with D. Raus – is reputational: the active involvement of a company in the combat human trafficking can highly increase the value of the company’s “brand dedicated to corporate responsibilities”.³⁶ In the following section some relevant multi stakeholder initiatives that build mainly on the UNGPs will be presented.

4.2.1 Case-Study: Hospitality - Accor Hotels

The Accor Hotel Group is an international hospitality corporation which has launched its internal “**WATCH program**” with the aim to protect minors from sexual exploitation thereby implementing the Accor Group's Ethics and Corporate Social Responsibility Charter.³⁷ Its main intentions are to reduce legal, operational risks and reputational risks to the company and to raise broader social awareness of this issue. As a recent implementation of that, its subsidiary, the Mercure Belgrade Excelsior Hotel has engaged in a partnership by signing a **Memorandum of Cooperation with the NGO Atina** in 2020. Their cooperation involves awareness campaigns and training for all employees to identify potential victims of human trafficking.

4.2.2 Case-Study: Human Resources – Manpower Group

Manpower Group is one of the leaders in the HR field, present in eighty countries and territories. The corporation is represented under several brand names, the best known of which is Manpower which is mainly engaged in temporary and permanent recruitment. It has been chosen for the purposes of the case study as it is represented in a large number of states, including Serbia and North Macedonia and is actively advocating against illegal employment and trafficking in persons. In 2020 Manpower Group was named by the Ethisphere Institute³⁸ as one of the World’s Most Ethical Company for the eleventh year³⁹. It was also the first corporation to sign the Athens Ethical Principles in 2006 which is a protocol aimed at the engagement of the worldwide business community to participate in anti-trafficking efforts. According to this protocol which has by now

³⁶ Interview with Davor Raus, UNODC

³⁷ s. <http://atina.org.rs/en/turisticki-svet-belgrade-hotel-fight-safer-tourism> (accessed 27.11.2020)

³⁸ The Ethisphere Institute is a global thought leader that defines the standards of ethical business practices.

³⁹ https://www.worldsmostethicalcompanies.com/honorees/?fwp_country=united-states (accessed 27.11.2020).

been signed by hundreds of companies, there are 7 key points that the signing company must abide by⁴⁰:

1. Establish a Zero Tolerance Policy
2. Engage in Public Awareness Campaigns and Education: to contribute to prevention of trafficking in human beings including awareness-raising campaigns and education
3. Strategic Planning: to develop a corporate strategy for an anti-trafficking policy
4. Employee Training: to ensure that personnel fully comply with the established anti trafficking policy
5. Supply Chain Monitoring: to encourage business partners, including suppliers, to apply ethical principles against human trafficking
6. Governmental Coordination: In an effort to increase enforcement it is necessary to call on governments to initiate a process of revision of laws and regulations that are directly or indirectly related to enhancing anti-trafficking policies.
7. Transparency: to report and share information on best practices

Each of these points has its sub points which are mandatory for the signatory and will facilitate the implementation of these rules in corporate business culture. Manpower's "zero tolerance" policy for working with any entity which benefits in any way from human trafficking includes its clients, vendors and business partners. The requirements for business partners are explicitly described in the Supply Chain Business Partner Policy. This document contains key principles and practices reflected in Supplier Code of Conduct. Moreover, ManpowerGroup's business partners and employees are encouraged to report suspected, planned or actual violations of the law to their primary contact or via the Manpower Group Business ethics hotline, which is available on a 24 hour basis in all countries and territories where the company is based in.

Another initiative that Manpower Group has joined is the Global Business Coalition Against Human Trafficking, which is a coalition of world leading corporations that provides with a toolkit aiming to help companies that work in corporate supply chains to identify areas of their business which carry the highest risk of modern slavery and develop a simple plan to prevent and address any identified risks⁴¹. In October 2007, the company also signed an expression of interest with the International Organization for Migration in Colombia to work together on an anti-trafficking project in the country's second largest city. Through this engagement, Manpower developed programmes to support disadvantaged groups to gain access to training and employment opportunities. Working with IOM, Manpower offered training to 30 youth vulnerable to human trafficking to enhance their skills, education and employability. The company provided the necessary training facilities, equipment, technology and trainers, and provided trainees with a

⁴⁰https://d306pr3pise04h.cloudfront.net/docs/issues_doc/%2Fhuman_rights/%2FResources/%2FLuxor_Implementation_Guidelines_Ethical_Principles.pdf (accessed 27.11.2020).

⁴¹ <https://www.gbcat.org/resources-for-suppliers> (accessed 27.11.2020).

vocational assessment, online training, access to courses in business skills and professional development, and IT training. Manpower has also worked closely with UNGIFT, ILO and IOM at global, regional and national levels. It has played a key role in raising awareness about business engagement against human trafficking and, through the World Employment Confederation, the recruitment industry's international trade association, advocated for ratification of the ILO Convention 181 as a key step in setting minimum standards for the recruitment industry around the world.

In the case of Manpower, we can see that some key utilities presented in the protocols such as Athens protocols may be important value based tools for private companies engagement. Something as positive branding of the company by fulfilling ethical standards may gear involvement based on principles that may potentially become an added value for the company. This added value in the case of Manpower later became a supplementing part of their brand. From this perspective creating and promoting such protocols with minimum standards as the Athens one, may have a positive effect on voluntary involvement of the private companies and foster their involvement in fighting the organized crime activities in various domains.

4.3 UNODC and Public Public-Private-Partnership

Increasingly, the mandate of UNODC to combat crime is seen to encompass closer cooperation with the private sector. Multiple resolutions of the Conference of the Parties to the UN Convention against Transnational Organized Crime Member States recognize the importance of (i.e. encouraging “constructive dialogue with) the private sector, in tackling organized crime.⁴² However, the institution's effectiveness is likely be constrained by organizational and resource-limitations; at the time of writing PPP-strategy and outreach was not always conducted in a sufficiently pro-active approach. An interview with representatives of UNODC-IES highlighted some potential issues for efficient and sustainable engagement with the private sector as follows. There is no sufficiently robust evaluation method of mid- and long term impact of PPP-initiatives currently deployed internally. Similarly, no review of the impact, usefulness and efficiency of PPP-initiatives with respect to efficient resource (i.e. impact per dollar spent) is currently used. This is in part due to insufficient internal monitoring frameworks (in particular from an evaluation

⁴² E.g. UNODC, Resolution 19/1: Strengthening public-private partnerships to counter crime in all its forms and manifestations (2012), UNODC, Resolution 8/2: Mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (2016), UNODC, Resolution 9/1: Establishment of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (2018), and very explicit in UNODC, Resolution 5/6: Private Sector (2013).

standpoint) and in part due to financial and software issues (caused by a recent shift away from the Lotus Notes ERP system) that hinder the ability to reserve certain budgetary resources for appropriate review or evaluation measures. Indeed, unlike some other UN-entities, UNODC-IES does not have a strongly established non-extra-budgetary fund to use. Similarly, due to an organizational and financial separation of different initiatives, cross-sectional reviews are usually not carried out. In general, the review and evaluation measures seem not fully in compliance with the corresponding evaluation policy⁴³ (in particular with respect to their budgetary scope and their focus on actionable, i.e. utilization-able results), although this policy is meant to be adapted in the coming years according to UNODC-IES.⁴⁴ A general lack of forwarding looking prognosis tools and standardized decision processes to identify future PPP-initiatives was evident based on answers of multiple interviewees. Here, interviewees highlighted opportunity cost concerns. Instead preliminary selection of private-sector partners seems to be conducted on an opportunity based approach; during interviews there was no mention of proactive surveying of the landscape of potential partners under subject-specific and geographic considerations, indeed the lack of scoping on operational level was an “apparent” flaw based on one interviewee. Some of this is done by regional offices but informational deficiencies apply with respect to information transfer to headquarter staff. With respect to communication and outreach strategy, no interviewee was able to share a standardized approach to outreach, engagement and retention strategy. This corresponds to some sort of institutionalized apathy to potential analysis of incentives at UNODCs disposal to attract future partners. Interviewees confirmed there are little internal measures to explore incentives beyond pure brand value such as know-how and staff – transfer.

A survey of existing initiatives to combat human trafficking reveals that there is considerable overlap between the efforts of UNODC, the IOM, the OSCE and other organizations. Based on our research cooperation with these entities is not standardized; scope creep is in effect in a “race for resources”, according to an interviewee. The risk is high that the overlap in mandate and activities has created a situation in which the limited resources of these organizations are not spent in the most efficient way, as confirmed by interviewees.

Consequently, there are clear paths to strengthen UNODCs engagement with the private sector within the scope of their mandate, as outlined in the policy recommendations.

⁴³ See UNODC, Evaluation Policy, available at https://www.unodc.org/documents/evaluation/Guidelines/UNODC_Evaluation_Policy.pdf

⁴⁴ Interview with Katherine Aston and Katherina Kayser, UNODC

5 Survey of Current Technological Initiatives Used to Combat Human Trafficking

Globally tightening legislative requirements for companies have led the business sector, in particular entities in the Global North, to invest more resources into anti-trafficking tech tools. Tools used in a supply chain setting are mostly focused on traceability and provenance of goods purchased by a company. Citing the OSCE report, “a concrete example would be a blockchain tool which tracks the movement of fish from bait-to-plate to ensure that no trafficking took place in this particular fishing supply chain”.⁴⁵ Tools can also be created to be used by employees, under the term Worker Engagement Tools, which enable and encourage vulnerable workers to raise awareness, access resources, report concerns and identify red flags and potential victims. Examples are the **Redlight-Traffic-App**⁴⁶ or the **Golden Dreams’App**.^{47 48}

Technology can be focused on a specific commercial sector such as the transport industry as is visible in the anti-human-trafficking collaboration between **Uber ECPAT-USA, the McCain Institute and the National Center for Missing and Exploited Children (NCMEC)**.⁴⁹ An example for a cooperation between NGOs, tech companies and law enforcement agencies – which was highlighted in the interview with R. Cucos as the most interesting examples for anti-trafficking tech initiatives — is called “**Intercept**”, launched by the small NGO Seattle Against Slavery. Together with Microsoft, it has developed an integrated set of technologies to disrupt the purchase and sale of trafficked sex online.⁵⁰ By using chatbots interacting as adult sex trafficking victims, it interrupts buyers and redirect them to deterrence websites with information about consequences and alternatives. Together with tools used for data collection and analysis, it helps law enforcement agencies to effectively assess the scale of online sex trafficking. Moreover, using Microsoft Azure, a cloud computing platform, it identifies potential victims and sends them a text message linking them to personal chat rooms with social workers, giving support.⁵¹

Such an online based connection of survivor support organizations with victims has huge advantages, since it allows victims to respond and seek help in a time and place which is safe. Furthermore, it reaches a significantly higher number of individuals. Since the technology is used

⁴⁵ OSCE 2020, p. 24

⁴⁶ see <https://www.businesswire.com/news/home/20131009006449/en/Demi-Lovato-Supports-Launch-Redlight-Traffic-App> (accessed 27.11.2020)

⁴⁷ s. also: the collective action platform “LaborLink” (<https://goodworldsolutions.org>) which is developed to help workers to mobilize and organize online. (accessed 27.11.2020).

⁴⁸ <https://www.issarainstitute.org/issara-labs> (accessed 27.11.2020)

⁴⁹ <https://www.uber.com/newsroom/fighting-human-trafficking/> (accessed 27.11.2020)

⁵⁰ s. www.seattleagainstsavery.org/technology/ (accessed 21.11.2020)

⁵¹ s. <https://freedomsignal.org> (accessed 21.11.2020)

so “wisely”⁵², it allows engagement with thousands of potential buyers simultaneously on the one hand and it communicates with a number of victims comparable to the reach of the National Human Trafficking Hotline for the entire US on the other hand.⁵³ Moreover, automated intervention systems using chatbots, AI services, cloud computing and data streaming services to combat human trafficking are far less labor and cost intensive and additionally, they can operate on a global scale.⁵⁴

It is to be noted at this point however that in recent time a strong concentration on tech tools in the use of supply chain management and corporate risk identification has been developed (by the companies themselves) to improve traceability and transparency of supply chain labor standards. The recently published analysis on the use of technology tools of the OSCE demonstrates that supply chain management and corporate risk identification make up more than one third of anti-labor trafficking tech tools (and this trend is growing).⁵⁵ Tools that are developed to protect victims account for only 6% of all the tools. The OSCE emphasizes that this tendency is of great concern particularly given that the number of detected victims has been consistently increasing over recent years.⁵⁶

Partnerships between governments and business are also essential when it comes to the identification of victims, it is plausible that the role of tech companies is becoming significantly more important, especially for law enforcement. Governments create demand for technological innovations, e.g., to improve global positioning systems to track people's movements. In the same context improvements of capabilities of biometric systems through AI are of public interest. The use of AI and machine learning also plays a significant role for the effective analysis of data collection. The increased development of such partnerships raises concerns related to Big Data and data protection as well as to questions related to the legitimacy of border controls.

5.1 Case-Study: Emerging Technology - Tech Against Trafficking Initiative

A very promising example of a multi-sectoral collaboration is “**Tech Against Trafficking**”. Established in early 2018 by ITU Sector Members, British Telecom (BT), Nokia and Microsoft, the Tech Against Trafficking Initiative is a coalition of UN agencies and the OSCE, civil society organizations and global technology companies. It aims to (1) review innovative technology which

⁵² Interview with Radu Cucos, OSCE

⁵³ Interview with Radu Cucos, OSCE

⁵⁴ <https://signal.twilio.com/2018/sf/sessions/18604/ai-chatbots-and-cloud-solutions-to-stop-human-trafficking> (accessed 21.11.2020)

⁵⁵ s. OSCE 2020

⁵⁶ OSCE 2020, p. 25

could help through the establishment of PPP to combat human trafficking, (2) to share pilot projects and measure existing collaborations, and (3) to map technology tools developed around the world to prevent human trafficking. So far, it has identified 305 technology tools.

As it is recommended by the Tech Against Trafficking Initiative there is a need for governments as well as international organizations to become more active in the cooperation with businesses in technology to increase inter alia the limited use of tech tools focusing on awareness-raising, education, collaboration and victim case management & support tools.⁵⁷

Only very recently the cooperation between IOM, the OSCE and tech companies under the umbrella of the Tech Against Trafficking initiative has begun working on the **Counter Trafficking Data Collaborative**, which is the world's first global data portal on human trafficking. The aim is to develop a framework for standardized data management of information pertaining to human trafficking and standardized mechanisms to anonymize respective data. R. Cucos stresses that such a standardization of collecting, storing and sharing data of victims of trafficking is urgently needed, since until now data has been aggregated differently, produced by different standards and at different levels of accuracy and granularity across countries. As has been highlighted, the development of data standards would incentivize countries to collaborate.⁵⁸⁵⁹

In any case, concerns linked to data protection, biometric systems and border surveillance need to be debated in a public forum. These are also concerns for the UN, such as the UNODC. When it enters into cooperation with tech companies it is bound by broad UN standards. However – as has been discussed in the interviews with F. Mirella and S. Haythornthwaite – there are (not yet) a priori standards for data processing (in particular with respect to data protection)⁶⁰, the same is true with respect to potentially objectionable technology (e.g., facial recognition). It seems evident that clear UN standards for partnerships in the field of AI etc. are necessary.

6 Future Developments and Conclusion

The OSCE analysis of the Tech Against Trafficking data reveals the enormous potential demonstrated by the fast increase of the use of new technologies in the context of the anti-

⁵⁷ s. OSCE 2020, p. 35

⁵⁸ <https://www.iom.int/news/iom-launches-updated-counter-trafficking-data-portal-new-statistics> (accessed 22.11.2020);

⁵⁹ Another example for a collection and analysis of data on human trafficking on a global scale is the PPP “Traffik Analysis Hub (TaHub)”. It is a data hub, enabling relevant institutions to identify trafficking networks by analyzing the movement of money.

⁶⁰ Interview with Shavana Haythornthwaite and others, UNODC

trafficking movement. However, it shows surprisingly that the private sector has developed 40% of tools and NGOs 33%⁶¹ whereas governments were only in 9% of the identified tools the leading stakeholder in tech development.

The interview with R. Cucos has revealed several reasons for these figures: the main reasons for the high involvement of the private sector is their (legal) obligation to analyze the risks of trafficking in their supply chain. In addition, the **FOSTA-SESTA** legislation has increased the responsibility of internet service platforms such as Google or Craigslist to protect their users from sex trafficking. In several interviews, it has been mentioned in this context that the private sector shares a certain frustration concerning the lack of cooperation with state authorities. Despite the reason of legal liability, companies however have further incentives to engage in combating human trafficking: they might aim to increase their reputation, but they might also “simply” have positive intentions: for example, the anti-grooming tool from Microsoft which is developed to keep children safe online is made open source. A more pessimistic reason is the strong incentive for gig-economies to develop tools that increase their global data collection.

Governments usually significantly underfund the fight against trafficking overall. Furthermore, it can be stated that governments don’t have a correct understanding of the contemporary phenomenon of prostitution: since prostitution is easily available in open online marketplaces and services, sex trafficking has considerably moved to the internet. With respect to the areas of interest, i.e., the Balkan Region, this is particularly salient due to its prevalence in sexual exploitation of trafficking victims. This is likely to intensify due to the COVID-19 pandemic. In general, governments tend to underestimate the urgent need to map an online landscape of platforms where the risk of trafficking is high and to find practices that address technologies that facilitate trafficking. R. Cucos has stressed in this context the high importance for each country to develop data aggregation tools: in order to find out which websites on the internet facilitate trafficking, a software is necessary which analyses in real time potential websites. Hence, partnerships between governments and tech companies are urgently needed.⁶²

This paper has demonstrated that due to the complexity of the crime of human trafficking in the Balkan region, the role of the private sector has become increasingly vital. This extends both to traditional commercial sectors such as hospitality and transportation, as well as into the technological domain. Striving to meet this call, private businesses have become actively and effectively engaged in addressing and combating human trafficking. We argue that it has become

⁶¹ s. OSCE 2020, figures 12 and 13

⁶² Interview with Radu Cucos, OSCE. Positive examples for such data aggregation tools are “Spotlight” and “Traffic Jam”.

essential for the UN and private sector entities to intensify collaboration, and the exchange and sharing of knowledge, technologies and data. To this end, we have compiled the most salient organizational and strategic changes at the disposal of UNODC to meet its mandate within the field of human trafficking, in particular in the Balkan Region and in light of the current geo-political situation and newly emerging technology, in the attached Policy Recommendations.

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Appendix 1: In-Depth Analysis of Human Trafficking in Serbia and North Macedonia

Human Trafficking in Serbia

Serbia is undergoing rapid change. The aftermath of a period of violent conflicts leaves the country with challenges that create a fertile ground for transnational organized crime such as human trafficking.⁶³

Human trafficking remains a severe challenge in Serbia. The country is known as a transit country, a destination country as well as a source country. Victims are lured by their weak personal economic situations, drug addiction, the internet or social media. Most victims are Serbian citizens; however, foreign victims are from Albania, Cameroon, Mali, Nigeria and Pakistan. Serbia is located on the Balkan route, and, hence, a transit country for many refugees from the Middle East, Africa and Asia. During the refugee crisis in 2015/2016 almost one million people transited through Serbia which largely exceeded national capacities. Migrants are a particularly vulnerable group to human trafficking.⁶⁴ Women are primarily victims of sex trafficking, whereas men are mainly trafficked for labor exploitation in physical labor-intensive sectors such as construction. Child victims are generally trafficked within the country for sexual exploitation, forced begging and petty crime. Roma children are especially vulnerable to forced begging. However, forced begging is often considered as cultural practice, hence, it does not classify as human trafficking and the children are not recognized as trafficking victims. The recognition of child victims remains challenging since the applied identification measures are not designed to meet the needs of children. A questionnaire is used in order to identify potential trafficking victims, however, it appeared that children did not understand the questions. Given the high number of child trafficking cases, the special needs of children should be embedded in the victim identification process.⁶⁵

Analogous to other Balkan countries, corruption persists as a severe barrier. High ranked officials are often involved in trafficking activities. According to the Trafficking in Persons Report (2019) from the U.S. States Department, Serbian officials from the Ministry of Interior were involved in a child sex trafficking case, however, they were reinstated after three months due to lack of evidence. After their reinstatement, the same officials were involved in commercial sex with a trafficking victim in a separate case, however, the government did not take any action. The lack of

⁶³ Poucki, 2012, p. 170

⁶⁴ GRETA, 2017, p. 7

⁶⁵ U.S. Department of State, 2020, p. 436

proactive identification, the reluctance to penalize corrupt officials as well as a lack of resources and staff remain the most severe challenges in tackling human trafficking in Serbia.⁶⁶

Regarding the care of victims, the protection of trafficking victims is insufficient. NGOs are filling crucial gaps in victim care and reintegration services; however, future funding is uncertain since the government does not support these NGOs. Victims' rights are not protected well enough during court proceedings and victims are wrongly accused due to a victim-blaming mentality. The penalty for human trafficking ranges between two and twelve years' imprisonment. However, it has been criticized that the penalty is often assessed lightly. In 2019, 23 new cases involving 47 suspects were investigated. Out of these cases eighteen involved sex trafficking and five labor exploitation. Fifteen suspects were convicted for sex trafficking and none for labor exploitation. Fourteen offenders were sentenced to prison, one with a fine.⁶⁷

The government is putting significant effort into prevention measures through media and organized educational activities. Moreover, an anti-trafficking hotline was implemented in order to collect tips from potential human trafficking cases. In order to counter human trafficking, the government regulated and licensed private employment agencies. However, so far this has only worked incompletely. Tourism agencies may carry out their recruitment process unregulated and do not need a license. Moreover, employment agencies continued to recruit under a different name after the government revoked their license.⁶⁸

In 2019, 36 victims were identified by the Serbian government. Most of the victims (23) were sex trafficked, three were trafficked for labor exploitation, four for forced begging, one for forced criminality and five experienced a mixed form of exploitation. The share of children among the victims is relatively high: 67% of the victims were children. Most victims (29) were female, only seven were male. Regarding nationality, most victims were Serbian citizens, only two were foreign citizens.⁶⁹

Human Trafficking in North Macedonia

North Macedonia is one of the successor states of the former Socialist Federal Republic of Yugoslavia. Due to the country's strategic geographical location, transnational organized crime persists as a challenge.

⁶⁶ U.S. Department of State, 2020, p. 435

⁶⁷ U.S. Department of State, 2020, p. 435-436

⁶⁸ U.S. Department of State, 2020, p. 435-436

⁶⁹ U.S. Department of State, 2020, p. 435-436

North Macedonia is – like Serbia – an origin country, a destination country as well as a transit country for human trafficking. The most relevant form of trafficking, regardless whether within the local borders or transnational, remains sexual exploitation and forced labor in construction or agriculture. The main destination region is Southeastern as well as Western Europe. Foreign victims were generally from Eastern Europe - including Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia and Ukraine.⁷⁰

Children, especially Roma children, remain a vulnerable group for forced begging, street vending and sex trafficking through forced marriage. Considering the location, many refugees from conflicting areas such as the Middle East, Africa and Asia are transiting through North Macedonia to get to Central or Western Europe. During the refugee crisis 2015/2016 almost 780,000 refugees transited through North Macedonia. The closing of borders in March 2016 fostered illicit movement and made migrants a vulnerable group to human trafficking.⁷¹

Within recent years North Macedonia has made significant efforts in the protection of human trafficking victims. Resources have been increased and NGOs which are working on improving victim reintegration and care services are directly financed. Moreover, offenders have been sentenced more severely within recent years. However, there are still obstacles in combating human trafficking. Resources have increased; yet, they remain insufficient and prevent proactive investigation.

Analogous to Serbia, corruption remains a major challenge in North Macedonia. It is suspected that police officers act as accomplices by disappearing evidence or changing patrol routes. In addition, the local police is not sufficiently sensitized in order to identify human trafficking. However, with the help of international organizations and NGOs, it was possible to provide training for public prosecutors, judges and officers and, hence, to raise awareness.⁷²

In 2019, the government identified six victims out of 124 potential victims. Four victims were trafficked for sexual exploitation, one for forced labor and one for forced begging. All victims were female, four of them children. Three victims were foreign citizens: one from Bosnia and Herzegovina, two from Kosovo. Given nine convictions in three cases, five perpetrators were punished. All three cases involved child sex trafficking. It has been noticed that the court has imposed harsher sentences within recent years.⁷³

⁷⁰ GRETA, 2017, p.7

⁷¹ GRETA, 2017, p. 7

⁷² U.S. Department of State, 2020, p. 383-384

⁷³ U.S. Department of State, 2020, p. 383

Initiatives to Combat Human Trafficking in Serbia & North Macedonia

As regards initiatives on training for public officials on combating trafficking for the purpose of labor exploitation the majority of labor inspectors in North Macedonia and in Serbia have received training on detecting and identifying victims. Pocket guides and indicators for identifying victims of trafficking for labor exploitation have been developed and widely disseminated and indicators on identification of child victims of trafficking for labor exploitation were developed for education professionals in North Macedonia.⁷⁴ Furthermore, North Macedonia offers mobile identification teams consisting of social workers, psychologists and law enforcement officers. These mobile **identification teams** are considered as best practice of cooperation between government and civil society organizations. Most of the potential victims are identified by these teams, as they also operate in particularly vulnerable regions, such as border crossing points.⁷⁵

⁷⁴These initiatives were part of the implementation of the EU-Council of Europe Programmatic framework “Horizontal Facility for the Western Balkans and Turkey”.

⁷⁵ U.S. Department of State, 2020, p. 435

Appendix 2: Overview of Interviews Conducted

07.10.2020: Shavana Haythornthwaite, Consultant (UNODC)

21.10.2020: Katherine Aston: Deputy Chief of Evaluation, and Katherina Kayser: Programme Manager (UNODC/IES)

22.10.2020: Flavio Mirella: Chief, Co-Financing and Partnership Section (UNODC)

01.10.2020: Davor Raus, Crime Prevention and Criminal Justice Officer (UNODC)

28.10.2020: Radu Cucos: Associate Officer on Combating Trafficking in Human Beings (OSCE)

Where an interviewee is not named in the text, he has asked to remain anonymous with respect to the referenced statement.

Appendix 3: Policy Recommendations



Private Sector Engagement in the Prevention of Organized Crime Policy Recommendations

Based on our research, both on the basis of available literature and data as well as interviews with UNODC-staff, we recommend that UNODC, its organs or stakeholders (hereafter for all UNODC) undertake the following steps to aid fulfillment of their mandate with respect to Human Trafficking.

Procedural Policy Recommendations	Macro-Strategy	UNODC should cooperate more closely, take advantages of potential synergies and avoid unnecessary overlap between its initiatives and the initiatives of other international institutions that work in the domain of Human Trafficking.
	Outreach	UNODC should standardize and communicate clearly internally all efforts and processes to select and engage with private-sector entities.
		UNODC should standardize, solidify and disseminate effectively all procedural knowledge about surveying and selection, (incl. consequential communication strategy with potential candidates, level of confidentiality of the process, etc.) to allow continuation of engagement processes with inevitable staff fluctuation.
		UNODC should evaluate and expand on the portfolio of incentives (i.e. Brand Value, serving as forum for state-private sector engagement, cost-free know how, secondments of experts, etc.) that are available to private-sector entities that cooperate.
	Impact Assessment	UNODC should set and make publicly available objective and predictable criteria for the prediction of the success of future private-sector cooperation, originating from a systematic review of UNODC's previous private-sector cooperation.
		UNODC should assess and make publicly available all prospective and ongoing co-operation on a standardized and comparable matrix which reflects their usefulness towards the UNODC mandate.
		UNODC should establish and maintain sufficient means of long-term assessment of private-sector cooperation, and retain, standardize and make publicly available any such findings in the future.
	Review Procedure	UNODC should review the scope of the UN-OLA review of potential private-sector cooperation by assessing its past successes in risk mitigation, if necessary, create an internal review process that exceeds UN-OLA review to account for risks that could damage UNODC's reputation in the mid- and long term, and in either case make publicly available all requirements of such audit procedure to leverage its "role-model" effect.
	Budget	UNODC should instate or re-allocate sufficient financial resources to allow for effective mid- and long-term evaluation of private-sector cooperation.
		UNODC should instate or re-allocate sufficient financial resources to allow evaluation of extra-budgetary initiatives for which no evaluative budget has been set.

This document presents the actionable summary of the corresponding 2020 RAUN research paper and was produced by Alice Uhl, Lilit Hayrapetyan, Josef Kucera, Maximilian Gartner and Simona Stockreiter on 29/11/2020.

	UNODC should enforce more strictly a sufficient amount of evaluative budget in the case of extra-budgetary initiatives, and streamline through technical means retention of project-budgetary resources by UNODC-IES (e.g. by means of dedicated accounting technology).
	Capacity Building UNODC should develop and substantivize internal technical understanding of initiatives using novel technologies to combat Human Trafficking, and to that end periodically review the existing technological landscape as it is relevant to combat Human Trafficking.

Substantive Policy Recommendations	Awareness	
		UNODC should support and amplify domestic (non-)governmental initiatives that draw attention to increasing prevalence of Human Trafficking in the online sphere.
	Cooperation	
		UNODC should facilitate future cooperation between governments, technology companies and other international organizations (e.g. OSCE) to map the online landscape of platforms which incur increased risk of Human Trafficking.
		UNODC should intensify cooperation with the existing Tech Against Trafficking Initiative.
		UNODC should evaluate future cooperation with the Counter Trafficking Data Collaborative.
	Framework	
		UNODC should spearhead multi-stakeholder discussions to develop (a) ethical standards for private sector-partnerships in the technology domain, and (b) ethical standards for the development and application of new technologies for the purposes of combating human trafficking (in particular with respect to issues of privacy, legitimacy, data analysis and data storage).
		UNODC should facilitate the development of a global standardization of data collection, storage and sharing within the context of global human trafficking.
		UNODC should continue and intensify cooperation with domestic governments to allow evaluation of existing laws and policies adopted by countries in the SEE region to address technology-facilitated trafficking (i.e. "Best Practices").
	Technology	
		UNODC should instigate further development of technologies to protect victims of Human Trafficking through partnerships between technology companies and NGAs /CSOs.

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