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Natalia Ollus and Anni Lietonen

**ADDRESSING HUMAN TRAFFICKING  
IN THE BALTIC SEA**

**Nordic-Baltic Partnership with Passenger Ferry  
Companies to Counter Trafficking in Human Beings,  
Smuggling of Migrants and Exploitation of Migrant  
Workers in the Baltic Sea Region  
Helsinki 2016**



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Nordic-Baltic Partnership with Passenger Ferry Companies to Counter Trafficking  
in Human Beings, Smuggling of Migrants and Exploitation of Migrant Workers in  
the Baltic Sea Region

Helsinki 2016

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## 1. Introduction

As one of the oldest transportation modes in the world, the shipping and ferry industry links the countries in the Baltic Sea together, and provide an easy and affordable way to travel in the region. In recent years, there has been a remarkable increase in the number of passengers traveling between the ports in the Baltic Sea. During the 2000s, the average number of passengers per year traveling through the ports of Finland was between 16 and 18 million. In 2015 the number was 18,5 million, of whom 8,4 million travelled to Estonia and 8,8 million to Sweden. The busiest ports in Finland are located in Helsinki (65% of total traffic from Finland), Turku (15,6%) and Mariehamn (13,5%) (Finnish Transport Agency 2016). Large volumes of passengers travel also through the Estonian port of Tallinn, used by nearly 10 million passengers each year, of whom the majority travel the Tallinn-Helsinki route (4 million during the first half of 2016) and the Tallinn-Stockholm route (0,5 million during the first half of 2016) (Port of Tallinn 2016). In 2013, just over 11 million passengers chose to travel by ferry to and from the ports of Stockholm in Sweden (Ports of Stockholm 2014). In the Latvian port of Riga, however, the number of ferry passengers has diminished. In 2013 there were 770,000 passengers but the number has decreased in subsequent years, amounting to 460,000 in 2015 (Freeport of Riga Authority 2016).

The free movement of goods and passengers within the European Union makes travel in the Baltic Sea region relatively easy, and ferries are used both for leisure and business purposes. At the same time, global mobility is on the increase, with more labour migrants as well as asylum seekers and refugees moving from one country to another (IOM 2016). Because of global inequalities and increasingly restrictive immigration policies, migrants from developing regions, in particular, increasingly either intentionally use or end up in the hands of human traffickers, smugglers or other organized criminals assisting them in the crossing of borders (UNODC 2010). Also in Europe, people fall victim to human trafficking. Persons looking for job opportunities may find promises of well-paid jobs abroad either online, or be promised such by relatives, acquaintances or criminal groups, only to end up being exploited e.g. in the sex industry, agriculture, domestic work, construction, the textile industry or health care (European Commission 2014). All of these developments affect also the Baltic Sea region and the transport industry, including passenger ferries, which may be at risk of being utilized as modes of transport for various criminal purposes.

Based on previous research and media reports, the Baltic Sea ferries are occasionally used by organised criminal groups in order to facilitate crimes such as trafficking in human beings, the smuggling of migrants and drug trafficking (Kegö & Leijonmarck 2012). The Baltic Sea ferries are also popular among migrant workers who travel especially from the Baltic countries to Finland and Sweden for work. Research shows that there are those among them who risk becoming victims of labour exploitation or at worst may become



victims of trafficking for forced labour in their countries of destination (Ollus et al 2013). Also women exploited in prostitution in both Finland and Sweden are known to have travelled by ferry from other Baltic Sea states (Viuhko & Jokinen 2009). There are thus indications that the crime of human trafficking is tangentially related to passenger ferry traffic in the Baltic Sea region.

## 1.1 Aim of the report

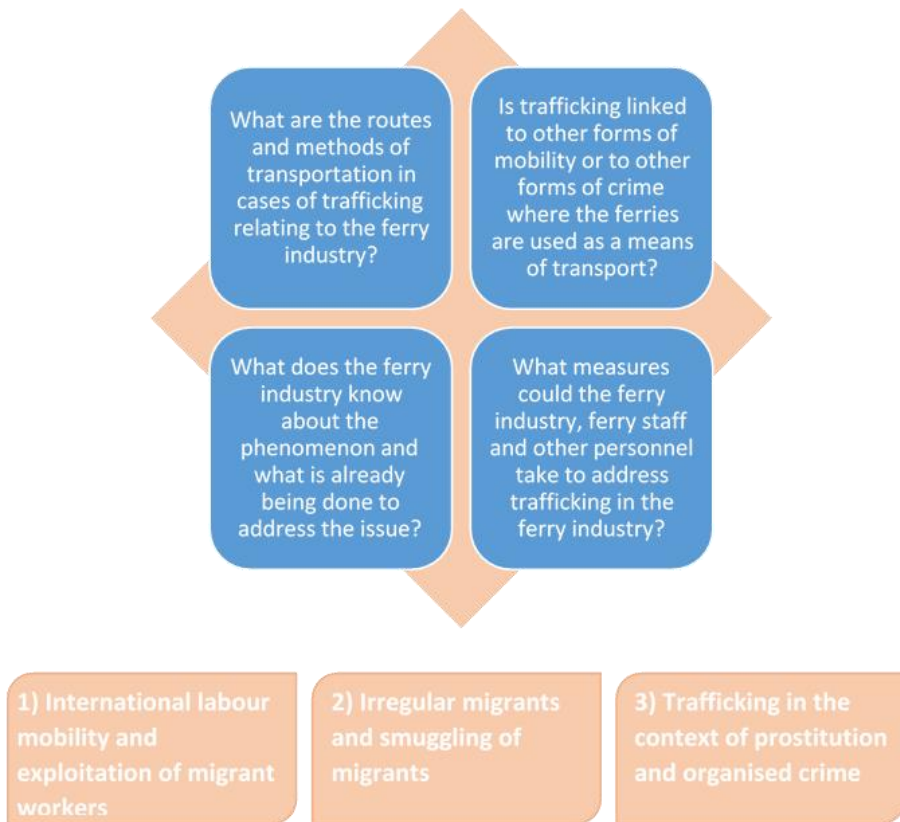
This report is part of the project “Nordic-Baltic Partnership with Passenger Ferry Companies to Encounter Trafficking in Human Beings on the Baltic Sea”. The project, launched in October 2015, is coordinated by the International Organisation for Migration (IOM), and is supported financially by the Nordic Council of Ministers and its programme against trafficking in human beings 2015-2018. The aim of the project is to advance the prevention of trafficking in human beings and to establish a dialogue with ferry companies in the Baltic Sea region with the aim of strengthening cooperation to counteract human trafficking. The findings of this research will be used to develop a set of tools for targeted training for ferry companies operating in the Baltic Sea to support them in increasing their staff awareness of trafficking in human beings and to enhance their preparedness to address trafficking in human beings to the extent possible.

This research is focused on passenger ship traffic between Latvia, Estonia, Sweden and Finland, more specifically on four different routes: Riga-Stockholm, Tallinn-Stockholm, Tallinn-Helsinki, and Helsinki-Stockholm. These routes transport a large volume of both cargo and people, including numerous migrant workers travelling between the various countries.

This report seeks to map the current understanding of ferry industry representatives and staff of the phenomenon of trafficking. The research also aims to assess what has already been done to address the situation and what additional measures the ferry industry and staff could realistically take in order to contribute to the prevention of trafficking and smuggling in the Baltic Sea Region. In addition, this report seeks to supplement previous research by shedding light on the links between human trafficking and other forms of mobility and crime, such as the smuggling of migrants, in relation to the ferry industry. (See Figure 1.)

Due to the hidden nature of trafficking in human beings, the current increase in migration into Europe and the increasingly mobile work force and the freedom of movement within the European Union, the topic of trafficking on ferry routes is approached broadly using three different dimensions: in the context of international labour mobility and exploitation of migrant workers; in the context of trafficking in relation to irregular migration, including undocumented entry and the smuggling of migrants, and; in the context of trafficking in relation to prostitution and organized crime (see Figure 1).

**Figure 1.** Research questions and the three dimensions of trafficking criminality



Based on police accounts and media reports, Baltic Sea ferries are occasionally used by organised criminal groups for the facilitation of crimes such as trafficking in human beings, smuggling of migrants and drug trafficking (SvD 2015a; SvD 2015b). It is important to note that victims of trafficking are not themselves criminal, but criminal groups may be involved in the recruitment, transportation and exploitation of victims of trafficking. Mobility of criminal groups may therefore be of relevance in understanding the phenomenon of trafficking in conjunction with passenger ferries. The Baltic Sea ferries are also popular among migrant workers who travel especially from the Baltic countries to Finland and Sweden for work. Research shows that some of the workers risk becoming victims of labour exploitation or at worst may become victims of trafficking for forced labour in their countries of destination (Ollus et al 2013). Also women exploited in prostitution in both Finland and Sweden are known to have arrived by ferry from other Baltic Sea states (Viuhko & Jokinen 2009). It is therefore evident that the passenger ferries in the Baltic Sea region are affected by the crime of human trafficking (see also Fransas et al 2013).

The first theme is trafficking in the context of international labour mobility. Previous research shows that labour trafficking in the Baltic Sea region takes place in the context of exploitation of migrant labour (Jokinen et al. 2011; Ollus et al 2013). At worst, migrant workers may become victims of trafficking and therefore understanding the risk factors and vulnerabilities in labour migration is a prerequisite for identifying trafficking and for developing targeted prevention measures.

The second theme is trafficking in relation to irregular migration, including undocumented entry and the smuggling of migrants. Harbours are a major site where irregular migrants are detected. Although many (if not most) of the identified victims of trafficking in Finland have entered the country legally (see Jokinen et al 2011), it is evident that there may be numerous cases of trafficking that remain unidentified, where the victim has entered the country without the required documentation. Although trafficking and smuggling can be seen as separate phenomena, smuggling and trafficking sometimes overlap (see section 2.2). Ferry routes also form a means of transport for groups of vulnerable, mobile populations (e.g. many migrants from South-East Europe), and cases uncovered in Denmark, Sweden and Norway show that these migrants are vulnerable to exploitation (Djuve et al 2015).

The third theme is trafficking in the context of prostitution and organized crime. The Finnish and Swedish police indicate that some ferry routes are used by organised criminal groups for the transport of goods and also of people, including victims of trafficking (SvD 2015a; HS 2015). Cases uncovered in Finland and Sweden show that ferries are a common means of transport for victims of trafficking for the purpose of sexual exploitation from Baltic countries to Finland and Sweden (Viuhko & Jokinen 2009).

These three dimensions will be covered in the present report, demonstrating that trafficking is a complex phenomenon with links to mobility and migration, as well as to other forms of crime. Because of the complexity of the phenomenon and the overlap between trafficking and other forms of crime, the report will not only discuss trafficking, but will also touch upon human smuggling and undocumented border crossings in the context of ferry traffic on the Baltic Sea.

## **1.2 Target groups**

This report is specifically written for the IOM for the purpose of functioning as a basis for the development of targeted training for the ferry industry. However, even though the research was conducted in cooperation with selected ferry companies operating the most frequently used ferry routes between Estonia, Finland, Sweden and Latvia, the findings can be utilised more broadly also in other regions beyond the Baltic Sea region. The findings may also provide insights for the development of training for staff of other forms of transportation such as train and airlines in order to prevent trafficking in human beings and smuggling of migrants. Furthermore, this research report can be

utilised by different stakeholders working in crime prevention in the Baltic Sea region for increasing understanding on the specific challenges that the transportation industry faces in terms of security issues.

Within the context of the passenger ferry industry in the Baltic Sea region, this report is written to provide background information for the development of training for staff on board the passenger ferries (security staff, hotel and restaurant staff, personnel at the information desk), check-in personnel at the harbour (box-office staff), as well as the management of ferry companies.

### 1.3 Methods and data

The research was commissioned by IOM and implemented by the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI) in cooperation with the University of Tartu and Providus. HEUNI was responsible for the coordination of the research component and for the final report. The assessment focused on four countries: Finland, Estonia, Latvia and Sweden. Various methods were used, including desk reviews, roundtable meetings, expert interviews as well as a survey conducted among ferry staff. The data covers all four of the countries in focus: Finland, Estonia, Latvia and Stockholm.

The methodology consists of three main components: desk research, qualitative interviews, and a small survey. The desk research included an overview of media reports as well as relevant existing reports, research and court judgments linked to trafficking in the ferry industry. The main data of this research consists of thematic interviews with experts, including interviews with ferry industry personnel, ferry staff, as well as representatives of the authorities and other stakeholders coming into contact with the phenomenon of trafficking.

In total, 39 persons were interviewed (9 in Estonia, 20 in Finland, 6 in Latvia and 4 in Sweden). The interviewed persons represent:

- the police or the border guard (16 interviewees)
- ferry companies, including both company management and staff working on board ferries (12 interviewees)
- non-governmental organisations working with victims of trafficking (3 interviewees)
- trade unions in the maritime sector (3 interviewees)
- a port (1 interviewee), a national ministry (1 interviewee), customs (1 interviewee), a national transport agency (1 interviewee), and one aviation company (1 interviewee)

The interviewed ferry staff included three security guards on board a ferry (of which two were foremen), two captains, a nurse, a restaurant manager, a tax-free worker, a staff manager, and a hotel hostess. In addition, a security manager and a CEO of a ferry company were interviewed. The interviews were

implemented between December 2015 and April 2016. Because of time constraints and difficulties in getting access to interviewees in all four countries, the focus of the data collection was on Finland and ferry routes from Finland to Sweden and Estonia, and hence the majority of the interviewees represent Finnish organisations and entities. HEUNI carried out the interviews in Finland and Sweden, while the interviews in Estonia and Latvia were carried out by the University of Tartu and Providus, respectively. An interview template was used in all interviews, but was amended based on the respondents' work experience and organization (see Annex I). The interviews were all recorded and transcribed.

In the text, the representatives of police, border guards and the one customs official were grouped together as 'law enforcement officials'. Each of the respondents has been numbered and the country where they were interviewed is indicated in the citations. The representatives of passenger ferries were grouped together as 'ferry personnel', which includes both management and on board staff. Each of the respondents was numbered and the country where they were interviewed is indicated. (However, although some of the ferry personnel were interviewed in Estonia, this may not represent their actual country of residence.)

All relevant passenger ferry companies operating in the four countries covered by this study were approached in the course of the project. Representatives of two ferry companies were interviewed in this research project. Because of time constraints the main data collection focused on the larger of these two companies. Hence all (but one) of the interviewed ferry staff and the survey respondents represent this one company. No ferry companies are identified in this study in order not to jeopardise the anonymity of the respondents. In addition, a small survey of ferry staff working on board a ferry company operating the routes Helsinki-Tallinn and Helsinki-Stockholm was carried out. The survey was administered on two occasions: the Helsinki-Tallinn ferry on 1 April 2016, and the Helsinki-Stockholm ferry on 28 April 2016. The survey was made available in Swedish, Finnish, English and Estonian. Altogether sixty staff members replied to the mini-survey, representing a wide spectrum of on board personnel including sales staff, security personnel, customer service, as well as bar and restaurant staff. Of the total respondents, 45 percent were female and 55 percent male. It is important to note, however, that the survey does not provide statistically representative information on the views of ferry staff.

The questionnaire focused on the experiences of ferry staff in encountering difficult situations on board, including suspicious or unusual passenger behaviour, which may include indications of human trafficking (see Annex II). The questionnaire was divided into three sections. Section A covered background questions on the gender, employment position and length of their career. Section B inquired whether the ferry staff themselves have, or if they had not personally had their colleagues, encountered or observed unwanted situations at work, the frequency of those encounters, and the actions they had

taken after experiencing them. Section C focused on the respondents' views on whether or not they would be interested in receiving training on identifying victims of trafficking, how they would prefer to receive such training, and what the ferry company could do to prevent trafficking.

The data used in this report, in particular the interviews with law enforcement and ferry staff, represent different sources of information and thus also different viewpoints. In designing the project, it was considered that this approach would provide a more comprehensive view of how to best counteract human trafficking through enhancing the identification of possible victims of trafficking being transported on passenger ferries. Of course, both groups of respondents emphasize concerns that relate to their own field of work. The interviewed border guards, for instance, spoke at length of the risks relating to the smuggling of migrants and the increase in asylum seekers. This is likely to be related in particular to the developments in the second half of 2015, i.e. the drastic increase in migration into Europe. The main task of ferry staff, on the other hand, is to serve the customers on board. Issues relating to the identification of trafficking is in many ways marginal in comparison to their main duties, as was indeed pointed out by several respondents. These different positions, viewpoints and realities therefore need to be taken into consideration when aiming at enhancing the collaboration between the public and the private sector in countering trafficking in human beings.

## 2. Human trafficking, human smuggling and the ferry industry

### 2.1 What is human trafficking

Human trafficking is a grave violation of human rights affecting women, men, and children in every region of the world. Trafficking in human beings is a crime that remains largely hidden and the real magnitude of the problem is therefore hard to estimate. UNODC (2014), in its latest global report on trafficking in persons, identifies victims with 152 different citizenships in 124 countries. Trafficking may occur within a country or it can be transnational. Human trafficking may involve different forms of exploitation such as sexual exploitation, forced labour, begging, forced criminality, and removal of organs. Victims are often recruited, transported by force, coercion or fraud, and the process of recruitment can take many different forms and adapt to changing situations. The majority of identified trafficking victims globally have been trafficked for the purpose of sexual exploitation. However, other forms of exploitation are increasingly detected. Trafficking for forced labour has increased steadily in recent years, with some 40 per cent of the victims globally detected being trafficked for forced labour. (Ibid.)

Data collected by Eurostat (2015) on victims of human trafficking from the European Union Member States covering the period 2010-2012 suggests that the most widespread form of trafficking in Europe is for sexual exploitation (67% of registered victims), followed by labour exploitation (21 % of registered victims), and other forms of exploitation (14% of registered victims), which include e.g., trafficking for forced begging, criminal activity, forced marriage, sham marriage, or organ removal. In 2012 in the Baltic Sea region, the number of identified victims of trafficking varied from tens to hundreds (CBSS 2013).

Trafficking is a complex crime and the globally adopted universal definition of trafficking stems from a United Nations treaty from the year 2000. The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is the first global legally binding agreement related to human trafficking. It has been widely ratified (169 parties as of August 2016) including all states in the Baltic Sea region. The purpose of the Protocol is to prevent and combat trafficking in persons, to protect and assist the victims of trafficking, and to promote cooperation among states (Art 2.). There are also several other international instruments and legal frameworks that govern the action against trafficking in persons. The Council of Europe Convention on Action against Trafficking in Human Beings of 2005, and the EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims provide obligations on states to criminalise human trafficking and to protect victims and prosecute traffickers.

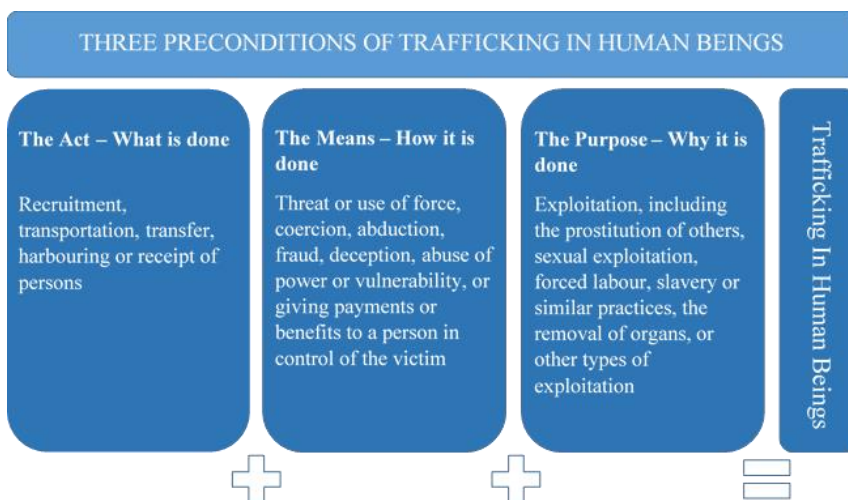
The United Nations Trafficking Protocol provides a globally agreed-upon definition of trafficking in human beings. According to the Protocol:

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

In all four countries covered by the study – Estonia, Finland, Latvia and Sweden – the crime of human trafficking has been criminalized in the national legislation. The definitions of trafficking in the respective countries largely follow the UN Trafficking Protocol, the EU Directive as well as the Council of Europe Convention.

Based on the UN Trafficking Protocol, for a case to constitute human trafficking it has to include the following three elements; the act, the means, and the purpose. Trafficking is often described as a process-like crime that consists of e.g. recruitment using deception about the working conditions and remuneration, abusing the vulnerabilities of a person, for instance the victim’s debt, young age, or lack of awareness, all with the intention of exploiting the person e.g. in prostitution or forced labour (see Figure 2 for the elements of the trafficking crime). Forced labour refers to a situation where a worker is subjected to physical or sexual violence, the employer restricts the worker’s movement and takes away the person’s passport, the person is in debt due to recruitment and transportation, is not paid adequately, and is threatened by the employer or his/her representatives (ILO 2005, 20–21).

**Figure 2.** The three elements of the crime of trafficking in persons



Source: UNODC 2016



In the four countries covered by this report, the number of identified victims of trafficking remain low. According to statistics collected by Eurostat, the number of victims identified and registered in 2012 by the police, NGOs and other agencies was 22 in Finland, 25 in Latvia, and 88 in Sweden (Eurostat 2015, 77). In Estonia official statistics were unavailable; however, the presumed number of identified victims of trafficking was 22 in 2012 (ibid.). In Finland and in Estonia the majority of these cases were related to labour exploitation, while in Latvia most cases concerned sham marriages<sup>1</sup> (ibid). In Sweden the majority of cases that come to the attention of the authorities concern sexual exploitation, followed by forced begging and forced labour (Polisen 2015). It is important to note that in Estonia and Latvia the majority of identified victims were nationals of the country, while in Finland and Sweden the majority were nationals of other countries. In some cases, the exploitation of victims of trafficking may have taken place in some other, third country. This is the case in Finland with many of the persons identified as victims of sexual exploitation: typically, Nigerian victims of trafficking have been sexually exploited in some other EU country (Joutseno reception centre 2015).

## 2.2 The smuggling of migrants

The smuggling of migrants is a crime involving the procurement for financial or other material benefit of illegal entry of a person into a State of which that person is not a national or resident (UNODC 2016). Because of existing restrictions on migration, persons wanting to migrate in particular from less developed countries to more developed ones, may face a situation in which they have to rely on smugglers to enter the country either illegally, or in order to obtain fraudulent travel documents (UNODC 2010). As a recent research report indicates, “smugglers provide assistance when migrants cannot move without help” (Reitano & Tinti 2015, 5). The smuggling of migrants is a highly profitable business in which the offenders enjoy a low risk of detection and punishment (UNODC 2016). The recent increase in refugees and migrants seeking to enter Europe has created an increasingly profitable, violent and opportunistic smuggling industry (Reitano & Tinti 2015).

In order to combat the smuggling of migrants, the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air (also known as the UN Smuggling of Migrants Protocol) criminalises the smuggling of migrants. The Protocol defines migrant smuggling as the "procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a

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<sup>1</sup> Sham marriages (also referred to as marriages of convenience) in the European Union refer to marriages between an EU national and a non-EU national conducted for the purpose of legalizing a stay of the non-EU national in the region. These are crimes against the state. However, trafficking in the context of sham marriages may include different forms of exploitation such as sexual exploitation, forced labour and/or domestic servitude (Viuhko et al 2016).

permanent resident" (Article 3). Also the European Union has tackled smuggling through Council Directive 2002/90/EC, which criminalises the unauthorized crossing of borders and the networks which exploit human beings.

Human trafficking and human smuggling are two distinct phenomena, and yet they are interlinked and partly overlapping. A crucial distinction between the crime of migrant smuggling and that of trafficking is that smuggling is a crime that violates national and international border-related laws, while trafficking is a crime against the person because it violates their fundamental human rights (Europol 2016). Victims of trafficking are entitled to State-sponsored support and assistance, whereas smuggled migrants are not generally considered as victims of crime. However, in practical terms the distinction between the two crimes is challenging for authorities and other practitioners, including ferry personnel. Smuggled migrants may become victims of trafficking, and the traffickers may also act as smugglers and use the same routes for both trafficking and smuggling (UNODC 2008, 4). Trafficking in persons and the smuggling of migrants are part of a continuum of a migration process and the person who is smuggled one day may be a trafficked person the next (Miller & Baumeister 2013, 28).

Smuggling, however, usually takes place across borders, while trafficking may take place within a country. Additionally, smuggled migrants usually agree to being smuggled. The relationship between the smuggler and the migrants usually ends when they reach their destination, but trafficking is based on continuing exploitation in the destination country (UNODC 2008, 4-5). A victim of human trafficking might have consented to his or her transportation to a new destination. However, this initial consent becomes legally irrelevant as the trafficker starts using threats, coercion, deception or fraud in order to exploit the victim (Europol 2016). The recent increase in migration into Europe has shown that the categories are not as clear cut e.g. in situations where female migrants are forced to provide sexual services to smugglers, or when migrants are forced to compensate the costs of smuggling through labour.

### **2.3 How the ferry industry is affected by human trafficking**

In drafting this report, three perspective that relate to both human trafficking and the ferry industry were identified.. This chapter will discuss these three links through which it is possible to demonstrate how the ferry industry is affected by trafficking criminality (see Figure 3). The first two dimensions presented below refer in particular to risks of trafficking identified in relation to passenger ferries, while the third element can be seen as a framework through which passenger ferry companies can address human trafficking.

**Figure 3.** Three perspectives related to human trafficking affecting the ferry industry

Indirect links: transport	Direct links: sites of exploitation	CSR framework: human rights
<ul style="list-style-type: none"> <li>• Ferries as a means of transport when organized crime groups and other traffickers use ferries for transporting trafficking victims.</li> <li>• Transportation of migrant workers who may be exploited in the country of destination</li> </ul>	<ul style="list-style-type: none"> <li>• Possible occurrence of prostitution and sexual exploitation on board</li> <li>• Possible occurrence of exploitation by sub-contractors on board</li> </ul>	<ul style="list-style-type: none"> <li>• Trafficking is a criminal offence and a human rights violation and private businesses have an obligation to prevent it, provide information and assistance to possible victims</li> <li>• The ferry industry benefits from managing safety, security, risk and reputation</li> </ul>

The most obvious link between the ferry industry and human trafficking is that of transportation in the commission of the crime of trafficking. As such, the ferry industry seems to be mostly **indirectly** affected; ferries are used by individuals or various criminal groups as a means of transport in committing the crime of human trafficking or the smuggling of migrants. Ferries are also used by criminal groups as a means of transport e.g. in property crimes. According to an assessment by Swedish authorities focusing on 350 vessels in the Baltic Sea region, passenger ferries especially on the Riga-Stockholm route are used by persons with the intention of committing crimes (SvD 2015a). For example, on a single trip to Sweden or from Sweden, a vessel may carry 20-30 persons with links to criminality such as drug trafficking and firearm crime (ibid.). Similarly, according to Finnish authorities interviewed in the media, about a dozen persons with criminal intentions arrive in Finland by ferry each week, most traveling from the Baltic countries via Tallinn harbour (HS 2015).

According to the Swedish National Criminal Police (2004), women trafficked for prostitution to Sweden are commonly brought by car, bus or ferry. The women travelling by ferry either go alone to Sweden or travel with an escort. In recent years an increasing number of women, mainly from Lithuania and Romania but also from Nigeria, have been identified as victims of exploitation and trafficking in street prostitution in Sweden, especially in the Stockholm region (Polisen 2012). It seems many of the women arrive in Sweden by ferry, often using false identification (ibid). Similarly, the Tallinn-Helsinki ferry has been identified as one of the routes for trafficking victims of human trafficking (Viuhko & Jokinen 2009). This route has also been identified as a means of transport in cases of trafficking dealt with by Finnish courts of law (e.g.

Helsinki District Court 20 July 2006; Helsinki District Court 28 November 2008).

*An Estonian man and his friend got the idea that they would make money from prostitution. They approached a young woman in Estonia, telling her about work opportunities in Finland. As a result of the discussion, the woman agreed to travel from Tallinn to Helsinki the very next day. She was not aware of the nature of the work she was going to perform. The two men then forced her to sell sexual services in Helsinki. (Helsinki Court of Appeals 29 December 2009.)*

Similarly, ferries are used as a means of transport in the commission of the crime of human smuggling. In 2015, every fourth case of illegal immigration investigated by the police in Finland involved human smuggling (Harju 2013). Overall, one quarter of the migrants entering Finland using irregular means have travelled to Finland via seaports, using passenger ships and a travel document belonging to somebody else (ibid.). A court judgment from Finland sheds light on the use of ferries in the commission of human smuggling.

*A perpetrator bought tickets to Stockholm for four persons of Asian origin at the ferry terminal. All four were caught in the gangway leading to the ship when they were trying to get to Sweden. The persons had been transported to Finland illegally and presented travel documents that belonged to other persons. At the time of their apprehension, they presented the same documents that they had presented previously at the airport when they had arrived in Finland. In addition, two minors of Asian origin, who had entered Finland illegally, were taken from Helsinki to Paris via Tallinn using fraudulent travel documents. (Helsinki District Court 3 October 2014.)*

In addition to being used as a means of transport for the commission of the crimes of trafficking and smuggling, passenger ferries may in some instances also be used as **sites of exploitation** of victims. There have been media reports of prostitution on board passenger ferries in the Baltic Sea (Expressen 2011). Although commercial sex on board passenger ferries in the region seems rare (MTV3 2011) there is a potential risk that that prostitution on board could have links also to human trafficking. In these situations, the ferries are used as a site where prostitution is offered to potential clients without the explicit knowledge of the ferry companies themselves. It is important to note that there are no indications of actual trafficking taking place on passenger ferries in the Baltic Sea region where the ferry companies themselves would be involved in recruitment, organization or exploitation. However, research covering the global cruise industry indicate widespread exploitation of workers' rights especially on vessels flagged under flags of convenience (Mather 2002). These include insecure contracts, low wages, debt and high living costs, extremely long working hours and high intensity, racial and gender discrimination, fatigue and inadequate training, and resistance to trade union organization by ferry companies (ibid., 2).

One additional dimension of trafficking in relation to the ferry industry is that of sub-contractors and supply chains. In practical terms, trafficking may have taken place in the production of goods and products sold on board (e.g. garments and food). There is widespread information on the poor working

conditions of and misconduct against workers in the textile industry e.g. in Bangladesh and also in the global fishing industry (OSCE 2014). There may also be a risk of exploitation in the subcontracting chains, e.g. in the cleaning of ships. The poor salaries of migrant cleaning workers in Finland has been documented, and while it may not amount to trafficking as such, it may amount to exploitation or discrimination (Ollus 2016; Könönen 2012).

The third link between human trafficking and the ferry industry can be conceptualized through the notion of **corporate social responsibility** (CSR) which involves the development of initiatives or policies which acknowledge an ethical responsibility on the part of businesses or corporations to contribute to society, or to reduce the negative impacts of their operations. It generally includes environmental, economic and social responsibility, and sustainability concerns (Shaw 2015). The environmental aspect is particularly important for the ferry industry e.g. in relation to the management of waste, the prevention of oil leakages, and the minimisation of fuel consumption (Dufva & Pekkola 2013). Much of the existing CSR strategies of the ferry companies in the Baltic Sea region accordingly focus on mitigating the negative environmental effects of the ferry traffic.<sup>2</sup> However, the safety and security of passengers and staff are an integral element of the social aspect of CSR in the ferry industry. In this respect international codes set the standard (including the International Safety Management Code, ISMC, and the International Ship and Port Facility Security Code, ISPS). The CSR strategies of the ferry companies in the Baltic Sea emphasise in particular the minimisation of accidents and fires, and safe conduct in emergencies (Dufva & Pekkola 2013). The well-being of staff and the adherence with labour rights can be understood as part of both the social and economic aspect of CSR.

The ferry business is part of the international infrastructure and tourism, and the ports are critical points for identification of criminal activities. Therefore, not only the safety and security of the passengers, but also images related to it, could be of key importance to ferry companies. Crimes can cause personal injuries to the passengers of ferry companies, and impair the safety of personnel, and may create negative attention, which may result in financial losses for the companies. The current CSR strategies of the ferry companies operating in the Baltic Sea region do not refer to the prevention of crime in particular, but to more general safety and security measures at sea. However, some of the ferry companies operating in the Baltic Sea are currently supporting the campaign “Too Bad to Be True” against child sex tourism among Finnish tourists and travellers,<sup>3</sup> but no specific reference to human trafficking can be found in the CSR priorities of ferry companies in the region.

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<sup>2</sup> See e.g. <http://www.tallink.com/environment>, <http://www.vikingline.com/fi/Sijoittajat-ja-konserni/Turvallisuus-ja-ymparisto/Ymparisto/>, [http://www.eckeroline.fi/webapp/wcs/stores/servlet/Content\\_10151\\_10001\\_-77?page=index.php%3Foption%3Dcom\\_content%26view%3Darticle%26id%3D213%26lang%3Dfi-FI&smi=128&menuid=350&storeId=10151](http://www.eckeroline.fi/webapp/wcs/stores/servlet/Content_10151_10001_-77?page=index.php%3Foption%3Dcom_content%26view%3Darticle%26id%3D213%26lang%3Dfi-FI&smi=128&menuid=350&storeId=10151)

<sup>3</sup> <http://liianpahaaoillakseentotta.fi/>

There have been recent developments in acknowledging the role of businesses in preventing human trafficking (Sorrentino & Jokinen 2014, 47). The UN Guiding Principles on Business and Human Rights (2011) provide a standard on how business should ensure that they are not knowingly providing “practical assistance or encouragement that has a substantial effect on the commission of a crime” (para 17). The ten principles of the UN Global Compact<sup>4</sup>, i.e. the corporate sustainability initiative of the United Nations, maintains that business should support and respect the protection of internationally proclaimed human rights (Principle 1), and make sure that they are not complicit in human rights abuses (Principle 2).<sup>5</sup> More specifically, the Athens Ethical Principles against Human Trafficking of 2006 provide a voluntary framework for companies to tackle trafficking for sexual exploitation in particular. The Athens Principles are accompanied by more concrete implementation guidelines (the Luxor Protocol), which give companies tools to actually implement actions against human trafficking. One of the main challenges of the standards, codes and principles referred to above is that they are all voluntary, and compliance as well as verification of adherence to the codes are difficult to ensure (OSCE 2014).

As mentioned above, the ferry industry has traditionally placed emphasis on managing risks relating to the environment as well as to safety at sea. However, the human rights approach within the CSR framework creates an additional dimension in managing risk and reputation within the ferry industry. There are many positive reasons why businesses should address human trafficking. Anti-trafficking efforts may create opportunities and incentives for businesses to establish themselves as leaders among their peers (Hunter & Kepes 2012, 14). Hunter & Kepes (2012, 14-15) identify seven measures that businesses can adopt in order to prevent and address trafficking:

1. Assuming a leadership role: Taking an active role in the fight against human trafficking presents companies with an opportunity to be identified as leaders within their industry and society at large.
2. Brand value: Action against trafficking can enhance brand value and company reputation amongst consumers and other influential stakeholders.
3. Stakeholder and community engagement: Taking action in the community can help companies build trust and a strong foundation with local stakeholders.
4. Comparative influence: Companies have access to workers and workplaces in ways that few other stakeholders have. The private sector has significantly greater comparative influence when it chooses to take action in its sphere of influence.
5. Business-to-business influence: Companies also have unique access to their corporate peers and other business actors, further enhancing their potential impact.

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<sup>4</sup> <https://www.unglobalcompact.org/>

<sup>5</sup> <https://www.unglobalcompact.org/what-is-gc/mission/principles>

6. Strengthening business relationships: Sustained action against human trafficking undertaken in co-operation with business partners can lead to stronger and more sustainable business relationships.

7. Ensuring market access: Companies with strong engagement against human trafficking can better guarantee uninterrupted access to international markets and global business partners.

The UN Guiding Principles on Business and Human Rights emphasise that businesses should engage in “due diligence”, meaning that companies should identify the possible adverse human rights impacts that the business enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships (United Nations 2011, 17). The process of implementing a human rights framework in business can be outlined as a process consisting of six steps (OSCE 2014). These include (see OSCE 2014, 35):

1. Carrying out a risk assessment of how the business may cause adverse human rights impacts, including human trafficking.
2. Adopting a policy on the company’s commitment and process to tackle these adverse human rights impacts.
3. Communicating the policy to internally and externally personnel, partners and others.
4. Implementing the policy and verifying that the policy is respected.
5. Taking action if the policy is not respected.
6. Tracking the performance of the business and publishing public reports.

The first step therefore is for companies to map the risk and potential of trafficking in their business. A risk assessment or mapping exercise will help determine the level of exposure to the risk of being involved in trafficking and where that exposure is the greatest (CORE Coalition 2016, 15). Knowledge of the potential vulnerabilities in a specific business helps identify strategic priorities and how to concretely prevent the risk of trafficking. Once mapping is done, policies to address trafficking should be developed. Many companies have overall policies in place, although human rights or human trafficking, in particular, may not explicitly be included. To address this, the issue of human rights and human trafficking could explicitly be included in all relevant policies (CORE Coalition 2016, 13). For the ferry industry, the most relevant policies where trafficking could explicitly be incorporated include e.g. procurement policies, the supplier code of conduct, the staff code of conduct, staff training and awareness raising, and communication policies. The policies should explicitly prohibit trafficking, take proactive steps to raise awareness of the problem and take measures to make it harder for traffickers to traffic people using the company’s products, premises or services (UN.GIFT 2010, 21-22). Exploitation in supply chains in particular may be difficult to address, but ferry companies could consider whether to take action against suppliers of products that are considered particularly risky.

The training of ferry staff to identify and recognize potential situations of trafficking is an additional important step in implementing due diligence. Such training may help ferry staff understand the signs of trafficking, as well as the procedures for reporting red flags when they appear (see Danish Centre against Human Trafficking 2014). Furthermore, the mapping of risks and the development of specific policies will also give the media and communications personnel information to use in highlighting the efforts undertaken to counteract trafficking. Once assessments and the development of policies has been done, companies should develop audit programmes or other performance tools to evaluate their actions.



### **The UK Modern Slavery Act and tackling trafficking in businesses**

The Modern Slavery Act 2015 of the United Kingdom provides an example of a Government-led initiative and legislative model for how businesses can concretely tackle trafficking. The underlying aim of the Act is to create a level playing field between those businesses which act responsibly and those that need to change their policies and practices (UK Government Guidance 2015, 3). The Act is considered to not only prevent human rights violations, but to bring significant business benefits. By complying with the Act, businesses may protect and enhance their reputation and brand, protect and grow their customer base as more consumers seek out businesses with higher ethical standards, improve investor confidence, ensure greater staff retention and loyalty based on values and respect, and develop more responsive, stable and innovative supply chains (ibid., 4). The Act includes specific provisions on transparency in supply chains, and obliges all commercial organisations with an annual turnover exceeding £36m to produce a yearly ‘slavery and human trafficking statement’. The statement can include information on (Section 54 of the Act):

- the organisation’s structure, its business and its supply chains;
- its policies in relation to slavery and human trafficking;
- its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
- the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;
- its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;
- the training about slavery and human trafficking available to its staff.

Several transport industry companies have prepared such ‘slavery and human trafficking statements’. For example, the British ferry company P & O Ferries declare in their statement that they are “committed to zero tolerance of any form of slavery, human trafficking or child labour” and they also require all their suppliers and contractors to “to comply with all forced labour laws and ensure that neither human trafficking, slavery nor forced labour is taking place either in its business or in any of its supply chains which would violate such laws” (<http://www.poferries.com/en/modern-slavery-act-statement>).

### 3. Exploring trafficking in relation to passenger ferries in the Baltic Sea

#### 3.1 Examples of trafficking relating to the ferry industry

Transnational offenders utilize multiple modes of transportation to move goods and people across nation states. As already mentioned above, criminal groups are able to travel on the ferries just like any other passengers. The interviews with the law enforcement officials, and the review of available official statistics, were not able to provide detailed information about specific ferry routes used by traffickers or their modus operandi. Instead, the perspectives of the interviewed law enforcement officials provided general views of the phenomena of trafficking, migration and smuggling in the Baltic Sea region. This chapter presents information regarding suspected cases encountered by law enforcement, along with issues that the law enforcement officials encounter in uncovering this type of criminality.

According to an interviewed law enforcement representative, in general traffickers choose their transportation modes and specific routes with the aim of exploiting gaps and changes in legislation and policy measures. The security levels and practices related to passenger control might make it possible for the trafficker, and trafficked persons, to operate more discreetly with certain transportation modes, and on certain routes compared other routes.

*When something changes in an airline policy, or airline routes, or in border control in the Baltic region or something else, that's when these certain groups might try and come through Finland. These kind of things we detect quite often. (Law enforcement official 1, Finland)*

Both Finnish and Swedish law enforcement representatives stated that they have identified cases where the offenders use ferries. One of the biggest challenges for law enforcement authorities is to respond to the rapid and free movement of both victims, and in terms of investigation, the suspected offenders.

*This is where we have the big problem. We have a small group of people who can move between the borders a little too quickly, so that we are not able to keep up. It takes a while to identify them [...] but unfortunately they [often] get away. (Law enforcement official 2, Sweden)*

Also the interviewees representing the Finnish police highlighted the hidden nature of trafficking and smuggling which makes it challenging to detect such crimes on the ferries. It is likely that depending on the situation, time and place of exploitation, the trafficking elements might be more visible in some cases than in others. Another issue raised by the authorities was that the ferries travel between different countries holding multiple nationalities on board at the same time, making profiling of passengers difficult.

There were also cases described that involved sexual exploitation. One of the Swedish law enforcement officials interviewed referred to a specific case in

which women were being transported by a ferry to Sweden for the purposes of exploitation in connection with prostitution.

*We had a group that brings women from the Baltic countries, originating both from Vietnam and from the Baltic countries, to Sweden where they are for a few months. Their identity documents have been taken away so that they cannot return home. They become stuck in Sweden because they do not have any travel documents (Law enforcement official 2, Sweden).*

An interviewed Finnish law enforcement representative stated that with regard to the ferry traffic, they most often come into contact with cases concerning credit card fraud (e.g. the use of stolen credit cards on board), smuggling of money to be laundered, and transportation of undeclared workers. As noted in previous research (Jokinen et al 2011; Ollus et al 2013), as well as in the interviews with the law enforcement representative, exploited migrant workers travel by ferry to Finland based on certain promises of work, and after arrival they might be forced to work in poor conditions in jobs they necessarily would not want to do, and without adequate compensation.

*We have a lot of this so-called labour exploitation that doesn't fulfil the elements of human trafficking, but nevertheless the employees are clearly in an unequal position in comparison to native Finns. It's a problem that we've had for a long time already. (Law enforcement official 5, Finland)*

In addition to the law enforcement authorities, also an interviewed NGO representative in Latvia had encountered cases which seemed to be linked to labour exploitation. In this particular case the NGO representatives were providing information to labour migrants in the harbour about possible risks when offered work abroad. However, information and guidance is difficult to give to possible victims of exploitation or trafficking unless they are willing to listen.

*Being there [in the port], it became very clear to us that there were two young males that were leaving for work; they didn't really know where they were going. They were very uneasy...And as soon as we came up to them, they disappeared. And probably until the ship came [for embarkation] they spent time in the bathroom just so they wouldn't have to talk to us. (NGO representative 1, Latvia)*

Respondents also spoke about cases where ferries have been used to move migrants within the Schengen area. Finland in particular was discussed as a transit country for migrants from Asia, as well as Russia. For example, a Finnish law enforcement official described a case where Russian children were supposed to come to Finland for a skiing camp but after arrival tried to continue their journey by ferry to another EU country.

*This was investigated as trafficking. The children were supposed to come from Russia for some skiing camp in Finland. Instead of continuing up north after the border crossing, they went straight to the Helsinki harbour and embarked on a ferry, and were caught. (Law enforcement official 3, Finland)*

The law enforcement officials we interviewed had not encountered cases where the possible recruitment or exploitation would have taken place on the ferries themselves. However, one respondent discussed a case where a Latvian woman

was solicited on board with the purpose of getting her to conclude a sham marriage possibly with the intention to exploit her.

*She was coming back from a simple tourist trip. Like it's being advertised that on the ferry there is summer all year long and parties. So at a party on the ferry she had met a guy who wanted to get married in a fictitious marriage. (NGO representative 1, Latvia)*

As the cases indicate, trafficking can take many forms. This makes detection and identification challenging both for the authorities and ferry personnel. The passenger volume on Baltic Sea ferries is vast, and encompasses passengers with different backgrounds and travel motives, both legitimate and illegitimate ones. Next, we present the views of the interviewed ferry staff regarding trafficking in connection with the ferry industry.

### **3.2 The views of ferry staff regarding trafficking and travel by sea**

This report does not seek to assess the extent of possible trafficking on the Baltic Sea ferries per se. In actual numbers the scale of detected cases of human trafficking remains rather low in the countries covered in this study (see section 2.1). One of the reasons mentioned by many respondents why trafficking criminality has not been detected in large numbers was that the northern location of the Baltic Sea makes it a less attractive route for trafficking. However, while the overall volume of trafficking may be lower in the Baltic Sea region than in other parts of the world, the number of identified victims also depends on how much attention is given to the phenomenon, and whether cases of trafficking are recognized adequately.

*I don't think it's big problem here, not yet at least. Maybe this kind of problem is more in - I don't know. We are here so north in Finland, Sweden and Estonia. (Ferry personnel 2, Estonia)*

The interviews with ferry staff show that there is great interest among the staff in the phenomenon of trafficking, but that the ability and capacity of staff to focus on trafficking is limited due to several reasons which will be discussed in greater detail in the next chapters. An interviewed ferry representative reported that the criminal behaviour they most often detect on board is usually linked to theft or intoxication. An interviewed head of security on board mentioned that in principle, all kinds of crimes can happen on ferries. These include property crimes, undocumented entry, smuggling, sexual and physical violence, family violence and even trafficking in human beings. With regard to trafficking, the interviewees noted that ferry staff do not have the authority nor the knowledge to determine whether a case is human trafficking or smuggling of migrants. In addition, cases come to their attention usually only after the passengers have already disembarked from the ship, when the authorities request further information on certain passengers. Another interviewed ferry representative noted that staff encounter a multitude of cases that may possess similar traits, but it is difficult to determine exactly what is going on.

*A couple of times there has been prostitution, not very often, but a suspicion that perhaps it could be. Also domestic violence against the woman. And I've noticed that the woman does not want to talk, she's afraid. These kind of characteristics, that something is, you know, not what it should be. (Ferry personnel 1, Finland)*

None of the interviewed representatives of the ferry industry, including representatives of trade unions in the shipping sector, were able to confirm that they would have witnessed or experienced cases that they could have clearly identified as a case of human trafficking. Yet, they all acknowledged that it is quite possible that there are criminal groups and possible victims of trafficking moving on the ferries. Along the same lines as the authorities, they stated that identification is challenging due to the abstract indicators of trafficking. In addition, ferry staff have specific tasks and duties on board which take much of their time and focus during the work days, leaving little time for victim identification.

*Yes, I'm sure they [possible victims of trafficking] are here, but how do you get your hands on the phenomenon? You have to pay so much attention to what kind of movement is taking place. What you are able to detect and if the same persons move on the ships all the time probably depends solely on observation. And of course we have the migrant workers who repeatedly move across the gulf [of Finland]. So it's hard to know what is the reason for their travel. (Trade union representative in the shipping sector 1, Finland)*

When the interviewed staff members were asked about more specific, suspicious cases that they have encountered, the interviewed security personnel in particular stated they sometimes come into contact with groups or individuals traveling without identification. In suspicious cases the protocol is to report these situations to the Border Guard who then wait for them at the border.

*There have been some cases with a completely mixed group [of passengers] and none of them have any papers. No-one is talking at all and sometimes there's no common language and even if there is, they refuse to provide any information. (Ferry personnel 4, Finland)*

Other staff members, such as tax-free workers, persons managing the information desks as well as medical staff on board, also had experienced encounters with suspected asylum seekers or people who they had suspected of traveling without adequate documentation.

*Every now and again some "extra passengers" come on board the ferry. I don't know if they are migrants, or refugees, but for instance if a woman seeks medical assistance, a man is always with her [...] but I feel that it can be sensed that they are in a relationship. In some cultures, women are not allowed to travel on their own. (Ferry personnel 3, Finland)*

Some of the interviewed staff, however, did not recall any situations amounting to trafficking or other suspicious situations on board. These staff representatives also tended to consider trafficking and smuggling as amounting to extreme violence or control that would be obvious to see and identify. Yet, one of these staff representatives recalled a situation in which a

young woman, who the interviewee assumed was an asylum-seeker or refugee, was travelling alone with a small child and was caught shoplifting on board. While this case may not have been about trafficking, it could well have been a case of irregular migration or of some other vulnerability, especially in view of the poor health of the child.

*She must have been a refugee. She got caught shoplifting, the alarms went off when she left the store ... That woman with the small child, some staff member said the child did not seem well, so we called the nurse. (Ferry personnel 7, Finland)*

The interviews indicate that most commonly ferry staff encounter various types of disturbances, such as passengers who are intoxicated, under the influence of drugs, or rowdy. Cases of domestic violence and child neglect also regularly come to the attention of ferry staff. The staff are also able to observe the dynamics in groups of passengers, for instance where the hierarchy is somehow suspicious or strange. Very few staff members, however, mentioned that they would have encountered concrete instances of suspicions of human trafficking.

## 4. Safety and security on board

### 4.1 The International Ship and Port Facility Code

International maritime safety treaties guide the general terms and conditions of the ferry industry by providing minimum safety standards for the entire international shipping community. The International Safety Management Code (ISM) and the International Ship and Port Facility Code (ISPS) were developed and drafted by the International Maritime Organisation (IMO). The purpose of the codes is to enhance safety on board sea vessels and prevent the pollution of the marine environment (IMO 2015). The ISPS regulation was developed in the aftermath of the World Trade Center attacks in 2001. The ISPS code requires that ports be enclosed so that only authorized persons are allowed entry into the port area. The code has three levels that apply to ship and port security. Level one represents a regular security situation. At the second level of heightened security, additional measures are undertaken to control access to the port and the ship. At the third and highest level, the port and the ship are completely closed off and access is only allowed after rigorous security checks. The auditing of compliance with the ISPS code in Finland is conducted by the Finnish Transport Safety Agency (Trafi).

In Finland, the law on passenger records requires that shipping companies operating in the Baltic Sea have to count and register all persons on board in order to support rescue and search operations in case of an accident. This includes the name, gender, nationality and age of all passengers. In order to process personal data, the companies have to store the data in a file, which has to be maintained according to the Personal Data Act. The companies also have to ensure that no incorrect data is stored in the file (Harju 2013). Persons wishing to enter a country irregularly use different methods to cross borders and to travel in undocumented ways. For example, they may embark on a ship with someone else's ticket, produce forged documents, or hide inside a vehicle. Passengers not listed in the passenger record are a concern from the point of view of maritime safety, since authorities and rescue teams may not know how many people and who exactly were on board the ferry.

When it comes to passenger access control, the shipping companies and ports comply with the ISPS code, which requires shipping companies and port authorities to conduct checks of the travel documents of travellers (Trafi 2015). Such checks are carried out in a random manner, meaning that only some passengers are checked for their identity documents. However, each passenger is required to carry an official identity document. Only passengers with a valid ticket can access the ships. The electronic gates at the ports require that each passenger has to swipe their ticket through a machine in order to gain access.

## 4.2 The dilemma of controlling the identity documents of passengers

The ISPS security code requires that not only is the port secure, but that passengers entering the ferry are controlled. The level of control of passengers was mentioned in the interviews with law enforcement representatives as a major concern for the authorities. In line with the ISPS code, passengers have to be able to prove their identity through an official ID document. There is no obligation for travellers to show their identity documents to ferry companies but if they refuse, it is grounds for refusing the traveller the right to embark on the ship. In practice, however, passenger identities are checked only at random. All of the interviewed law enforcement, border guard and customs representatives in Estonia, Finland, Latvia and Sweden were concerned with the fact that no one knows exactly who is travelling on the ferries, since the IDs are not checked. Their concern is that passengers are able to get on board without identity checks, and that this may result in potential security risks to the country of destination in terms of irregular entry, the smuggling of migrants or criminality, as well as in potential security or safety threats to the ferries themselves. Law enforcement officials highlighted that the lack of control of identity documents is used in particular by criminal groups or individual offenders who use the ferries in order to travel between countries.

*The biggest problem right now is that there is no requirement to show an ID document when you buy your ticket. There are those who travel 150 times per year. We know for a fact that they are not travelling themselves. The question is: who is travelling instead? We have no clue. That's our biggest problem in terms of maritime safety and crime prevention. We don't know who are on board the ferries. (Law enforcement official 2, Sweden)*

When purchasing ferry tickets online, passengers have to provide the name and birth date of each traveller. The actual boarding card is received at the ferry terminal either at the check-in desk or through a check-in machine. Most ferry companies still use check-in personnel rather than machines. If a larger group of persons is checked in, often only one passenger shows his/her ID to the check-in person. This was criticized by many of the law enforcement representatives interviewed, who said that once the boarding cards have been received, they could be handed out to anyone in the terminal, meaning that the registered passenger and the actual passenger are not necessarily the same person. In addition, one interviewed ferry representative working on board stated that the passenger lists are not reliable because of the possibility that the boarding pass is handed to someone else after check-in. According to law enforcement representatives, this problem could easily be resolved if each passenger would show their ID at the check-in desk when receiving their boarding card. Several interviewed law enforcement experts suggested that in order to avoid a situation where the boarding card is then given to someone else, the terminal would have to be remodelled so that each passenger moves directly from the check-in desk to another, restricted waiting area. This would ensure that the actual passengers correspond with those whose name is on the purchased tickets. Law enforcement representatives interviewed for this study



emphasized that the remodelling of the terminal buildings would not be too costly, and that the checking of IDs could thus be carried out quite easily.

*The Georgians were a real problem a couple of years ago. We had 58 Georgians in a very short period of time who came from Latvia where they had been in an asylum-seekers' centre and were now trying to get on ferries. They had no documents except for that asylum-seeker's application on an A4 sheet. They could not get a ticket nor get on board of a ferry with that [asylum-seeker's documentation]. Then they found some front men among Estonian citizens – some tramps – or their own relatives bought tickets for them. We have also automated check-in now and passengers don't have to go to the booking office. They take out 10 boarding passes, register them and it's done. [...] Nobody checked if the boarding passes belonged to them and if they had any identification documents. (Law enforcement official 4, Estonia)*

Law enforcement representatives were concerned that the lack of certainty as to who is actually travelling on the ferries is not only a problem in terms of possible irregular immigration or criminality, but also a question of ship and passenger safety. It is the responsibility of the captain to know who is on board the ship at any time, and, according to interviewed law enforcement representatives, it should thus be in the interest of the ferry companies to ensure that the passengers are adequately recorded. However, views differed as to what is the responsibility of the shipping company to check the passengers' identity documents, and what is feasible when the ferries are operating under tight schedules and with a very large number of passengers. Despite having concerns regarding the security and safety of not knowing the identity of passengers on board, some interviewed law enforcement experts also questioned whether the checking of IDs is really necessary and whether it would lead to any actual benefits or just to more hassle for passengers. Several interviewees also recognized that the systematic checking of passenger identities would interfere with the business of the ferry companies.

*There are 2000 passengers on board a ferry and if we'd check the documents of everyone the whole business would be paralyzed. In Turku [a city on the Western coast of Finland] for instance they have an hour or an hour and a half to disembark 2000 people and embark 2000 and if they would start checking something, that would be mission impossible. It's a beautiful idea and it would be excellent if everyone was checked, but is it possible and is it needed? (Law enforcement official 5, Finland)*

The checking of IDs would therefore not only slow down the turnaround time of the passenger ferries, but it would also require additional staff effort. The respondents recognized that ferry companies are reluctant to cut down ferry departures because of this. Ferry staff may also not possess the necessary skills and expertise to recognize fraudulent or false IDs. One interviewed ferry representative working on board mentioned that it would be much easier if representatives of customs or the border guard were always present in the terminal, so that they could ask for help in situations where they suspect fraudulent documents or IDs. Both law enforcement and ferry companies respondents also highlighted that it is debatable whether it was the responsibility of the ferry companies, law enforcement, or the port authorities

to check the IDs. Currently in some terminals it is a private security company that carries out random checks of passenger IDs on behalf of the port authority.

*I think this needs to be discussed at some forum because I think it is very difficult on behalf of the shipping company that their representatives check people's passports. I think this should be a function of the authorities. (Trade union representative in the shipping sector 1, Finland)*

The checking of passenger IDs may also be in contradiction with the principle of free movement within the EU Schengen area, and this was also raised by many respondents. The systematic checking of IDs would thus interfere with the principles of the Schengen agreement, and would thus require a wider political discussion.

The question of ethnic profiling was also raised in conjunction with the dilemma of checking the identity documents of passengers. The nationality of passengers is only relevant from the perspective of knowing who is on board in situations of emergency, but it should not be used as a means of ethnic profiling of certain types of passengers. Several interviewed persons emphasized that the random checking of identity documents of passengers should not be based solely on ethnicity or nationality.

An additional concern raised by several interviewed persons, including persons actually working on board the ferries, is the safety and security of the car deck. This concern was not only related to the possibility of people being smuggled in cars, but also to the threat of explosives inside cars, which could be used in potential terrorist attacks. Currently cars, vans and lorries entering the ferries are not systematically checked. Random checks are carried out, or checks are carried out based on intelligence, or suspicions of illegal cargo or smuggled migrants. The representatives we interviewed emphasized that so far, only a very few cases of entry through undocumented travel in cars or lorries have been detected. At the same time, interviewees suspected that irregular entry is in reality more common than what comes to the attention of the authorities. Again, however, the systematic checking of cars would severely slow down the turnaround time in the harbour, and the relevance of this was questioned especially by representatives of the ferry industry.

*In cars you can hide 3-4 persons in the trunk. Should all cars be checked? All lorries? Who will be responsible for those costs? If you want to make it fool-proof you should do it in a fool-proof manner, otherwise it's just window dressing. That's exactly what a mere ID check [of passengers] would be. (Ferry personnel 6, Finland)*

However, despite the potential problems of enhancing the control of entry into the ferries, some interviewed ferry representatives emphasized that enhanced control might in fact be better for business. Although increased control of entry would require that passengers and vehicles arrive at the port earlier than before, more control would enhance feelings of safety and security.

*There are quite a few who ask when they board the ship that aren't there any controls? Some are worried, and there are things happening in this world. I've been thinking that many would accept [increased control of entry]. This free*

*movement – many are worried. It would be good for both staff and passengers if those checks were increased little by little. (Ferry personnel 2, Finland)*

In terms of preventing human trafficking, smuggling of migrants or the travel of criminal groups, the enhanced control of travellers' IDs as well as vehicles would be likely to lead to an increase in the detection of suspicious cases, although at the same time causing more discomfort for the majority of travellers as well as hampering the current business model of the ferry companies. Systematic control of travel documents would also be in contradiction with the Schengen principles of free movement. However, many respondents acknowledged that control is likely to be increased in the future, along the lines of air traffic. This may be the case in particular if security threats towards passenger ferries increase in the years to come.

### 4.3 Irregular migration and the recent increase in migration

The Finnish police and border guard representatives we interviewed stated that most often migrants entering irregularly and asylum seekers arrive in Finland across the land borders in the north of Finland, but some also arrive on the ferries in the Baltic Sea region. Many of the interviewed authorities saw that due to the strategic location of the Baltic Sea region and the relatively low level of control on ferries, the ferries may potentially become an even more popular route in the smuggling of migrants.

*The ferries are a great route for traveling into Finland in the sense that if you consider the Estonia route, where the largest pressure regarding human smuggling is currently, and the European Union and the Balkan region, there is a rather direct route to drive through these countries. From Hungary, the Slovakian side and across the Baltic States to Estonia. There are several ships traveling each day. It is easy to come here that way. (Law enforcement official 1, Finland)*

At the time of conducting the interviews for this project, there had been a large increase in the numbers of migrants and asylum-seekers entering Europe. While many interviewed experts were not so concerned about human trafficking on the ferries, they instead spoke about irregular migration, the facilitation of illegal entry and undocumented migrants moving from the Middle East and Africa to Finland and Sweden via the Baltic States.

*Concerning illegal migration, the Baltic States are becoming a bigger and bigger area. Before we didn't have so many cases from the Baltic States to Finland and Sweden. In the last six months there have been more cases than ever, actually. This is usually related to illegal immigration and not to human trafficking. (Law enforcement official 1, Estonia)*

*If they [asylum-seekers] choose to leave Latvia, then they choose to use a ferry. That's where one of the things that matters is whether the person has awaited his status and is given a valid travel document, whereby he can basically travel without restrictions. But there are situations when they are still in this asylum processing procedure and they await their status. And then they have a piece of paper with their photo. [...] You cannot enter a plane with such a document, because there it is more complicated and more controlled. However, on a ferry that*

*is theoretically and practically possible. Latvia is specifically a transit country. Well, they come here first to get someplace else afterwards. (NGO representative 1, Latvia)*

The police and border guard interviewees had experienced that the policy actions in one country in the Baltic Sea region have a direct impact on the other countries. In December 2015, due to the rise in asylum seekers, Sweden re-introduced identity checks on all modes of transport and as a consequence the number of asylum seekers traveling further from Sweden to Finland dropped dramatically. New crossing opportunities to Finland were found over the Eastern border with Russia. Some cases of smuggling of migrants were identified by the police and border guards but the general view of the interviewed Finnish and Estonian police and border guard representatives was that it is quite rare for asylum seekers to be victims of crime even when they would have been assisted in the purchasing tickets or making travel arrangements. The smuggling might be more organized closer to the countries of origin but by the time they reach the Baltic and Nordic countries, the movement is rather that of unofficial assistance from acquaintances or fellow countrymen.

The interviewed authorities note that undocumented persons travelling on the ferries often require some sort of facilitation. The migrants need help in purchasing tickets (online or via the ticket office) and they also sometimes need help in completing the check-in. The facilitators may be relatives who are helping their family members, acquaintances, or neighbours and villagers. Some are likely also to be sympathetic people who have the best intentions of helping migrants.

*These are basic human needs. They are these unofficial social networks that develop in one way or another. Someone obviously tries to make money out of their situation [...] I think that it's more like this type of networks, key persons in certain places who then make the arrangements. (Law enforcement official 6, Finland)*

However, according to the interviewed authorities, the role of organized crime seems to have increased in the smuggling process. Criminal groups organise the journey of migrants starting from the Mediterranean, direct the migration flows, and help to take the migrants to their final destination.

*That is one of the issues, because the smugglers they are telling these illegals that you need help. [...] Like they now come through Greece or somewhere and they don't have their passports. It is impossible to buy tickets, ferry tickets, plane tickets. So they need the help of smugglers. Prices are starting from 500 up to many thousands euros – it depends how long the journey is and what you need. If you need documents, if you need tickets, if you need help, if you need transportation; it can be very expensive. (Law enforcement official 1, Estonia)*

According to the respondents, the current situation is characterized by a high demand for facilitating the movement of undocumented migrants to Nordic countries such as Finland and Sweden. According to the authorities, the business is highly profitable.

*There are lot of different nationalities, a lot of different groups and at the moment the situation is that the amount of organized groups is getting bigger and bigger almost every day. At the moment it is very good for this kind of business. (Law enforcement official 1, Estonia)*

On the basis of the interviews with law enforcement in the four countries covered, it seems that the smuggling of migrants and the large number of migrants entering the Nordic countries in particular may have diverted the attention from trafficking to smuggling. However, the underlying reasons, risks and vulnerabilities that create trafficking have not disappeared in the Baltic Sea region, although the number of cases of smuggling may have increased.

#### **Asylum seekers on the Travemünde-Helsinki route**

During the autumn of 2015 an increasing number of asylum seekers were entering Finland by ferry from Travemünde in Germany. In December 2015 the Finnish Border Guard authority sent a letter to the ferry company operating the route, encouraging the ferry operator to check that passengers possess the necessary travel documents (HS 2016). In practical terms this meant that passengers travelling on the intra-Schengen route between Travemünde and Helsinki were expected to hold a valid passport or other travel document as well as a Schengen visa. However, according to the Finnish Alien Act, transport companies are obliged to ensure that passengers possess such documentation only on routes that cross into the Schengen area from the outside. As was pointed out by legal experts interviewed in the media, asylum seekers have certain rights as enshrined in international law, and carriers should not be held accountable for facilitating illegal entry when there are humanitarian grounds for the travel (ibid.). Also some of the law enforcement representatives interviewed in this research noted that this specific carrier was given an obligation which was out of the ordinary.

*An attempt was made at transferring the responsibility. Asylum seekers have a somewhat different status, it is a situation where people in distress are coming here. That a ferry company should be somehow evaluating the situation and the arrival? I mean an asylum seeker doesn't need any papers anyway. (Law enforcement official 6, Finland)*

According to Finnish ferry representatives, and excluding the case above, the increase in migration into Europe has had little or no impact on the security measures on the other Baltic Sea ferries. Ferry staff on the Stockholm-Helsinki route, however, had seen possible asylum seekers on board, but staff members mentioned that they had not received any specific information on how to respond to the increased number of asylum seekers on board.

A representative of a ferry company raised an issue regarding the asylum seekers whose application for asylum has been rejected and who create another dimension to the recent increase in migration into Europe: return migration. In Finland, about one-quarter of the recent asylum-seekers have so far received a positive asylum decision (Migri 2016). This means that many have received, and will receive, a negative decision or a dismissal and are therefore obliged to return to their country of origin or another EU country. While support for

voluntary return is usually available for this target group, some may also leave on their own e.g. by ferry, in order to go to another EU country. In this process, they may become undocumented and irregular migrants. The potential returnees might also be vulnerable to exploitation and trafficking due to their precarious situation.

At the time of writing the flow of migrants from the Middle East and North Africa to the Baltic Sea region has dramatically dropped. Future migration flows migration are difficult to predict. However, one law enforcement representative we interviewed predicted that migration will continue, and described a potential scenario where asylum seekers might also start using private yachts and ships to cross the Baltic Sea.

## 5. Identification of trafficking on the ferries

### 5.1 Possibilities of identifying victims

The interviews with authorities and ferry personnel indicate that while victim identification is challenging, ferry staff do recognise unusual situations on board. These skills could be further developed so that ferry staff could also learn to identify possible situations of trafficking. However, especially the law enforcement officers we interviewed found the identification of victims on board to be challenging because when traveling by ferry, most victims think that they are traveling for legitimate purposes, such as work. If they know that their travel is for illegitimate purposes, they often try not to raise any attention. In both cases, it is unlikely that any external signs will reveal that the person is a possible victim of human trafficking. There are of course also instances when persons are travelling against their will, or are uncomfortable due to their situation, and such situations may be easier to notice by staff.

*The most obvious cases can certainly be identified just like any normal person would recognize them anywhere. But then we have this hidden crime which is not even supposed to be visible to anyone during the journey. Quite the opposite. So yes, there are major challenges there. (Law enforcement official 5, Finland)*

The representatives of law enforcement we interviewed all acknowledged that victim identification is difficult overall, and some questioned whether it is possible for ferry personnel to recognize instances of trafficking. Yet, despite the challenges, law enforcement personnel do consider that the training of ferry staff could assist them in noticing signs of trafficking.

*You can't really say who's a victim, who isn't a victim, before he's become a victim. At the moment when he's being transported his face can be extremely happy, because he has for example received a wonderful job offer in Sweden. And he's going to Sweden – there golden treasures are waiting for him, there he'll have a good job, he will live in 5 star conditions. Well, he's extremely happy, he thinks that his life will change 180 degrees for the better. He becomes a human trafficking victim only when he arrives at his destination and when he understands where he is. He's not a human trafficking victim on the ferry. So to say whether the girl at the bar with the cocktail, will she be a human trafficking victim – it's impossible. (Law enforcement official 2, Latvia)*

In terms of the law, the crime of trafficking is already taking place during the recruitment and transportation phase if there is an intent to exploit the person, despite the fact that the victim might not be aware of what the intention of the recruiter or transporter is. As the law enforcement representative cited above notes, in terms of the victim's own knowledge, it is challenging for an outsider to know that the person is possibly going to become a victim of trafficking. However, despite these difficulties, trained personnel can recognise signs of trafficking also in situations where the person is yet to be exploited.

The identification of potential cases of trafficking during embarkation and disembarkation is challenging because of the vast amount of people passing

through the entry points into the ship in a very limited amount of time. The representatives we interviewed called for more instructions and more clarity in who should be responsible for both access control and possible victim identification.

*When 2000 to 2500 people board a ferry within 30 minutes we cannot see such individuals in the crowd. ... This work has to be done somewhere else. There should be guidelines or instructions. This is still an issue, a problematic area. (Representative of the port, Estonia)*

Respondents noted that potential cases of trafficking and, in particular, smuggling or undocumented entry, can possibly be identified if and when passenger identity documents are checked. Random check may be carried out in the waiting area in the port, at the check-in desk in the harbour, upon embarkation and control of tickets, or in checks by security guards when entering the ferry and the journey itself. The booking office is currently the only place where identity documents are systematically checked, but currently only some passengers are checked. Tickets are also bought online and some of the booking offices in the port have been replaced with electronic check-in booths. While it makes the journey faster for passengers and reduces personnel costs for the ferry companies, it increases the risks of undocumented entry. However, staff at the booking office may not possess sufficient experience and knowledge to recognise suspicious documents or potential situations of trafficking or smuggling.

*The booking office is the first contact point where it is possible to identify illegally transiting migrants. They have actually discovered quite a number of such individuals. Naturally, it is a concern, because booking clerks are mainly young people who tend to change jobs. (Law enforcement official 3, Estonia)*

Security staff on the ferry have an important role in dealing with unusual activities and identification of persons traveling without documents or tickets. Security guards also perform random checks of passengers.

*Security staff know the ferry and also move around a lot. The people we are interested in may not necessarily move around at all. They may stay hidden and make sure that they are not noticed. Security moves around and has an opportunity to notice things. (Law enforcement official 4, Estonia)*

One other possibility to identify victims of human trafficking would be situations in which victims themselves turn to authorities or ferry company's staff to report their victimisation. According to the respondents, however, this has hardly ever happened. Often traffickers instruct their victims to avoid the authorities as well as ferry personnel.

On the other hand, several interviewed experts emphasized that the ferry staff could play a role in identifying potential victims, but they would need specific training and guidance in order to do so. In line with this, the ferry representatives we interviewed emphasized that staff on board have the ability to identify various types of passenger behaviour, especially the kind that is out of the ordinary, different, or strange. The capacity to identify indicators relating to trafficking or smuggling depends on many factors. Most important is the



overall awareness and knowledge of what trafficking is and how it manifests itself. Staff may encounter situations that seem strange or unusual, but lack of awareness of what constitutes trafficking or smuggling, and how to respond to suspicions of such cases, may lead to misunderstandings and oversights. One of the interviewed ferry representatives stated that quite likely it has not even occurred to many that passengers could be travelling against their will. One other interviewed ferry staff member mentioned that in the peak season during summer it is more difficult to notice unusual behaviour due to the sheer volume of passengers, while in the winter it may be easier to notice passengers who act in an unusual manner. An additional challenge in identifying potential victims of trafficking – or other suspicious situations, such as domestic violence or child neglect – is that staff members have a relatively large area to observe, since passengers are often very mobile on board the ship. This can be compared for example to the situation on board a plane, in which the flight crew can observe the behaviour of passengers in a confined space over the course of often several hours.

*When they go to the restaurant and eat and then to the store and then to their cabin, it is much more difficult to get an overall picture. Someone sees them for a short while in the bar, and then some other staff member sees them briefly in the restaurant, and then a third staff members sees them somewhere else. You can't see whether there is some pattern. (Ferry personnel 9, Finland)*

According to the persons interviewed, all ferry staff on board as well as the check-in personnel in the harbour have opportunities to identify victims of trafficking. It is especially the frontline staff such as hotel and restaurant workers, personnel at the information desk and security staff who are most likely to encounter situations in which trafficking could be identified. Potential victims can be identified during the time on board, especially by these frontline staff members, but possible opportunities for identification also include the purchase of the ticket in the harbour and check-in, as well as at embarkation and disembarkation.

## **5.2 The experiences of ferry staff: encountering challenging situations on board**

In order to collect more information on the experiences of ferry staff in encountering possible situations of trafficking on board, a questionnaire was distributed among staff on two ferry routes. Sixty staff members filled in the questionnaire. The questionnaire inquired whether the ferry staff themselves, or their colleagues, had encountered or observed unusual or difficult situations at work, the frequency of those encounters, and the possible actions the staff members had taken after experiencing them. Nearly eighty percent of the surveyed staff members had encountered situations where passengers seemed disoriented and confused (excluding persons under the influence of alcohol; see Figure 4). In total, 24 respondents described these situations in more detail. Most often the encounters concerned passenger drug use but there were also a number of situations of partner violence. Other situations with confused

passengers included cases of mental illnesses, confused older people and parents who ignore their children. The respondents described the situations e.g. in the following way:

*The person was most probably drugged. Was alone and wandered in the tax-free.*

*We see confused clients every day.*

*Quite often during the summer season one of the parents is acting totally crazy towards their children.*

*Situations of abuse connected with marital issues.*

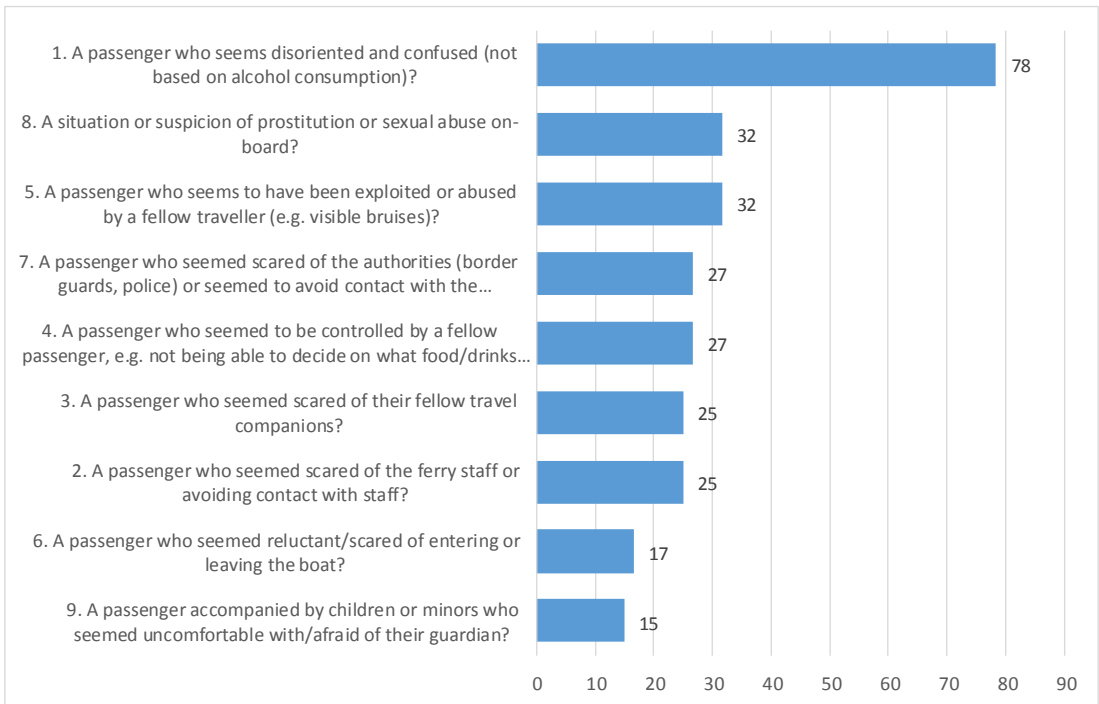
It is noteworthy that one-third of the ferry staff we surveyed had encountered a suspicion of prostitution or sexual abuse on board (experienced by 32 % of the ferry staff). Also one-third of surveyed staff had encountered a passenger who seemed exploited or abused by a fellow traveller (experienced by 32 % of the ferry staff). One-quarter of the respondents had encountered passengers who either seemed scared of ferry staff or avoided contact with them.

*There are prostitutes on board every once in a while.*

*These persons I have encountered, have likely avoided the persons responsible for security on board so that they wouldn't risk having to deal with the police later.*

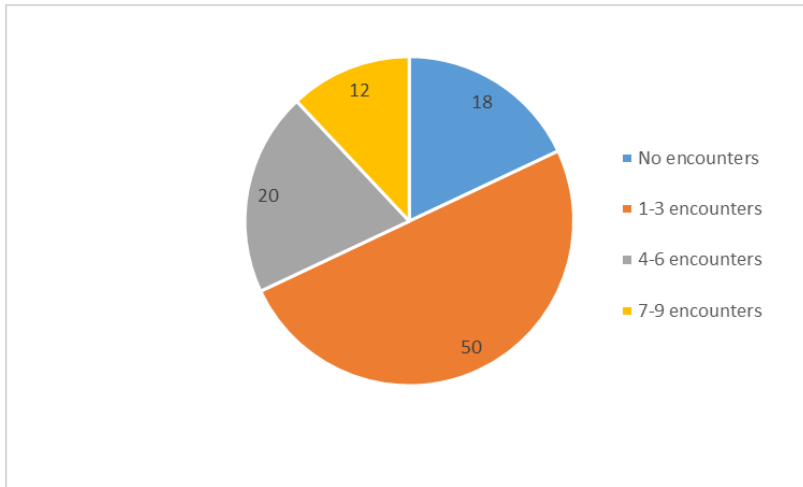
Also, every fourth staff member had encountered situations in which passengers seemed scared of their fellow travel companions. However, the respondents did not give any specific examples of these situations. Less common situations included seeing children that seemed uncomfortable with their guardians, or encountering passengers who seemed reluctant to leave or enter the ship. These situations were described as being connected to normal confusion e.g. passengers not knowing where the exit is or being intoxicated, or children not wanting to leave the ferry.

**Figure 4.** Responses to the question "Have you in your work encountered any of the following situations on the ferry?" (N=60, multiple responses possible)



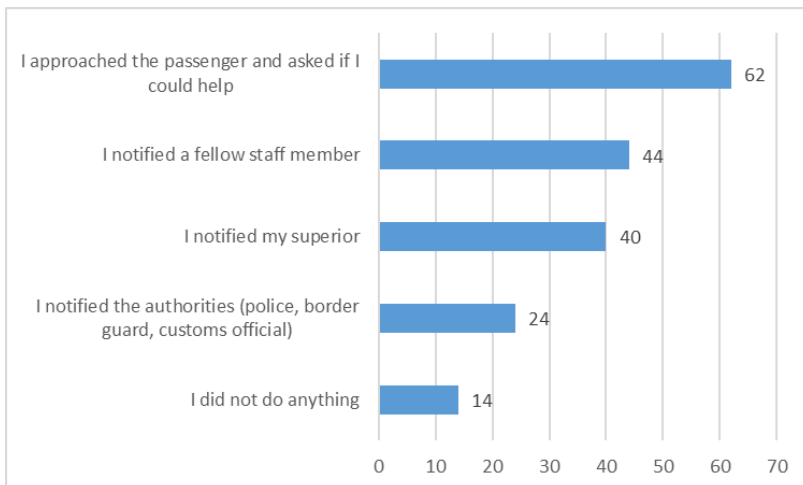
Overall, the data indicates a high level of alertness and shows that ferry personnel possess a significant potential to observe unusual situations on board. These situations, however are not necessarily linked to human trafficking. Many of the respondents did not provide any explanation or examples to their answers, and it is therefore impossible to determine whether the situations were related to human trafficking or not. Half of the respondents had experienced between one and three of the listed situations during their working careers, twenty per cent had encountered 4-6 situations and 12 per cent had seen nearly all of the unusual situations during their career on board (Figure 5).

**Figure 5.** The number of difficult or challenging situations experienced on the ferry (% of encounters per staff member, N=60)



When ferry staff representatives were asked about the actions they had taken in these situations, most often they had approached the passenger, asking if they could help (62%). They also commonly notified a fellow staff member (44%), and/or their superior (40%) and/or the authorities (24%). Only seven respondents of the fifty staff member who had experienced unusual situations did nothing at all (Figure 6).

**Figure 6.** Responses to the question "If you have encountered any of the above situations, what did you do?" (N=50, multiple responses possible)



Some respondents provided comments on what they do in such situations. From the responses it can be seen that the security staff is the first contact for other ferry workers in dealing with unusual situations or disturbances on board. In situations where a passenger's health is at risk, the ship nurse or paramedic is also called in.

*Encounters are weekly/daily, we respond to them only when something more serious happens which causes disturbance or causes danger to other passengers.*

*In situations of abuse, I contact the security staff. They have their own methods how to deal with the situation. We also provide an additional cabin, if needed, to put the victim there.*

*All situations are different. Either they are solved on the spot or the official procedure will start.*

*Sometimes we have problems with drunk people, and the security staff on the ferry deal with them first, and further on the police. If a passenger has a health-related problem, we ask the nurse on the ferry for help.*

#### **The chain of command**

The chain of command in terms of safety and security on board passenger ferries in the Baltic Sea is based on the overall responsibility of the captain of the ship. The security guards are responsible for concrete safety and security on board. They patrol the ship and are mandated to intervene in disturbances, violence or other situations that threaten the safety of the ship, the personnel and the passengers. Staff report suspicious situations to the security guards, who intervene. The security guards can take persons into custody for the duration of the trip, if it is considered that the person is a danger to others and to the safety of the ship. The ferry representatives we interviewed emphasized that the identification of possible victims of trafficking could in some instances jeopardize the safety of staff. In the chain of command on the ferry it is the security guards who are responsible for dealing with rowdy, violent, or dangerous passengers. As was explained by many interviewed ferry staff members, the security guards are trained and mandated to deal with disturbances, whereas regular staff are not supposed to interfere e.g. in fights. One staff member said that while their own safety is paramount, this should not prevent staff from intervening in suspicious situations. Any training relating to the topic of human trafficking should therefore take into consideration the limitations of what staff members can and should do.

### **5.3 The indicators of trafficking**

The ferry staff we interviewed emphasized that they would like more information on what exactly they should look for as signs of trafficking. As mentioned above, many respondents suggested that staff should pay attention in particular to situations that are unusual or somehow out-of-the-ordinary. However, many of these signs tend to be very general and could indicate a variety of situations. The “hunch” or feeling that something is wrong and not

quite right was mentioned by many ferry representatives working on board as an important indication for interfering. It could be that a person is in a place where he or she should not be or that there are suspicious items around the person, or that the person is acting in a nervous manner.

*If they for instance notice unusual behaviour like people being nervous and someone has beads of sweat on his/her forehead, and if someone is clearly the boss and tries to keep the group together. (Trade union representative in the shipping sector 1, Finland)*

*They, for example, act very distant even though one person is paying for everything. The person travelling, perhaps it's very noticeable that she's very scared, nervous about something. Maybe they don't even speak the same language, maybe he's a foreign citizen, but the travel partner is communicating with him through Google Translate or something. Those could be things to notice. (Law enforcement official 2, Latvia)*

What was emphasized also by staff members themselves was that it would be important to encourage and ensure a low threshold of intervention in suspicious situations so that the observations of different staff members come to the attention of the security guards, in particular. Although staff may be able to observe individual passengers only briefly, the same passenger may be noticed by many different staff members.

*If you observe and you start to feel that things are not right, then you could ask whether everything is OK. Or you could inform the security guard if you notice something at night in the bar. The guard could then check it up, intervene, or report to the authorities if there are indications for instance of trafficking. (Ferry personnel 8, Finland)*

The reappearance of certain types of passengers or a certain passenger always traveling with new companions could also be a sign that something is wrong. Both law enforcement as well as other interviewed experts suggested that ferry personnel could report reoccurring events or trends, such as certain passengers returning with different fellow travellers or certain types of unusual passengers using certain ferry routes.

*I'm only imagining that the ferry staff are noticing that on every second ride there is such a man. And every time he parties with a different girl. And maybe they notice him. Maybe they should try to find out his first name and last name, because he registers with some type of ID. That could then be reported to the police. (NGO representative 1, Latvia)*

*Probably one of the things that the staff's attention needs to be drawn to is, who is buying the tickets, who orders them, who pays for them and the person who's paying, who's accompanying, how often do his travel partners change and what is their age, and who are the partners. For example, a person travels all the time with his friends, then maybe that won't cause the same suspicion as a person, about 40 to 50 years old, where there are obvious age differences, or a 20-year-old who constantly has new travel partners, but he's like a loyal customer. The staff has noticed him, that could be a signal that something isn't right. Maybe he just changes his girlfriend often, that's not impossible. (Law enforcement official 2, Latvia)*

The interviewed law enforcement officials mentioned certain traits that may provide indications of trafficking, for instance that passengers are timid and afraid, that they repeat previously rehearsed lines when questioned, or that they lack language skills, or knowledge about where they are going. Ferry staff could be trained to recognise such indicators.

#### 5.4 What can ferry staff do

The final question in the survey conducted among ferry staff inquired about the views of the staff itself on how they could more efficiently identify situations that might include exploitation or trafficking. Altogether, 24 out of sixty respondents replied. The responses can be grouped into four different categories that describe possible actions ferry staff could take in suspicious situations.

Most commonly, respondents mentioned the importance of **being observant and reporting all suspicious activities to the security and management personnel** on board. The following quotes from the respondents are some of the examples that illustrate this.

*Be attentive. If possible, get involved.*

*Keep your eyes open and observe suspicious behaviour.*

*When walking around in the public areas [of the ship], you should keep your eyes open. If you notice behaviour that is out of the ordinary that could have something to do with involuntarily being on the ship, you must contact the security guards.*

A few responses, however, noted that it is not enough just to keep one's eyes open, as there are **challenges in identifying victims** of trafficking or exploitation from among the 'standard' passengers. The following quotes also illustrate how some of the ferry staff have a lower threshold than others for reporting suspicious-looking incidents, while others want to make sure their suspicion is grounded.

*Perhaps if we would clearly identify such a situation then we will report to the security personnel, but "clearly identifying" is hard.*

*Human trafficking is a really serious thing. If we see such indicators, then absolutely we must report to our managers or the security personnel. But you must always be absolutely sure about the case.*

**Training the ferry staff** was another common theme raised by the respondents. These comments were mostly related to the need for more education on identification of victims, on what to do, and how to help the victims if needed.

*Must organise training on how to recognise such situations.*

*Enough training on how to identify these people and how to help them.*

*Give more instructions on what to do when these situations come. Also, where to turn for help.*

Finally, some surveyed staff members raised the need for more **preventative action in the harbour** during embarkation, and intensifying the cooperation with customs and border control.

*During the loading of the ship the presence of the authorities and preventive measures during the loading.*



## 6. Cooperation between ferry companies and the authorities

Both the ferry company representatives and the law enforcement officials we interviewed emphasized that their mutual cooperation is very good. All parties emphasized that they benefit from the mutual cooperation; for the authorities, the ferry companies are a valuable source of information about irregularities in transport, and for the ferry companies, good contacts with the police, border guards and customs help to solve problematic situations quickly and efficiently.

*I have to emphasise that the cooperation with those border guards, it's great. (Ferry personnel 1, Finland)*

*They are very good partners. They discover things quite often. Not only potential transit migrants. They also notice other things. We don't expect our partners to find specific people. It is more their observations in the course of their work. They keep their eyes open. It's also a good resource: they are doing their job and in the course of it they keep their eyes open. We are very grateful for such information. (Law enforcement official 3, Estonia)*

There are regular meetings between ferry companies and authorities, at which specific concerns can be discussed. Police, border guard and customs representatives also regularly provide training to frontline ferry staff e.g. on issues of drugs and forged documents. However, based on the interviews it seems that the cooperation between ferry companies and the authorities may not be as operational as at least some ferry staff would hope for it to be. Several representatives of ferry companies who we interviewed emphasized that they would like to enhance the cooperation with the authorities. One security officer on board mentioned that sometimes law enforcement authorities request ferries to provide information based on CCTV recordings on board. Going through the recordings is time-consuming and the security guards we interviewed found it frustrating at times. Similarly, when crimes or suspected crimes occur on board, ferry staff working on board contact the authorities, which then take over the case once the ship reaches the next harbour. Ferry staff also pass on information regarding passengers or suspicious behaviour to the authorities. They felt that they do not always receive adequate feedback from the authorities, and that they would benefit from more regular meetings with the authorities with the aim of mutually sharing information. This could be done through meetings a couple times per year not only at the managerial (company) level, but also with security staff on board. Staff would especially like to know whether the information they pass on is useful and relevant for law enforcement or not, as this would give them additional motivation in their work.

*A couple of times a year they [police, border guards, customs] could come here and together we could go through if some criminal cases have been concluded and what [court] judgments have been given. What use the information we gave them had been. That might give us additional motivation. (Ferry personnel 2, Finland)*

Also some law enforcement representatives highlighted that it would be useful to inform ferry companies if cases of trafficking or other types of criminal behaviour have come to their attention where the victims or perpetrators had travelled on a specific ferry route. Ferry companies could in such cases take note of the names and groups of passengers and also provide information to the authorities if the same persons travel again.

At the same time, however, representatives of law enforcement and border guards emphasized that they would also like to receive more proactive information from the security staff on board, in particular. They highlighted that the threshold for reporting suspicious passengers or passenger behaviour should be low and that also anecdotal evidence and information that has accumulated over a longer period could be shared with them.

*People who have been working for the ferry companies for many years, they see people every day who are travelling. They have this kind of sense or know-how to see that something is not right. Their level of informing the police or border guard officers is not so high because many times they think that okay, this is not normal but they won't inform anybody. So this information doesn't move. These are the things that I think would help us if we could get this kind of information from the ferry companies. (Law enforcement official 1, Estonia)*

Some law enforcement respondents referred to telephone numbers of the police or border guards which ferry staff can use in case they suspect criminal behaviour. As noted above, representatives of authorities seem to consider that ferry staff have a rather high threshold for reporting suspicious cases to the authorities. Also ferry personnel themselves mentioned that for instance bartenders, waiters and security guards could more often report suspicions of prostitution in particular through the chain of command so that it comes to the attention of the police.

Some law enforcement representatives that we interviewed stated that the role of the authorities in combating trafficking in persons, the smuggling of migrants, and the exploitation of migrant workers cannot be compared to the role of the ferry industry. In their view, passenger ferry companies are merely implementing their business strategy, i.e. transporting people around the Baltic Sea region.

*The ferry company is only a sled that brings the people. It's doing its own business. Takes the money and makes a living doing that. (Law enforcement official 5, Finland)*

However, the fact that ferries are used to transport possible victims of trafficking, smuggled migrants and undeclared workers gives ferry companies an impetus and a possibility of intervention e.g. by providing information to passengers regarding their rights and possibilities of seeking assistance, should they end up in situations of exploitation.

Interviews with law enforcement representatives further highlighted that in order to respond as efficiently as possible to potential cases of human trafficking, smuggling of migrants or exploitation, it is important to agree on common goals with both the authorities and the ferry industry. With clearly

defined roles for all the actors, along with specific action plans it is possible to respond quickly to suspicions, and to record all the possible information and observations that the authorities need for a successful response when a suspicion emerges. The collective understanding on responding to possible cases should be shared not only by the police and border guards, but also by the other authorities, such as social and health care workers.

*Our common goal should be defined right from the beginning of a case. The worst possible situation is when we start to argue around the possible victim, regarding who should take the case forward [...] If others would look at the case strictly from a social and health care point of view, and if we would look at it purely from the point of pre-trial investigation and catching the criminal regardless of what the potential victim would actually need, then that's when things go south [...] We all should have a common goal, which is protecting these individuals. (Law enforcement official 1, Finland)*

Clearly outlining common goals and roles would also lower the threshold for reporting cases when there is reason to suspect criminal behaviour on board the ships. Law enforcement representatives also noted that there is a need to clearly understand the potential that the staff has to identify cases while guaranteeing the safety of the staff. Even though there is potential for identifying cases on board the ship, the authorities are still the body ultimately responsible for crime prevention.

*They [the staff on board] have always operated according to the recommendation of the authorities. There haven't been any problems, but one must remember that in the end they are always civilians. We can't make them do our job. (Law enforcement official 1, Finland)*

*Of course the shipping company must have a system procedure for it. We have no written procedures for this. Nothing in our ISMN or ISPS manual, just the word human trafficking. But of course personnel on the ferries see a lot, they see lot of people. We can have 6 or 8 thousand people every day here. So we meet lots of persons. Service personnel, they see lot of faces every day. (Ferry personnel 1, Estonia)*

The interviewed law enforcement authorities also recommended that co-operation could take place already at the planning stage, especially if and when new infrastructure is being developed.

*One important thing that is functioning better in the case of some shipping companies is that when shipping companies and ports are developing new information systems or changing something in their infrastructure they should involve our Police and Border Guard Board and the Finnish police and border guards in this process. And also the authorities of other countries. Partners should be involved and issues discussed early on in the process. On the one hand, it is great that they are improving their systems; on the other hand, it would be reasonable to discuss things. So that the outcome would be reasonable and security could be ensured. One thing is the constructional changes that are made in the port, but information systems are also very important. When developing those things, perhaps there is something that could be developed in a way that would ensure greater benefit to national security and public order and safety. (Law enforcement official 3, Estonia)*

Cooperation between the different actors and authorities working in the prevention of trafficking in human beings has been diverse, and the experiences of international cooperation in the Baltic Sea region were described as positive. Joint investigation teams (JIT) have been established also with regard to the smuggling of migrants. Based on the long history of working with similar problems, the region provides a fruitful area for collaboration. Law enforcement representatives generally found the cooperation between actors in the Baltic Sea region better than the situation in other European countries.

*This might sound naïve, saying that now we should all work towards the same goal, we do not have any other options. We are not going to produce any results otherwise. (Law enforcement official 1, Finland)*

There is well-established co-operation between authorities in the Baltic Sea region. The forms of co-operation vary from bilateral and multilateral agreements on the executive level, to personal contacts between front line officers in different countries.

*The number of people travelling between Estonia and Finland is just so much bigger. That's why we have more contacts with Finland. However, we also cooperate with our Swedish counterparts. Perhaps it's not done on a day-to-day basis or as often as with Finland, but cooperation definitely exists. At the level of specific people, it is even very good. (Law enforcement official 3, Estonia)*

Other forms of co-operation include joint operations, regular meetings and special projects, such as the Turnstone project. This project was mentioned by several experts. The Turnstone project was designed to enhance cooperation between border agencies (the police, the border police, the border guard and coast guard organisations in Estonia, Finland, Latvia, Lithuania, Sweden, and Poland) in the northern Baltic Sea region. The project aimed to decrease trans-border criminality and improve day-to-day cooperation between border officers in the Baltic Sea region (Yakhlef et al 2015). What is unique about the Turnstone model is the implementation of an operative action week, during which officers have the chance to exchange, share, and cooperate with colleagues in the other Baltic Sea countries. The project was assessed by the Lund university team, who concluded that Turnstone was a successful work model that can be adapted by other border agencies or cooperation projects in the EU and Schengen area (Yakhlef et al 2015). Project Turnstone is an example of increasing collaboration among the authorities, where the Baltic Sea region was used as an innovative hub for testing new ways of networking and collaborating.

*Cooperation has been good, but Project Turnstone is one example of a very good project we have participated in the last year. In the context of the Project, we have really come closer to each other. We have met each other physically, learnt to know each other so one knows who to talk to instead of being tossed around different administrative persons before finding the correct one. It has facilitated collaboration a lot. (Law enforcement official 2, Sweden)*

## 7. Prevention of trafficking through awareness raising and CSR

For some years, the European Employment Service in Estonia (EURES) together with various partners has organized a campaign to inform migrant workers about their rights and possibilities in seeking assistance. Within the project, EURES, the Estonian Labour Inspectorate, the NGO “Living for Tomorrow” and other partners organised information seminars on the ferries between Tallinn and Helsinki. The seminars were aimed at passengers who are traveling for work and provided practical information about legal regulations, contracts, taxes, and institutions that they could turn to in case of emergency. The speakers gave practical information and advice e.g. on tax and pension obligations and payments. EURES continues to organise seminars on the ferries between Tallinn and Helsinki on issues relating to working abroad.<sup>6</sup>

In conjunction with the earlier seminars, an information campaign about working abroad was organized on some ferries. While specific campaigns may not as such prevent trafficking, their aim is often to provide information and knowledge to migrants on where to seek help, as well as educate the general public about the existence of trafficking and forms of exploitation.

*We have such posters: before you go, think! The Labour Inspectorate has carried out campaigns and there are also some ongoing campaigns. We have displayed everything that state institutions have wanted to be displayed to help those people. Another question is the effectiveness of such campaigns: if a person has made a decision and is already in the port, will they read the poster and turn around? That is a separate discussion. (Representative of the port, Estonia)*

Information campaigns in the port and on board have the potential of reaching a large audience gathered in particular in the confined space of the ship. As such, the potential of awareness-raising on board could be expanded. In line with this, another interviewed ferry representative suggested that ferry companies should be involved and engaged in the development of information campaigns on board. By being involved in the development of the materials, ferry companies could incorporate trafficking into their CSR work and through this, strengthen their commitment to respecting human rights in business, and enhance their public image.

*Why not design jointly prevention posters or other visual materials if they want such materials to suit to their environment, or whatever. So that the materials were suitable for being displayed in their premises. I think it's a great idea. If a shipping company did this, wouldn't they see that it could be a great way to build their reputation? (NGO representative, Estonia)*

In the interviews, representatives of the ferry industry said that CSR is currently an important issue, but that the measures taken are more linked to

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<sup>6</sup> <http://www.eures.ee/1508-infopaev-tallink-staril-soomes-tootavatele-eeesti-inimestel/>

acknowledging environmental responsibility than crime prevention. The actions of the ferry industry are highly regulated in many different areas of security. Corporate social responsibilities are actions that go beyond legal commitments, and currently, guidance on how to systematically incorporate CSR strategies especially with regard to human rights and crime prevention into the ferry business remains limited.

*The question of social responsibility, how the company could do it in practice, how do you [as the company] indicate [to potential victims] that if one needs help one can ask for it. It's also a question of profiling for the ferry company, how proactive you want to seem. (Ferry personnel 8, Finland)*

In contrast with the ferry industry, the aviation industry has actively incorporated social responsibility as an integral part of their business, including human rights elements. As a fellow mode of transport, the experiences and views of airlines can be useful lessons also for the passenger ferry industry. An airline representative interviewed for this research noted that they have received mostly positive feedback from their customers with regard to their CSR strategy.

*We have had mostly positive reactions [by customers regarding CSR]. People do appreciate it quite a bit that these sort of things are taken into consideration. (Airline representative, Finland)*

The interviewees also identified possible risks that could harm the reputation of the ferry businesses, as well as discussed the impacts of well drafted and executed actions related to safety and security on board. Some of the interviewed ferry staff noted that passengers had questioned the lax security measures on board, especially in view of global developments. Furthermore, the prevention of trafficking can be transformed into a business advantage, as noted by one law enforcement official whom we interviewed.

*It may be naïve, but it could be turned into an advantage, a strength that we counteract and prevent human trafficking and are doing something positive in that regard. ... [In practice] it could be that you ask [potential victims] one question too many, not because you are nosy but because you care. That you have a social responsibility that goes beyond the average. ... The warning signs [of trafficking]; instead of sending away this group of persons perhaps one could reflect on what is this group and what could this be? (Law enforcement official 4, Sweden)*

### **Corporate responsibility in the aviation industry: the case of Finnair**

The aviation industry is affected by various economic and social shifts. These include changes in the economic and political focus, such as increased travel to and from the US and Europe to Asia in particular, urbanization and related migration flows, as well as technological progress and increased competition online. The importance of the sustainability of the airline industry has also increased in significance. Sustainability can refer to requirements by political decision-makers and consumers for businesses to operate more responsibly and transparently and a need to monitor the ethical dimensions of supply chains more actively. Also the role of consumers is changing, as consumers monitor the responsibility of companies' operations and give feedback e.g. on social media.

In order to address the ethical dimensions of sustainability, the Finnish national airline Finnair has incorporated the management of human rights into its code of conduct, supplier code of conduct and the company's personnel management principles. In 2013, Finnair signed the United Nation's Global Compact initiative and undertook to comply with the Global Compact's ten principles of corporate responsibility. As required by the Global Compact principles endorsed by Finnair, the company aims to prevent any violations of human rights and the use of forced labour both within its own operations and its supply chain. In practical terms, Finnair has also provided training for its staff on the identification of passenger risks and vulnerabilities, and on fraudulent travel documents. (Finnair 2015; Discussions at Round Table meeting at IOM 21 March 2016.)

## 8. Training needs and possibilities

### 8.1 Who should be trained?

Most of the existing obligatory training for ferry staff focuses on various aspects of maritime and ship safety in line with the international requirements (in particular the International Safety Management Code and the International Ship and Port Facility Security Code). Some amount of training is accordingly provided on crowd control and management. However, specific training on how for instance to recognize and report situations in which a person would not be able to move freely, or other situations where there is something out of the ordinary, is not provided.

*The issue of trafficking is not – as far as we have been able to find out – included in existing training for ferry staff. It is also largely absent from existing international maritime safety discussions at the IMO [the International Maritime Organisation]. (Trade union representative in the shipping sector 2, Finland).*

Law enforcement officials already provide some amount of training for ferry staff, e.g. in relation to special situations concerning safety and security. Currently the Estonian Police and Border Guard Board provides training to the staff of ferry companies operating in Estonia. According to interviewees, the Estonian authorities have developed standard courses designed for shipping companies to teach them how to check documents and identify forgery. The police and border guard representatives also inform ferry companies about the modus operandi of criminal groups, e.g. concerning the smuggling of migrants. The target group of these courses are the ticket office personnel in particular.

*They see people face to face. If you want to travel, then you have to show your ID and then the staff will notice. Our part is to train them so that they would be able to identify the requisite documents as well as be able to distinguish certain security features on them, also know what to look for in a person's appearance e.g. their eyes, ears, etc. (Law enforcement official 2, Estonia)*

Such training courses are also an opportunity to create contacts between border guard representatives and ferry company personnel. Through the courses, Estonian police and border guard officers have been able to establish direct contacts with ferry staff, and have provided them with telephone numbers that they can call in case of suspicious activities.

Based on the interviews with both law enforcement officials and ferry staff, it seems that similar training is to some extent provided also in Finland, but the training focuses in particular on document forgeries and drug identification. A ferry staff member at the managerial level suggested that law enforcement officials should include trafficking and smuggling within the training and exchange of information that they already have with the ferry companies. In comparison, one respondent mentioned that international ferry companies operating large cruise ships provide continuous training for their staff, including on topics related to exploitation and human trafficking.



The survey conducted among ferry staff included a section which focused on the respondents' views on whether or not they would be interested in receiving training on the identification of victims of trafficking. The questionnaire included an introduction explaining that some passengers who are traveling on board the ferry might be victims of human trafficking. The introduction further outlined that while travelling on board the ferry, most of them do not know that they are to become victims of exploitation and will realize the consequences only when they reach their destination. Admitting that in such circumstances it is difficult for ferry staff to identify such victims on board, the questionnaire suggested that awareness of the indicators of trafficking are useful for staff in order for them to understand the signs of possible victims. After this, ferry staff was asked whether or not they would be interested in receiving training on the identification of victims of trafficking, how they would prefer to receive the training, and what ferry companies could do to prevent trafficking. Almost seventy per cent of the staff members replied that they were interested in receiving such training. Also, all the ferry representatives whom we interviewed considered that training on human trafficking would be useful, although some found it more relevant than others.

There were in particular five staff groups who were identified as benefiting from such training:

- 1) **check-in personnel** in the harbour who are the first point of contact with passengers,
- 2) **security staff**, who deal with most cases of disturbance on board and act as the focal point to the authorities,
- 3) **hotel and restaurant staff** who encounter passengers frequently,
- 4) the personnel at the **information desk** on board who receive and report information from different staff categories, as well as
- 5) the **management of ferry companies**, including security and CSR managers who should be aware of the phenomenon of trafficking and its links to the ferry industry.

Several respondents considered that in particular the security guards and the check-in personnel should be trained, since they are the ones who are most likely to be in contact with large numbers of passengers and have a potential for identifying suspicious situations or potential victims of trafficking.

*The booking office is the first contact point where we can identify illegal transiting migrants. They [the check-in staff] have actually discovered quite a number of such individuals. (Law enforcement official 3, Estonia)*

*We have 2 or 3 security guards at work in the shift but the ship is big and wide. We [security] do not see everything. (Ferry personnel 3, Estonia)*

Although some interviewees noted that they do not consider it feasible to train all staff categories, others emphasized that all staff groups would in fact benefit from the training, especially if the training is concrete and practical. Such training could therefore also be offered to ferry staff who are not necessarily in

direct contact with passengers, such as those operating the machinery. Also staff on the car deck were mentioned as a potential group that would benefit from training

*If you consider that our staff member comes from below deck and walks up to his own quarters, he could see anything on the way. If you're unable to recognize it, then you just walk past it and let it be. In this sense I think [such training] would definitely be useful. (Trade union representative in the shipping sector 3, Finland)*

Finally, although most respondents emphasised the importance of training staff who come into direct contact with passengers, there were references to the need for including also the management on board ferries – including the captain and the chief officer – in such training.

## 8.2 The execution and contents of the training

The interviewed ferry staff representatives emphasized that the training should focus on concrete indicators and examples of trafficking, and on how and what staff can and should do should they encounter suspected victims of trafficking. More broadly, many staff members stated that they would like to receive training in particular on typical behaviour by victims and perpetrators, and how to observe and grasp situations in order to understand what lies behind passenger behaviour that seems strange or out-of-the-ordinary. Unusual passenger behaviour may of course be caused by many different reasons, many of which have no link to human trafficking. However, many of the indications of trafficking may also be relevant for other forms of victimisation or distress (such as domestic violence, sexual abuse etc.), and staff members should be encouraged to intervene and report on such cases. The training should also include specific examples of real cases. The training should focus on indicators of trafficking and on how to identify behaviour that might raise the suspicion that there is something wrong.

*If you are aware of human smuggling or human trafficking and that it can happen, and what it could look like from the outside, and how it could be identified from the outside. If you don't know this, then it's quite difficult to act if you can't even identify it, as you don't see it from the outside. (Ferry personnel 8, Finland)*

Other topics were also raised. One ferry staff member suggested training especially on drugs and how to identify different drugs so that suspicions of drug use on-board could be reported. A couple of staff members raised the issues of domestic violence and child maltreatment, and wanted more training on how to handle such situations. Cases of domestic violence and trafficking may resemble one another, and in some instances, may also overlap. Training on the psychology of intervention could therefore be useful for ferry staff.

*If there are some conflicts on the ferry, it might be wise to interrogate both parties separately. If a couple is travelling, evaluate if there is an element of force. Does the couple have a regular relationship or is the woman afraid of the man? (NGO representative 2, Latvia)*

The type of training to be offered to staff largely depends on the ferry route. Ferry routes along which the ship is in harbour for longer periods of time (e.g. Helsinki-Stockholm, Riga-Stockholm, Tallinn-Stockholm) could have on-board training during harbour time. The training could also be organised on land, but that would make it more cumbersome and more expensive as staff would have to travel from home, and in some cases use their free days to participate, or be paid extra for their participation.

*Absolutely a seminar on board because you don't have to go somewhere. Just reserve your time for that. It's absolutely the best way to organize [training]. We have four hours in Tallinn and the service personnel they have the harbour position free. The shops are closed, just one restaurant is open, just two three people working, some cooks in the kitchen are working. (Ferry personnel 1, Estonia)*

Staff prefer on-board training, but do not rule out training on land. Based on the survey, ferry staff prefer to receive their training on board (69%), but also an online training course (29%) and seminar held on land (35%) received support. For ferry routes with shorter turnaround times the online course, a separate training session on land, or self-study materials might be more feasible.

One of the concerns that interviewees mentioned is the high turnover of check-in personnel in particular. While staff working on board the larger passenger ferry companies tend to stay in their positions for many years, check-in staff consist mainly of young people who tend to change jobs. This means that some staff categories may have to be trained many times because of employee turnover. Ideally, training on human trafficking should be made a permanent feature of existing staff training programmes for all staff categories.

Both the ferry representatives as well as the law enforcement officials whom we interviewed suggested themselves that representatives of the police and border guards should participate in the training to talk about concrete cases they have encountered and investigated.

Based on the research, it becomes evident that the training should be concrete and action-oriented. It could include at least three main categories:

1. A **short introduction** to the topic of trafficking with examples of trafficking in relation to the ferry industry in the Baltic Sea region. The introduction could include the three features of trafficking on the ferries: trafficking as an indirect phenomenon on the ferries, trafficking taking place on the ferries, and trafficking in relation to CSR obligations. It should also present known instances of trafficking on the ferries in the Baltic Sea region.
2. How **to identify potential situations of human trafficking** in relation to ferry traffic in the Baltic Sea. The most important element of this component would be the presentation of specific indicators of trafficking. However, because trafficking is difficult to detect, the indicators should be combined with suggestions for proactive questions

and what to look for or observe in potential situations of trafficking, e.g. concerning the behaviour or demeanour of passengers and/or their travel companions. There should also be information on how to identify situations that need immediate action (for instance when the life and safety of the potential victim is at immediate risk), as well as on situations when suspicion arises but the staff member is not sure what to do. The component should also incorporate early warning signs or 'red flags' that may indicate a possible situation of human trafficking.

3. The third component should focus on **what staff can and should do** if and when they identify possible situations of trafficking. The training should provide clear instructions on how to intervene, and how to support possible victims. In addition to the chain of command on board, the role of and cooperation with the authorities should be clearly outlined. The training should also give consideration to the safety and security of staff members themselves in order to give them guidance on how to assess the risks relating to possible intervention in suspected situations of trafficking. Staff need to know in which situations it is preferable not to intervene but to inform the authorities, who will intervene instead.

While it is most crucial to provide training to the staff who are in direct contact with passengers, such as the check-in personnel in the harbour, security staff, hotel and restaurant staff, and personnel at the information desk on board, it would also be important to provide basic information to the management of ferry companies, including those responsible for safety and CSR. The training modules could be amended and shortened for the training of ferry management representatives. However, the concrete indicators of trafficking should be included also in training for management-level representatives.

## 9. Conclusions and recommendations

This report has shed light on how human trafficking is related to the ferry industry, in particular in the Baltic Sea region. The report has also looked at what ferry staff already know about human trafficking, how ferry staff could better acknowledge, recognise and identify human trafficking, and what training needs staff have. The research confirms that the prevention of trafficking as such has not been prioritised by ferry companies in the region, although the corporate social responsibility strategies of many of the ferry operators do emphasise safety and security, in particular. Accordingly, one of the main conclusions of the research is that while human trafficking might not be one of the most topical problems in relation to the ferry industry in the Baltic Sea at the moment, the prevention of trafficking and related phenomena could become incorporated as a more integral element of the ethical and social responsibilities of the ferry companies. Furthermore, the current geopolitical situation and the increase in human mobility and the related risk of human smuggling might raise a need for an increased focus on anti-trafficking and anti-smuggling efforts also within the ferry business.

There is currently well-established co-operation between law enforcement authorities in the Baltic Sea region, with the exchange of information and day-to-day cooperation taking place between border guards, the police, and customs. The research also indicates that the experts we interviewed find the current, practical cooperation between ferry operators and law enforcement authorities in particular, to be very good. Both parties would, however, like to enhance their exchange of information. One of the conclusions of the research is therefore that it could be useful to further strengthen the cooperation and the exchange of information between the public and the private sector in order to proactively prevent human trafficking. Also anti-trafficking policies at the national level could to a larger extent incorporate carriers (ferries, airlines and other forms of transport) into their efforts.

The research also indicates that there are several fields in which ferry companies have the potential to contribute to the prevention of trafficking in human beings. Ferry companies could consider incorporating the prevention of human trafficking into their corporate policies and the corporate social responsibility framework (CSR). This would require mapping the risk and potential of trafficking in the ferry business as a basis for developing strategic priorities on how to concretely address human trafficking. In particular, the corporate policies relating to the staff code of conduct, staff training and awareness raising, as well as communication, could include efforts to prevent trafficking. Also the supplier code of conduct and procurement policies could be revisited from the perspective of human trafficking. Due to the non-binding nature of international CSR standards and policies, it is crucial that the management of the ferry companies commit to the human rights approach, e.g. through adopting monitoring mechanisms, as a means of managing risk as well as reputation.

Ferry companies could also increase their contribution to the identification of victims of trafficking and also of smuggled migrants. Specific CSR policies may be useful in this regard, since they provide both concrete actions and forms of verification. In addition, ferry staff needs to be aware of the phenomenon of trafficking, and need relevant training. Such training would ideally be incorporated into existing training practices, in order to ensure that it becomes a permanent practice. In order to realistically be able to identify potential victims, there is also a need for clear guidelines on victim identification in particular within the ferry industry, and protocols for reporting suspected cases. The research indicates that while trafficking is not well known as a phenomenon among ferry staff, the majority of ferry staff would like to receive training on human trafficking, and they also possess a great potential for identifying possible victims. Staff would in particular like to receive on-board training on concrete indicators of trafficking, as well as on what to do if they identify a potential case of trafficking. The training could also be developed in co-operation with the law enforcement authorities in order to learn from their experiences and in order not to duplicate efforts.

Ferry companies and port authorities could increasingly contribute to the prevention of trafficking in human beings through enabling additional awareness raising campaigns in the port area or on board the ferries. Such information could be provided e.g. to persons travelling for work, and could focus on labour rights, practical issues, and where to seek help. In addition, ferry companies could consider displaying more informational materials on board. While the large number of passengers makes victim identification difficult, on the one hand, the same circumstances, i.e. the large amount of people in a limited space, provide an opportunity for raising awareness about trafficking and human rights among a large group of people.

One of the issues raised by the law enforcement authorities we interviewed was the mobility of criminal groups and undocumented entry using ferries as a means of transport. Law enforcement representatives emphasised the importance of introducing systematic identity checks on all passengers embarking on the ferries. However, taking into account the commercial interest of the ferry companies and the passenger volumes, such systematic checks may not currently be feasible. At the same time, however, the issue of irregular migration was raised as a major concern. In this respect the role of check-in staff in checking travel documents prior to issuing tickets and boarding passes is important. Check-in staff may therefore benefit from continuous training on fraudulent documents in addition to training on human trafficking. Also security guards would benefit from such continuous training.

### **Recommendations for law enforcement authorities**

The research shows that the existing cooperation between ferry companies and the law enforcement authorities (the police, border guards and customs) is generally considered good by both parties. The law enforcement authorities, however, acknowledge that the identification of possible victims of

exploitation and trafficking travelling on board ferries is challenging, both for the authorities themselves and for ferry representatives. Law enforcement and the ferry industry are two very different entities with separate goals, responsibilities and mandates, and this should be recognised when developing further means of collaboration

- The existing models of cooperation between the authorities and ferry companies provide a good basis for enhanced exchange of information. In order to strengthen the sharing of information and mutual feedback between ferry staff and the law enforcement authorities, more systematic and regular meetings between ferry staff and the authorities at the operational level could be considered.
- Ferry staff at the operational level would appreciate and benefit from concrete feedback by the law enforcement authorities regarding cases reported by them or where ferry staff have provided information at the request by authorities. Law enforcement representatives should therefore consider providing to ferry companies more concrete operational data and data on specific trends, if feasible.
- In view of the increase in international migration, law enforcement agencies should ensure that responsibilities imposed by the authorities on ferry traffic should be done in consensus with the ferry companies.
- Law enforcement agencies could also consider sharing existing tools and guidelines in relation to victim identification (e.g. indicator lists) with ferry companies and ferry staff at the operational level, in particular.
- Law enforcement agencies should ensure that ferry staff possess the correct and most recent contact details for the authorities so that ferry staff can contact designated and specialised officers when needed.
- Law enforcement representatives could consider participating in the development and implementation of training for ferry staff on identification and intervention. This would ensure that their expertise on concrete cases is transmitted to ferry staff, avoid duplication of training efforts, and strengthen the existing communication between operational ferry staff and law enforcement representatives.

### **Recommendations to ferry companies: CSR**

Although human trafficking may not directly be affecting the everyday business of ferry companies in the Baltic Sea region per se, ferry companies can contribute to raising awareness of human trafficking and to preventing the phenomenon. While anti-trafficking efforts do not currently seem to be an integral part of the corporate social responsibility framework of ferry companies operating in the Baltic Sea region, the inclusion of human rights and anti-trafficking in corporate policies can provide a concrete tool for managing

both risk and reputation. The commitment of the management level of ferry companies is crucial in the formulation of such policies.

- The ferry industry could consider incorporating the prevention of trafficking into their already existing corporate social responsibility policies, as well as their practices and guidelines on security and crime prevention on board. In doing so, ferry companies could draw on existing national and international norms on business and human rights, such as the UN Guiding Principles on Business and Human Rights, the principles of the UN Global Compact, and the Athens Ethical Principles against Human Trafficking.
- In developing corporate anti-trafficking policies, ferry companies could make use of the experience of other transport companies that already have such policies in place. Airlines, for example, have developed both policies and tools for the prevention of trafficking and the smuggling of migrants, and for the identification of child victims.
- In order to ensure the development of anti-trafficking efforts, ferry companies could consider appointing a designated person or a group at the management level. The designated person/group could also oversee the monitoring and execution of the strategy.
- Ferry companies could consider, in particular, incorporating anti-trafficking efforts into their staff code of conduct, staff training programmes, corporate communication and marketing strategies (both internal and external), as well as the supplier code of conduct and procurement policies.
- Ferry companies could consider incorporating training for ferry staff into their regular and recurring staff training programmes on how to identify human trafficking and how to intervene. Ferry companies could also consider introducing internal thematic campaigns, which could include, for example thematic training for staff on issues relating to identification of various types of victims, how to deal with vulnerable passengers, as well as risks and safety. The thematic campaign could also incorporate staff workshops in dialogue with staff and the internal distribution of materials (online and in print).
- In order to develop concrete corporate anti-trafficking policies, ferry companies could first consider mapping the risk and potential of trafficking and exposure to human trafficking in the ferry business as a basis for developing strategic priorities on how to counteract human trafficking in a concrete manner.
- As a CSR measure, ferry companies could consider entering into additional public-private partnerships with non-governmental organisations, authorities, international organisations and other relevant actors to prevent trafficking in human beings in relation to the transport industry.



## **Recommendations to ferry companies: concrete measures on board and in the port terminal**

Ferry staff have a considerable potential for and interest in identifying possible victims of trafficking in the course of their everyday work. Staff, however, face certain constraints in doing so, since there is limited time for victim identification as such, staff have limited knowledge of the concrete indicators of trafficking, and there are safety and security concerns that place certain limits on the possibilities to intervene. To fully utilise the potential of staff in addressing human trafficking on board, concrete tools are essential. Staff also need to be assured of the commitment of the management level of ferry companies in the fight against human trafficking.

- Ferry staff already have a low threshold for approaching and assisting passengers who are distressed or who raise the concern of staff. Ferry companies could consider further encouraging staff to continue approaching passenger with a low threshold. Ferry companies could also consider collecting existing good practices in assisting passengers. These examples and practices could subsequently be developed into models that can be shared with other ferry or transport companies.
- Ferry companies could also consider further developing their guidelines and operating models for staff on board on how to deal with unusual situations and unwanted behaviour on board. Such guidance could include information on indicators that trigger an intervention, what to do and to whom to report if staff detect a suspected victim or a possible perpetrator. Such guidance could be developed for instance in cooperation with law enforcement agencies, non-governmental organisations and international organisations.
- Ferry companies could also consider providing staff on board with lists of service providers, such as hotline numbers to victim assistance organisations that they could distribute to persons in need. Ferry companies could also utilise existing materials from e.g. non-governmental organisations, government assistance systems, and international organisations. Such information could be made available in several languages.
- Ferry companies could consider strengthening existing modes of cooperation with law enforcement authorities so as to ensure that staff have a low threshold for reporting suspicious cases. Staff could be encouraged to report not only individual cases but also share information accumulated over a longer period, as well as anecdotal evidence.

Ferry companies could consider expanding the number of languages in which information materials, such as key safety instructions, are available in order to cater to a wider range of passengers, including such vulnerable groups as victims of trafficking, children travelling alone, and asylum-seekers. The

materials could also be made available visually to make it accessible also to illiterate passengers.

- Ferry companies, in cooperation with the relevant authorities, could give consideration to whether the identity documents of passengers as well as those travelling in vehicles could be checked at embarkation more regularly than currently is the case. In addition, consideration could be given to developing technological or infrastructural tools for the organisation of passenger control.

### **Recommendations related to organizing training for ferry staff**

The research indicates that ferry staff are keen to receive training on the phenomenon of human trafficking and on how to identify victims. The challenge of identification and the complexity of human trafficking requires that any training provided to staff should be as concrete and operational as possible. The following recommendations are based on the opinions, desires and wishes as expressed by staff interviewed in this research. The recommendations are meant for all entities involved in the development and implementation of anti-trafficking training for ferry staff, including ferry companies, authorities, non-governmental organisation, and intergovernmental organisations.

How to execute the training:

- The training on human trafficking could be organised as a thematic on-board training session, meaning that all those who are working on board receive training. A second training could be organised at a later stage for the rest of the staff. The training would thus be carried out in two shifts.
- The training could last a maximum of 2-3 hours and be held e.g. at the seminar room or auditorium of the ship.
- Should ferry companies decide to incorporate thematic training on human trafficking into their existing training programmes, similar sessions should be organised at regular intervals.
- Although most staff prefer face-to-face training sessions, self-learning modules (e.g. online) can also be used in training staff on human trafficking.
- Any written materials should be relatively simple and easy to digest. Additional materials can be made available online for those wishing to learn more about the phenomenon.

The contents of the training:

- The training could consist of an introduction, guidance on how to identify victims, and what to do if/when possible victims are identified.

- Ferry staff should be made familiar with concrete and behavioural indicators associated with trafficking in human beings. The training should also include examples of proactive questions and what to look for or observe in potential situations of trafficking. The training should also incorporate early warning signs or 'red flags' that may indicate a possible situation of human trafficking. The training should also include indicators for identifying unaccompanied children who are especially vulnerable to trafficking.
- Because it is difficult for ferry staff to separate between e.g. domestic violence and trafficking suspicions, the training should also acknowledge other forms of crime or violence that may take place on board.
- The training should focus not only on the identification of victims of trafficking in human beings but should provide information also on recruiters, organisers and escorts.
- The training should provide clear instructions for staff on how to intervene, and how to support possible victims.

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## Annexes

Annex I: Interview templates for interviews with ferry staff

Annex II: Questionnaire to map experiences of difficult situations on board



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## Nordic-Baltic Partnership with Passenger Ferry Companies to Counter Trafficking in Human Beings on the Baltic Sea

The aim of the project, launched in October 2015, is to advance the prevention of trafficking in human beings on the ferry routes in the Baltic Sea (Estonia-Finland-Sweden-Latvia). The project is conducted in cooperation with the ferry industry, and it is led by the International Organisation for Migration (IOM), and funded by the Nordic Council of Ministers. HEUNI coordinates the research component where one of the tasks is to interview experts in the field. We are therefore interested in your experiences in this field. Your answers are very important and valuable, and we are very grateful for your participation. The research results will be used in the preparation of training, and other materials. The interviews are confidential and our staff is bound by secrecy rules. We will not share any personal information with outsiders. In the final publication the information will be presented in such a manner that you cannot be recognized. Participation in the interview is voluntary. You are free to withdraw from the interview at any point or decline to answer any particular question if you want.

### *Interviews on board passenger ferries*

1. What are the typical situations of disturbances that you come across in your work? How do you deal with them?
2. Have you identified people or groups on board that you have suspected to be part of criminal groups or criminal behaviour?
3. If you encounter passengers that seem to be in distress, or situations that involve something suspicious, who do you report to?
4. Are you aware of the phenomenon of human trafficking? How do you define trafficking?
5. Have you participated in (or been offered) training for staff regarding support to vulnerable groups or victims of these crimes?
6. Have you come across any situations in your work where you have thought that some passenger is not able to freely move around on the ship/or is being controlled by some other passenger?
7. Have you encountered, or heard of, any specific cases related to sexual exploitation, labour exploitation, or human trafficking through your work?
  - a. What kinds of cases? How did these come to your attention?
  - b. What did you do when you heard about the case(s): is there some specific protocol/practice to deal with such cases?
8. If you suspect you have encountered a situation of trafficking, what would you do?
9. What do you think ferry staff such as yourself could do to prevent human trafficking?

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## Questionnaire to map experiences of difficult situations on board

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INTERVIEWER FILLS IN

Name of the ferry:

Date:

Interview Number:

### INTRODUCTION

*This questionnaire is part of a cooperation project between the International Organisation for Migration, HEUNI and the ferry companies operating on the Baltic Sea. The aim of the questions is to explore the experiences of ferry staff in encountering difficult or challenging situations on board. The questions focus especially on suspicious or unusual passenger behaviour. Your answers are very important and valuable, and we are very grateful for your participation. Your answers will be treated anonymously and confidentially. Participation in this questionnaire is voluntary and you can decline to answer any particular question if you want.*

*Please fill in this questionnaire on your own, and hand it back to the person who gave it to you.*

*By passengers we mean both adults as well as children*

### SECTION A – Background

#### Q1 Gender

male

female

#### Q2 What is your employment position on this ferry? :

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#### Q3 How long have you worked in the ferry business? :

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### SECTION B – EXPERIENCES

#### Q4 Have you in your work encountered any of the following situations on the ferry? :

(CIRCLE ALL OPTIONS THAT APPLY)

1. A passenger who seems disoriented and confused (not based on alcohol consumption)?
2. A passenger who seemed scared of the ferry staff or avoiding contact with staff?
3. A passenger who seemed scared of their fellow travel companions?

4. A passenger who seemed to be controlled by a fellow passenger, e.g. not being able to decide on what food/drinks to order?
5. A passenger who seems to have been exploited or abused by a fellow traveller (e.g. visible bruises)?
6. A passenger who seemed reluctant/scared of entering or leaving the boat?
7. A passenger who seemed scared of the authorities (border guards, police) or seemed to avoid contact with the authorities?
8. A situation or suspicion of prostitution or sexual abuse on-board?
9. A passenger accompanied by children or minors who seemed uncomfortable with/afraid of their guardian?

Please briefly describe the situation(s) in your own words; also include how often you have encountered such situations.

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**Q5 If you have not personally encountered any of the situations above, have any of your co-workers told you about situations like the ones mentioned above?**

Please briefly describe the situation(s) in your own words

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**Q6 If you have encountered any of the above situations, what did you do?**  
(CIRCLE ALL OPTIONS THAT APPLY)

1. I have not encountered any of the above situations in my work on the ferry
2. I did not do anything
3. I approached the passenger and asked if I could help
4. I notified a fellow staff member
5. I notified my superior
6. I notified the authorities (police, border guard, customs official)
7. I did something else, what: \_\_\_\_\_

**Q7 If you contacted someone, what was the outcome?**

Please briefly describe the outcome in your own words

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**SECTION C – TRAINING NEEDS**

*Most of the passengers on the ferries in the Baltic are travelling for business or pleasure. However, there are also passengers who are victims of human trafficking, either for sexual exploitation in prostitution or labour exploitation e.g. in agriculture, restaurants or construction. While travelling on the ferry, most of them do not know that they are to become victims of exploitation. The reality only becomes clear when they reach their destination. Although it is difficult for ferry staff to identify such victims on board, the awareness of the phenomenon and indicators of human trafficking are useful for staff to understand the signs of possible victims.*

**Q8 Would you like to have training on how to identify human trafficking?**

YES  
NO

**Q9 If yes, what kind of training would you like to have?**

(CIRCLE ALL OPTIONS THAT APPLY)

- 1. On-board training course
- 2. Online training course (self-learning)
- 3. Seminar on land
- 4. Other, please suggest: \_\_\_\_\_

**Q10 What do you think the ferry companies and ferry staff could do to identify possible victims of human trafficking and help them? Please describe this below.**

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**THANK YOU FOR YOUR PARTICIPATION!**

If you have any questions regarding this research, please contact Natalia Ollus (+358 50 5135987, [natalia.ollus@om.fi](mailto:natalia.ollus@om.fi)), Anni Lietonen (+358 50 4116760, [anni.lietonen@om.fi](mailto:anni.lietonen@om.fi)) or Anna Markina (+372 555 73302, [anna.markina@ut.ee](mailto:anna.markina@ut.ee)).



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