The Baltic Sea Region, being a dynamic and high-performing economic region, is not immune to human trafficking. As new trends of human trafficking emerge, member states are facing difficulties for which they do not yet have the appropriate tools and strategies to combat. An increased prevalence of human trafficking for labor exploitation has been observed in recent years in the region, testing states’ abilities to counteract this crime. Despite the growing number of victims of labor exploitation, widespread impunity surrounds this phenomenon, and the number of prosecutions and convictions in the Baltic Sea Region remain low. To address these challenges, future anti-trafficking efforts will need to be more dynamic, proactive, and be based on international cooperation and mutual trust.

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“Trafficking in human beings is not tolerated in the Baltic Sea Region, the society is aware of the risk factors and vulnerabilities that facilitate human trafficking, perpetrators are vigorously pursued and prosecuted, and victims of all forms of human trafficking are adequately assisted.”

If we lived in an ideal world, the statement above might reflect the reality of human trafficking in the Baltic Sea Region. But for now, it remains a vision statement of the Council of the Baltic Sea States’ (CBSS) Task Force against Trafficking in Human Beings (TF-THB). The CBSS is a political forum for regional intergovernmental cooperation. The Council, which consists of 11 member states (Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia, and Sweden), as well as a representative of the EU, supports a global perspective on regional problems. Operating through its expert groups and networks, the Council’s work is guided by three long-term priorities: “Regional Identity”, “Sustainable & Prosperous Region”, and “Safe & Secure Region”. The Task Force against Trafficking in Human Beings constitutes one of the dedicated expert groups in the CBSS. The Task Force works on strengthening and improving current anti-trafficking policies, preventive and protective work, and making everyone feel safe, secure, and at home in every corner of our region.

Over the past two decades, the Baltic Sea Region — from the Baltic states to the Nordics — has developed into an integrated and high performing economic region. It has outpaced many of its European peers and is called the “top of Europe” for a good reason. The region is considered a frontrunner by many in several respects. This is the point of departure for any analysis of the counter-trafficking work in the Baltic Sea Region. As a frontrunner, this region’s standards are much higher compared to other parts of the world. High expectations lead member states to be self-critical and point out the challenges and bottlenecks in combating human trafficking.

What Does the Human Trafficking Landscape of the Baltic Sea Region Look Like?

In recent years, the human trafficking situation in the Baltic Sea Region has largely been driven and shaped by the migration situation in Europe. The arrival of large numbers of forced migrants and asylum seekers in a short period of time posed particular challenges for states and local authorities. In the short term, it led to challenges in addressing the migrants’ need for protection and safeguarding the states’
security interests, while causing challenges in providing forced migrants with inclusive integration conditions and social cohesion in the long term.³ In several member states (e.g., Finland, Germany, and Sweden), a prominent group among presumed and identified victims of human trafficking are migrants and refugees who have been subjected to different forms of exploitation during their journey from their country of origin to a CBSS member state. However, despite a growing number of victims identified among asylum seekers and refugees, the link between the arrival of migrants and their exploitation remains largely understudied. There are no reliable statistics available on presumed victims of human trafficking among migrants, especially as to undocumented migrants who are deemed particularly vulnerable to trafficking.⁴

Furthermore, new trends in human trafficking are constantly emerging in the Baltic Sea Region. It has been observed that the same victims are not only exploited in several countries of the region but are also sometimes subjected to human trafficking for multiple forms of exploitation, some of which are:

- Sexual exploitation
- Labor exploitation
- Forced begging
- Forced criminality, including for the purpose of organized property crime
- Cannabis cultivation and other drug offenses
- Forced and exploitative sham marriages
- Identity fraud
- Berry picking
- Domestic servitude

The nexus between climate change, poverty, and human trafficking is one that we also need to start acknowledging. This nexus will likely become more evident in the years to come, especially regarding its impact on women and girls. Even if climate change is not the exclusive cause of migration and human trafficking, it worsens existing conditions on the ground, be they economic, political, social, or religious tensions. Moreover, climate change is especially detrimental for populations and communities that are already vulnerable. As these new challenges emerge, countries of the Baltic Sea Region keep facing difficulties for which they do not yet have the appropriate tools and strategies to combat. Despite the efforts to counter human trafficking in the region over the years, the number of identified victims has not diminished. In 2016–18, around 5,000 victims of human trafficking were formally identified in the Baltic Sea Region alone. The highest number of victims was identified in Germany (2,130 victims), followed by Poland (753 victims) and Norway (512 victims).\(^5\)

Against this background, it is quite clear that countries need to have an honest conversation with themselves and re-evaluate their actions. Self-reflection is always a good way to begin. The questions countries must ask themselves are: Are countries really on top of human trafficking or are they rather trying to catch up with criminals that are constantly one step ahead of them? Is the political will strong enough to combat this crime? Are national coordination mechanisms effective? Is there a sufficient budget to prosecute this crime and assist victims? Do established protection mechanisms function in favor of victims or of states?

It cannot be denied that significant efforts have been made in Europe to counteract this global phenomenon. For example, the countries of the Baltic Sea Region, Bulgaria, Romania, and Ukraine have developed a transnational referral mechanism.\(^6\)

It contains measures to ensure the efficient and secure referral of persons who may have been subjected to THB, and offer them support and protection. The role of local actors such as municipalities in the fight against human trafficking has been strengthened by providing the necessary guidelines, tools, and training. New partnerships have been developed with actors who are not directly involved in anti-trafficking work but still have an instrumental role in victim identification, assistance provision, and prevention. These actors are journalists, labor organizations, businesses, and others. Work has been also undertaken to develop a better understanding of new forms of human trafficking, such as trafficking for labor exploitation.

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\(^6\) Transnational Referral Mechanism of the Baltic Sea Region, [https://bsr-trm.com/](https://bsr-trm.com/)
Is the Baltic Sea Region Equipped to Fight Human Trafficking for Labor Exploitation?

During the last decade, there have been many developments in the Baltic Sea states’ methods and strategies to combat the growing phenomenon of trafficking for labor exploitation. Stakeholders across the region have gained a deeper understanding of the causes, manifestations, and consequences of labor trafficking. Although many steps in the right direction have been taken, significant challenges remain. Not all lessons learned have been implemented into the work on the ground.

“Even if climate change is not the exclusive cause of migration and human trafficking, it worsens existing conditions on the ground, be they economic, political, social, or religious tensions.”

Although human trafficking for sexual exploitation continues to be the main form of human trafficking identified in the Baltic Sea Region, human trafficking for labor exploitation has become increasingly prevalent as well. In fact, in some member states like Finland, Iceland, Latvia, Lithuania, and Poland, labor exploitation is equally common or even more common than sexual exploitation. 7 Even though labor exploitation is now eclipsing other forms of trafficking in many countries of the Baltic Sea Region, it is still described as a new phenomenon. Trafficking for labor exploitation does not happen in isolation, but is rather closely related to developments in the economy, labor markets, and society at large. It is “driven by common market factors and business processes, which are closely associated with inadequate regulatory oversight of exploitation in local supply chains.”

In that regard, a growing number of labor exploitation cases have been identified in the agriculture, cleaning, catering, construction, hospitality, transportation, and manufacturing sectors. “These sectors are known for their often long and complex supply chains, which may be used to hide labor exploitation and illicit financial flows in the lower parts of the chain.” 9 Information from law enforcement suggests that serious and organized criminal gangs are infiltrating legitimate labor supply chains across several sectors, and that the incidence of forced labor may be growing

at a faster rate than other forms of exploitation. Intermediaries such as brokers, recruiters, and agents, as well as unscrupulous employers, are contributing to the demand for cheap labor.

However, employees’ demand for work plays a part in this equation too. Low-qualified workers within the main destination countries in the Baltic Sea Region, such as Denmark, Finland, Norway, Sweden, and Germany, usually originate from other economically less developed countries and take on jobs that nationals do not want or need to carry out. The migration developments since 2015 have resulted in an increased number of people who are desperate to gain economic footing and support themselves and their families. After their arrival to the destination country, migrants oftentimes find themselves owing smugglers large amounts of money. As a result, in order to pay back the debt, they become willing to work on any terms and take risks to secure a better future for themselves and their families. Sometimes these risks pay off, but the person can occasionally end up in a situation of exploitation.

In the Baltic Sea Region, labor exploitation affects not only migrant workers from third countries but also EU workers moving within the countries of the region. However, migrant workers in many cases are exploited more severely. For example, the Swedish Work Environment Authority has observed a hierarchy based on the labor migrants’ country of origin in some construction sites in Sweden. The Authority explains that the further away from Sweden the migrant originates, the lower they end up on the salary scale.

Although the institutional and policy framework in the countries of the Baltic Sea Region is gradually changing to include all forms of human trafficking, the majority of service providers are still specialized to deal with female victims of trafficking for sexual exploitation. There is still a lack of assistance resources allocated and designed specifically to attend to the needs of male victims—who are predominantly victims of trafficking for labor exploitation—from issues related to physical injuries and mental health to mere access to shelters and other resources. The first shelters for male victims have only recently opened in Germany, Lithuania, Norway, and Sweden. Poland offers shelters and housing in the form of rotation flats for male victims of forced labor.

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Overall, there are very few clear-cut cases of human trafficking for labor exploitation. If investigative authorities only look for the “traditional” trafficking victims, perpetrators go largely unpunished for the severe abuse and exploitation of workers. One of the biggest challenges in cases concerning human trafficking is to secure witness statements from victims of human trafficking as evidence in a trial. Victims are still routinely misidentified and treated as irregular migrants or offenders rather than victims. The mass influx of migrants to Europe has not only cemented the increased vulnerability of migrants to different forms of exploitation and trafficking in human beings, but also further normalized the exploitation of migrants. It strengthened the opinion that the situation of migrants could have been much worse if they did not escape the conflicts and dire conditions of their countries of origin and were not in Europe now. Such perception oftentimes is used to justify exploitation.

**Human Trafficking for Labor Exploitation: A Crime with Too Few Convictions and Too Many Victims**

Despite the growing number of victims of labor exploitation, widespread impunity surrounds this phenomenon. The number of prosecutions and convictions in the Baltic Sea Region remains low and does not align with the number of identified victims. The prosecution of human trafficking cases presents many challenges. For example, in Norway, in the period 2017–18, only two cases of labor trafficking were prosecuted. In Lithuania, 11 prosecutions were initiated and only two persons were found guilty of forced labor and labor exploitation in 2017. As for Estonia, there was only one court decision where the component of labor exploitation was included during this period. Moreover, while there were 11 convictions for crimes involving 180 victims of labor exploitation in Germany, there were not any cases of labor exploitation that were prosecuted in Latvia, Iceland, or Sweden between 2017–18.

The reasons for the low number of prosecutions and convictions in cases of trafficking for labor exploitation are manifold. One of the reasons is uncertainty around the definition of labor exploitation. For example, where is the line drawn between gross
social dumping and human trafficking? Poor wages and long hours might be morally indefensible but do not necessarily constitute human trafficking. “For frontline social workers and other professionals, i.e. those who are first to come in contact with victims of exploitation, there seems to be doubt regarding the degree of coercion and vulnerability that is required for a situation to be classified as trafficking.”

Another reason is that “in contrast to human trafficking for prostitution, employees can be exposed to gross violations of rules and regulations within seemingly legitimate enterprises.” According to Europol, organized criminal groups cater to the growing demand for cheap labor across many EU-states; they take advantage of discrepancies in labor legislation to exploit workers in the gray zone between legal employment and labor exploitation.

On paper everything looks to be in order while the reality is very different. These businesses take advantage of people who lack information about their rights in the labor market, and are used to, and forced to, accept lower wages, poor terms of employment, and zero hour contracts. In addition, “these people lack options to claim their rights, including due wages.”

As a result, organized groups use various schemes to lower the risk of criminal investigations—the most common ones being bogus self-employment, posted work scheme, and letterbox companies—hence the very demanding, time consuming, and expensive nature of investigating labor trafficking cases. They require specialized expertise in labor crimes, economic crimes, as well as human trafficking, and the use of interpreters. At the heart of the question of resources and competence lies also the necessity of prioritizing these cases. “It is far easier to elicit sympathy and willingness to act when the cases involve young women who have been trafficked for prostitution than it is to mobilize similar engagement to address a situation involving adult men who do not “behave like victims”, resist being portrayed as victims, and fail to see any benefits in cooperating with the police — which are reasons that may cause cases to be given low priority.”

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Victims of this form of exploitation

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often lack awareness of the fact that they are being exploited and hardly ever consider themselves victims of trafficking due to fears of losing their jobs, shame, stigmatization, etc.

Interview quote: Many are sent here only for three months to work and then they leave. It’s less risky for the employer, and in worst case they only have to pay the wages for that period. If you get caught, they’re only used for a short time, and then the guy goes back, or the company changes, and new papers are made. So, it only looks like a short-term. If we find such cases, often the guys just disappear. It’s difficult to tackle this. They [workers] do not report these cases, they don’t know the system. When does the worker even think it is exploitation if they feel like they’re making more [money] here than in the home country? (Finland, civil society).

In addition to not recognizing themselves as victims of human trafficking, victims of labor exploitation are often not viewed as victims by the societies in which they are exploited. Society’s opinions are further heightened by how mass media reports on human trafficking. The study “Media framing of human trafficking in the Baltic Sea Region”, commissioned by the CBSS in the countries of the Baltic Sea Region, illustrates that mass media is more likely to report on human trafficking for sexual exploitation and prostitution than on human trafficking for labor exploitation. Reporting is also often gendered — in the sense that while female victims are described as victims, male victims are described as people who, for different reasons, ended up in difficult situations.

Male victims in many cases do not correspond to society’s image of an “ideal victim”. They might have an alcohol or drug addiction, be homeless, or be engaged with criminal groups. These are all factors that may increase their risk for trafficking victimization, but which also often lead to misidentification of victims by professionals and exclusion from the assistance system.

On the difference of covering male and female victims of trafficking, one journalist from Denmark stated:

I think, when you work on a story as a journalist, you also work on the story as a normal person. And in my universe, trafficking for prostitution is worse than trafficking for forced labour. There is no doubt that men trafficked for
forced labour are exploited but mentally, I don’t think they leave the situation as scared as the women trafficked for prostitution…

**Concluding Remarks and Ways Forward**

To address the challenges described in this article, the CBSS strives to be at the forefront of delivering tools, research, recommendations, and support to the member states before or alongside the recognition of this problem. Some of the actions forward are the following:

- **Stronger measures need to be taken to address the demand for labor exploitation.** Increasing public awareness and improving overall policy response to labor trafficking is required.

  The issue of public awareness on trafficking for forced labor and labor exploitation plays a crucial role when it comes to improved identification and targeting of resources to fight this particular form of human trafficking. It is ultimately a question of political will, as well as priorities and resources given to the authorities to combat this form of trafficking.

- **Member states should broaden legislation and ensure sufficient measures to end impunity and ensure labor exploitation is not a low-risk high-profit venture.**

  Several European countries, like Finland and Belgium, have broadened their trafficking offense (Belgium) or introduced a trafficking-related labor offense to use in situations of exploitation of migrant workers (Finland). In Sweden, a new crime by the name of “Human Exploitation” was introduced into the Penal Code. The intention behind this new provision is to criminalize the act of exploitation of persons through labor and begging in situations where the act fails to meet the requirements of the provision on human trafficking.

- **A unified approach towards trafficking for labor exploitation is essential.**

  A lack of clear mandate and different perspectives towards combating trafficking for labor exploitation is still a challenge. There are many differ-

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22 HEUNI (2020), p. 34.
ent perspectives from which national actors could approach trafficking for labor exploitation, but many instrumental actors still do not have the mandate to work with this issue. Internationally, there are still different perspectives on how human trafficking for labor exploitation should be defined; various terms such as human trafficking, modern form of slavery, and forced labor are used. This ambiguity hampers victim identification and the prosecution of activities.

- **Rehabilitation assistance for female victims and assistance programs for male victims should be developed.**

- **There should be a greater focus on compensation for victims; Victims need to be adequately compensated for the work that they have performed within a situation of labor exploitation.**

Though human trafficking for labor exploitation cannot accurately be described as a “new” phenomenon in the Baltic Sea Region, it is clear that the response to this form of human trafficking is lagging behind the efforts to combat human trafficking for sexual exploitation. Cases of labor exploitation are difficult to distinguish from situations of illegal employment; numbers of prosecutions and convictions are low and victims are not identified as such. These shortcomings are not a result of recent changes in the trafficking landscape in the Baltic Sea Region, but rather a direct consequence of a lack of sufficient action on part of the states in the region. Moreover, these shortcomings are also a consequence of still viewing labor trafficking in the region as a “new” phenomenon. In order to reach the vision that was presented at the beginning of this article, the states of the Baltic Sea Region will need to act faster and more proactively, especially when it comes to the emerging trends in human trafficking.