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GOOD PRACTICE BROCHURE



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FOREWORD

The brochure was made within the project *“Training lawyers, prosecutors, judges to ensure better rights protection for migrants and refugees victims of human trafficking”* with the financial support of the Justice Programme of the European Union. The project had been implemented from September 2019 until February 2021 by Pro Refugiu Association (Romania), Center for the Study of Democracy (Bulgaria), Centre for European Constitutional Law (Greece), Italian Coalition for Civil Liberties and Rights, Association Trabe Iniciativas para la Economia Social y Solidaria (Spain).

In this publication it is presented the partners’ contribution to a series of judicial trainings that had been organised in 2020. Although these events had been planned for implementation in the project countries, in these unprecedented times of COVID-19 pandemic, the entire judicial learning experience was moved in the virtual space.

The brochure contains information about the practical perspective and experience of how these trainings have been implemented, and this could serve as a model for future events (trainings, conferences, workshops) on similar legal topics that could be organised by public and private training providers: bars, national institutes for the initial and continuous preparation of legal practitioners, non-governmental organisations.

In 2020, 5 transnational trainings were implemented within the project. The events had been attended by 281 participants (lawyers, prosecutors, judges, legal trainers, representatives of anti-trafficking authorities, International Organisation for Migration-country office, law faculties, and universities).

- Legal framework and procedures for granting financial compensation to third country nationals victims of human trafficking, 11-12 June 2020.
- The interface between human trafficking and asylum. The application of the EU Charter of Fundamental Rights to victims requesting asylum in Europe, 18-19 June 2020.
- Judicial cooperation in criminal matters in cases involving refugees and other third-country nationals who are victims of human trafficking subjected to exploitation in EU Member States, 24-26 September 2020.
- The rights of unaccompanied children who are victims of human trafficking, 15-17 October 2020.
- The right to access to a lawyer for victims of human trafficking who are refugees or third-country nationals, 19-21 November 2020.

Legal framework and procedures for granting financial compensation to third-country nationals who are victims of human trafficking

The Center for the Study of Democracy (Bulgaria) organised in partnership with the Pro Refugiu Association (Romania) and the Centre for European Constitutional Law (Greece) a judicial training for lawyers, prosecutors and judges from these 3 countries (11-12 June 2020).

A transnational training on the legal framework and procedures for granting financial compensation to third-country nationals who are victims of human trafficking proves to be extremely important for lawyers, prosecutors and judges, as well as academics. In various countries, the legal systems for financial compensation of crime victims may be separate from the criminal proceedings, having their particularities in each EU Member State, and are often little known to judiciary, prosecution and defense, who are mostly concerned with the prosecution of the defendant and the protection and support of the victims. Moreover, third country nationals may be legally or practically excluded from the procedures applicable to nationals/EU citizens, which can put them into a disadvantaged position or even discriminate against them. Therefore, gathering diverse legal audiences from different countries can prove to be vital for the furthering of the victims' cause when the state must compensate the damages inflicted by the crime.

The training format, bringing together different legal professions (lawyers, prosecutors, judges, and academics in the legal field) and different countries, brings major added value to participants and trainers alike. Representatives of the defense (lawyers) and prosecution (prosecutors) are able to exchange their experience among themselves and with the judiciary (judges), while academics are given the opportunity to validate the latest theories with practitioners, and inform them on recent tendencies in academic literature. Moreover, legal professionals had the opportunity to elaborate on the particularities of their different legal systems, to analyse the strengths and weaknesses, to discuss remediation solutions for the weaknesses and to improve the position of third country national victims of trafficking. There have also been discussed different perspectives on the transposition of relevant EU standards and the implementation thereof.

As with each transnational training bringing together busy legal professionals, an interdisciplinary, transnational training on third country nationals who are victims of trafficking and their financial compensation should be disseminated and advertised at least several months before the effective date of the training. The main factor to be taken into account is the practitioners' involvement with their cases (court sessions, investigative activities, etc.) and academics' university agenda. Therefore, an appropriate circle of professionals should be reached out in order to ensure the required number of participants, and proper compensatory action should be offered to practitioners who are interested but unable to participate – by making available the recording of the training, sharing study materials, reserving a slot at a subsequent training session, etc. As concerns centralised structures, such as prosecutors' offices, it is worth adopting a consolidated approach, through

an official letter to the proper management structures to designate representatives to participate in the training and, consequently, exempting them from official duties during the training. It is also worth to carry out official correspondence with judiciary training institutes, so as to ensure compliance and harmonisation with the overall training curriculum of judiciary in each country. Other structures that need help to reach a larger participation of lawyers are bar associations and training institutes. Institutes should also be assisted to support the trainings to give them further visibility. Recruitment in other partner countries should be in principle carried out through the partners' structures. If impossible, partnerships from previous initiatives should be explored together with official contacts through relevant institutions and/or professional associations. Advertising channels should be a contextually appropriate mix of offline (letters, phone calls) and online (social media groups, organiser and partner websites) channels.

Participation in a training on financial compensation of third country nationals who are victims of human trafficking could contribute to the consolidation of the participants' knowledge related to:

- asylum and migration key notions – criminal justice practitioners might be unaware of the (often complicated) asylum and migration concepts; a training on crimes and third-country nationals who are victims might be an opportunity to summarise such concepts and to communicate and explain them to professionals, usually involved in purely criminal justice matters;
- specifics of countering and prosecuting human trafficking, and protection of trafficking victims – despite its growing significance, trafficking remains a fairly complicated transnational matter for criminal justice practitioners, and a periodic and systematic description of the main specifics and difficulties in countering the phenomenon is of vital importance in improving the capabilities of the practitioners;
- finally, as mentioned above, the state financial compensation might be an administrative procedure separate from the criminal process, and thus little known to criminal justice practitioners, but indispensable for dismissing the victim status.

The overall training methodology to be used for such a transnational training should take into account factors such as: the latest achievements in legal training methodology on EU and global scale, the (often traditional) preference of legal audiences towards *ex cathedra* teaching, similar to that in university, and the national specifics in each EU Member State. The face-to-face and/or online, or hybrid environments for carrying out trainings should also be taken into account, and the different options they offer (see below). Considering all those factors, and regardless of the used format, legal trainings should include an overview and a discussion about the relevant global standards, EU and national rules; discussion on specific cases from the speaker's and participants' practice, and specially developed rationale; plenary discussions on policy-related aspects, and how to effectively improve the grant of financial compensation to third country nationals who are victims of human trafficking.

The evaluation of such a transnational training should adopt a three-pronged approach. Firstly, with the registration form for the training, prospective participants should be asked about their level of knowledge on the topic, the encounters they have had with cases of trafficking of third country nationals and the topics they would like (more) knowledge about. During the training, participants' feedback should be sought both by interim questionnaires

after each training day (poll format in the online environment especially appropriate) and by a final evaluation questionnaire at the end of the training. Where applicable, there can be used online formats (Google forms) to facilitate the processing of results. Questionnaires should inquire about participants' impressions both on the organisational aspects of the training, and the quality and applicability of training material presented. Finally, post-training evaluation questionnaires should be sent to participants several months after the training to ask whether they had an opportunity to apply the knowledge gathered and, if yes, to what extent it was useful to them. Short phone interviews may also be performed with participants willing to share observations on the long-term impact of the training they had attended. Good account should be taken of relevant data protection legislation.

The follow up activities of the training should start as soon as the training is finished. Together with thanks to participants, training materials should be disseminated upon the prior agreement of the training providers, included in their contracts. Information about the training should also be sent to professional associations and judicial training institutions, regardless of whether they provided or not participants. News pieces about the training, containing all presentations, should be shared on the organisers' websites and disseminated through their channels in social media. If possible and agreed by the speakers, video recordings of their presentations/practical sessions should be publicised for future use by professionals. Trainers' contact details may also be shared upon their agreement, so that participants can turn to them for future consultation or referral. Participants should be advertised future trainings, in case of a series of sessions, and should be invited to disseminate information among colleagues to reach a snowball effect.

Finally, some discussion should be made about the training formats in the face-to-face vs online environment and in a foreign language (English) versus using simultaneous interpretation.

The advantages of face-to-face formats have been well known and proven over time: better opportunities for networking among participants and more conducive learning atmosphere, coupled with options for social activities to deepen the relation among trainees. However, pandemics have turned trainings and other events largely to online formats. The conversion led to the need of multiplying the positive effects of online trainings and remedying their negative ones. The positive effects of online formats are quite visible and are mainly linked with the opportunity to gather far more people than in physical locations, ensure the participation of trainers even from most remote localities and, last but not least, reduce costs. However, negative effects have also quickly become evident: not having to be physically present in another location for training; participants find it difficult to allocate time out of their busy schedules to fully concentrate on an educational activity. Technical difficulties and differences in equipment and capabilities have exacerbated the 'digital divide' between younger and older professionals, and between those from smaller locations and larger cities. Opportunities for networking are largely reduced, as well as options for group work, despite the 'breakout rooms' and similar options many videoconferencing platforms offer. Also, trainers are quite hampered in establishing full-fledged contact with the trainees 'over a screen'. Thus, there had to be undertaken remedial action in all legal training offerings: training duration has to be divided over several days, possibly moved to the afternoons to avoid clashes with professionals' agendas, and preference has to be given to shorter and more interactive formats to avoid losing the participants' attention. Finally, hybrid formats have to

be attempted, with some speakers and/or parts of the audience gathered in one place and others logging in online. Those have proved to largely reduce technical difficulties and remedy the hurdles to networking, while at the same time ensuring the wider outreach of online events.

The dilemma between having transnational trainings in only one common language (e.g. English) or by using simultaneous interpretation has been long standing. Before the worldwide pandemic, simultaneous interpretation was the preferred option to ensure full-fledged experience of all participants despite the languages they speak and respect the diversity of nationalities in a transnational environment. However, the possibility to perform online trainings to trainees from larger groups of countries, speaking many different languages, poses insurmountable difficulties (anyway technically challenging) related to simultaneous interpretation over videoconferencing platforms. Therefore, the option of organising events only in English is more and more preferred in case of transnational trainings and events. It gives the advantage to participants to learn/revise legal terminology directly in English and improve their professional English skills to be better able to communicate with colleagues from other EU Member States and beyond.

The interface between human trafficking and asylum.

The application of the EU Charter of Fundamental Rights to victims requesting asylum in Europe

Pro Refugiu Association (Romania) implemented a judicial training on this theme, in partnership with Center for the Study of Democracy (Bulgaria), Centre for European Constitutional Law (Greece). The event was attended by lawyers, prosecutors, and judges from Romania, Bulgaria and Greece. It was a two-day online training (17-19 June 2020).

Upon entry into force of the Treaty of Lisbon, the Charter of Fundamental Rights of the European Union became a legally binding instrument. The Charter serves as a support to interpret secondary EU Law. Given its binding character and the importance of its legal provisions, lawyers, prosecutors and judges must be prepared to use it in conjunction with the anti-trafficking legislation, asylum acquis, Council of Europe Convention against Trafficking in Human Beings, the 1951 Geneva Convention and its protocols. Over time, Eastern European countries, the Balkans and the South-Eastern Mediterranean countries have constantly faced the problem of human trafficking and increased flows of migrants trying to reach the EU territory. Within this context, it is important to constantly organise judicial trainings for lawyers, prosecutors and judges to enhance their legal knowledge and practice, so that when faced with such cases (trafficking in human beings, applications for the grant of a form of international protection) to know how to put into practice the EU legal framework and how to use the provisions stipulated in the Charter. In the European context in particular, with fewer opportunities to enter Europe by regular means and more restrictive border control measures, thousands of people threatened by persecution and serious human rights violations in their countries are taking the dangerous sea and land routes. Legal practitioners must fully understand the vulnerability of asylum seekers, refugees, and irregular migrants to human trafficking.

When organising a judicial training it is important to cover key-topics, such as:

- The role of the Charter and its relationship with other legal instruments (conventions, treaties, directives, etc.) that are targeting the problematic of human trafficking, victims' rights protection, the asylum procedures;
- The Charter's legal value;
- The Charter's scope of application;
- The use of the Charter's legal provisions in criminal and civil cases;
- The criteria required in order to qualify for an international form of protection, in the case of victims of human trafficking;
- Indicators of exploitation and vulnerabilities of migrants to human trafficking.

The trainers (speakers) involved in the preparation and implementation of such an event must have in-depth knowledge of the topics and a sound understanding of trainees' legal needs. The event, implemented in June 2020, involved as trainers (speakers) lawyers, magistrates, representatives of the national anti-trafficking agency and the International Organisation for Migration; therefore, their extensive knowledge in the field ensured the

implementation of an event that was positively appreciated by the trainees. To implement a judicial training it is fundamental to have trainers with good communication and pedagogical skills to conduct the event in an interactive manner.

Bringing together lawyers, prosecutors and judges from different countries encourages judicial networking and contributes to building trust between various categories of legal practitioners. Such a training can simultaneously reflect the legal needs of professionals from the justice system who have specific competencies in solving a human trafficking case and/or a case for granting a form of international protection.

A training having as theme the EU Charter and the interface between human trafficking and asylum, must be based on an interactive methodology, as the one that was used for the event that took place within this project. An interactive methodology consists of presentations that alternate with question-and-answer sessions, debates on concrete criminal and civil cases, group discussions on procedural and substantive legal topics. Applying an interactive methodology has its benefits as it helps to:

- Retain attention, keeping the audience engaged, regular interactions between trainers (speakers) and trainees can ensure that they are paying attention to what is being taught;
- Increase the engagement through interactive elements, because an interactive context will ensure a highly impact upon participants of the legal information that is being delivered to them;
- Real-time feedback to the answers that the trainees provided to the legal questions addressed to them by the trainers;
- Improve problem-solving skills. Participants can enhance their knowledge and understanding on key-legal concepts debating legal cases, discuss about legal strategies that should be used, and learning to avoid making mistakes in real-world cases.

Regarding the way of providing such a training, the organisers can either choose to take place in a certain location or in the virtual space, each with its benefits. Given the fact that the event organised in the project was held online, some of the benefits of organising a training using the virtual space are:

- Online makes possible to reach more participants, it is more cost-effective than a face-to-face event, it works for legal professionals who generally have extremely busy work schedules, without the need of travelling abroad to attend a transnational event.
- Online offers flexibility, the possibility of accessing an online platform (e.g. ZOOM) from various devices: desk computer, laptop, tablet, smartphone.
- Online ensures displaying information in a well-crafted manner that can lead to a better understanding of the learning content, it caters for an alternative learning style.

As regards the selection of participants, even when the training organiser is a private entity (ex. a non-governmental organisation), it is advisable to work in partnership with local and national institutions, which can be invited during the project's implementation to support its activities through the dissemination of information towards professionals who carry out their legal activity within these public entities (bars, union of bars, prosecutors' offices, courts, national institutes for the initial and continuous training of lawyers and magistrates). Also, after the event, it is useful to make available to these institutions the materials used in the

training (online or printed and distributed nationwide). For the training implemented within this project, each organisation has taken the necessary steps to disseminate the information, so that those interested could register themselves in a timely manner. In Romania, Pro Refugiu Association (APR) sent the information to the Bucharest Bar, which published it on its website. Invitations to participate had been also sent by email to local courts, tribunals and prosecutor's offices with competences in investigating cases of human trafficking, in the analysis of asylum applications and other legal issues regarding migrants (given that the theme of this event addresses especially the issue of foreign citizens from third countries). The invitations were sent to courts and prosecutor's offices in 14 Romanian regions where such judicial entities reside. The information was also published on the website of the National Institute of Magistracy. The Center for the Study of Democracy (CSD) Bulgaria renewed the contacts with judges and prosecutors recruited through the National Institute of Justice for the offline events that were not possible to be organised (due to COVID-19 context). Also, an announcement for the event was uploaded on the website of the Lawyers' Schools which co-organised this event (alongside the other organisations), the Facebook pages of CSD and the Lawyers' School. Invitations were sent to the Association of Prosecutors and the Union of Judges, as well as to all the regional bar associations in the country. In Greece, the Centre for European Constitutional Law (CECL) contacted stakeholders in its network, such as the National School of the Judiciary, to help identify participants; at the same time, CECL reached out to people who had exhibited an interest in participating in the original trainings planned for April and May 2020; then, CECL posted the events on its website and Facebook page, and sent individualised invitations to several Judges' and Prosecutors' websites and blogs, in order to increase participation of these target groups, in light of the difficulty to reach them for online training.

Organising events in a foreign language (the training within the project was held in English) can help legal practitioners exercise, allowing to improve general understanding of common words and phrases in a language other than the national one. Mastering a foreign language and its legal terminology is important, and should be part of the continuous training of lawyers, prosecutors and judges. It is a condition to ensure effective contacts across Member States, which are in turn the cornerstone for judicial cooperation.

It is recommended an evaluation of the training in order to measure the impact that such an event will have on the participants. The event's organiser can opt for an online questionnaire or emailed to all those who were present. It is important to assess if the training has met trainees expectations, if the objectives of the event have been achieved; which is the information that each participant appreciated as being the most useful for the legal activity he/she carries out and how it will be used.

Judicial cooperation in criminal matters in cases involving refugees and other third-country nationals who are victims of human trafficking subjected to exploitation in EU Member States

The fight against human trafficking poses many problems for the European Union. The crime of trafficking moves quickly, the money moves so fast and the perpetrators of crimes cross borders so quickly, that any attempt to continue with a scheme based on cooperation between States, typical of the type used in the middle of the 20th century, is very complex. The multilateral dimension of cases makes the task of the national authorities difficult, which in practice leads to limited and partial prosecutions that ultimately perpetuate impunity for these crimes. Faced with this problem, the European Union is committed to an integrated approach to investigations, which requires exploring the potential of judicial cooperation, an area in which the Train Pro Rights Project plays a relevant role.

A training having this legal thematic was organised online from 24 to 26 September 2020, by Association Trabe Iniciativas para la Economía Social y Solidaria (Spain) in cooperation with its Romanian, Bulgarian, Greek and Italian partner organisations. Participants were lawyers, prosecutors and judges from the five countries.

In a globalised world, in which crime frequently appears as an interconnected and cross-border phenomenon, judicial cooperation mechanisms are essential to offer a coordinated and reasonably effective response to cross-border crime. Cross-border judicial cooperation has a key-role in the effective prosecution and punishment of human trafficking crime. For this reason, one of the objectives of transnational training has been to facilitate an update of the international cooperation laws, as well as a sharing of the different practices, so that they have the techniques that work the best. In the training of any jurist, the importance of judicial cooperation lies in the need to know and understand the tools that guide our international institutional collaboration in the prosecution and punishment of crimes, and in particular, the participation of Spain in the construction of a regional and global space of security, freedom and justice. Transnational judicial training is a very important commitment to facilitate cooperation systems, with regard to increasing the cooperation acts that different professionals may have. That is to say, that foreign lawyers, judges or prosecutors have the best conditions to request help from abroad, to open their borders to the world in order to receive information and investigate the crimes they are suffering.

One of the best methods of disseminating information before training is to develop a communication plan. This means having a communication strategy to achieve the following objectives:

- generate expectations prior to the conference;
- communicate all the content and carry out scientific dissemination;
- secure days/weeks or months later to continue talking about it;
- share the presentations and all the quality content generated so that it continues to have an impact over time.

Before the training, it will be very useful to have a web page where you can share the contents of the training: program, organisational committee, information about the city where the event takes place, as well as write a press release to publicise it in the main media. Furthermore, it is important to disseminate the event through a mailing list, in which all interested persons at national level are informed of the programme of the event (prosecutors, courts, entities specialised in human trafficking, official colleges of lawyers, etc.). In the email, there must be indicated the requirements for registration, the schedules, the conference agenda, the link to the digital platform and an online registration link. The success of the event does not depend solely on its organisation, so focusing a large part of our efforts on attracting participants in different ways is also a fundamental element. Due to the diffusion at the national level, and the limited number of places, it is highly recommended to consult with national judicial stakeholders to make a prior selection so that at least one representative of each interested party can attend, before announcing the event publicly. To do this, it is necessary first to define an ideal attendee profile in order to carry out a segmentation in the database and attract those participants that are most interested in attending the training. It is essential that personalisation is included in the mail, as this is a key element that will make the recipient feel that the invitation was made especially for them. If the event can be held near a certain date, such as the international day against trafficking, the event will have a greater impact, but the possible participants will also have a much fuller schedule of commitments, and that means having to send the invitation sufficiently well in advance. Invitations shall be sent at least one month before the event. When sending an invitation it is necessary to answer the following questions:

- *Who?* - Who is the event aimed at?
- *What?* - What does the event consist of?
- *Where?* - Where the event will take place (address)?
- *When?* - When will the event take place (day and time)?
- *Why?* - Why does it take place and what are the benefits obtained from the event (for example, what speakers will be there, special guests, etc.)?

A few days before a reminder e-mail could be sent to all the people who had been registered for training, and to those key people who have not yet decided whether they attend the event or not. Finally, it is advisable to send a post-event e-mail of thanks. It should be sent to all attendees of the event in order to thank them for their attendance and provide them with the important material and documents of the event. In addition, this can also be a good opportunity to include a survey in the e-mail, so that attendees provide you a feedback on how they experienced the event and how you could improve it. As a result of the participation in the training within this project, some of the legal concepts and notions that have been consolidated are as follows:

- Confirm that there are considerable difficulties for the early identification of victims, especially before the exploitation phase begins;
- Know the differences between criminal systems or conflicts of jurisdiction;
- Develop greater understanding and prioritise the perspective of protection and compensation for victims should be a priority task;
- Know the common practices in different countries to consider the victim-survivors as women in an irregular administrative situation and not as victims of a crime;

- The current EU legal framework that allows Member States to cooperate across international borders and facilitate legal proceedings in cases related to human trafficking;
- Key factors and legal mechanisms to defend the rights of survivors of trafficking;
- Challenges and good practices to combat human trafficking and protect the rights of third-country national victims in the context of Romania, Greece, Italy, Bulgaria and Spain.

The methodology implemented in the training, which helped ensure that the event became a successful one with long-term impact, was the adaptation of the methodology to the target audience and to the virtual format. In the first place, the event's organiser have worked together with the speakers and the rest of the team to define objectives and plan the programme in advance. This level of planning made it possible to design a detailed and interactive virtual experience, with relevant content.

Some useful questions as a starting point are:

- How long does my audience have to participate?
- Are they adept at new technologies?
- Do they know the language of the presentation well?
- Through which device(s) do members of my audience usually connect?
- What are they interested in learning/practicing/improving?
- Do they need to interact with each other, or can they work individually?

For this training, Zoom platform was selected as the one that best suited the event, because in addition to offering instant messaging, registration and monitoring of participants, it allowed parallel work sessions for activities that required dividing participants into groups, such as when considering case studies. Participants were provided with clear instructions on how to use the online platform (including login keys, support contacts and other technical requirements for a smooth user experience) as well as establish rules of behaviour online. Feedback from the training was carried out at the end of the day through an online questionnaire, which allowed it to be completed during the last few minutes of the day, thus ensuring that the answers arrived automatically and whilst the event was still fresh. Also, in order to measure the fulfilment of the long-term objectives and ensure that the training had a positive impact on the professional practice of the participants, the event organiser took care to compile the list of participants, and in the following months a short survey was sent to evaluate the long-term impact of the event and the legal information delivered to the trainees. The online training is an excellent option for those people who, for various reasons, such as geographical location, lack of time or mobility limitations, find it difficult to go to a place where various courses are taught. Undoubtedly, for international training the benefits of online education are not reflected only in the knowledge acquired, but also in the significant reduction of costs. In short, some of the advantages of implementing virtual training is the possibility to interact with professionals from all over the world and to exchange points of view, in addition to self-managing work and study times, therefore allowing talent to develop exponentially. Despite the fact that training in a foreign language, other than the native one, contributes to the improvement of the legal linguistic skills of the participants, one of the challenges is to implement simultaneous translation so that the language is not a language barrier when participating in transnational training.

Rights of unaccompanied children who are victims of human trafficking

The Italian Coalition for Civil Liberties and Rights organised a three-day training on the rights of unaccompanied children who are victims of human trafficking on 15, 16, 17 October 2020. It targeted Italian, Romanian, Bulgarian, Greek and Spanish lawyers, prosecutors and judges.

This training was organised because the assessment of the legal needs conducted by the partners in 2019 showed that knowledge of the rights of this particular target group among law practitioners was not widespread as in other legal fields, and this could possibly hinder the protection of unaccompanied children who are victims of human trafficking within judicial procedures. In particular, while some lawyers had demonstrated familiarity with this issue, it was found that judges and prosecutors in particular were willing to learn more about it. This holds true especially with regard to professionals involved in criminal proceedings who do not always receive the same training on human trafficking as professionals working in civil proceedings in general, and immigration law proceedings in particular.

It was fundamental to train together lawyers, prosecutors, and judges on this topic because this implied addressing the issue from all the possible angles. Thanks to this training, the three categories of targeted participants could exchange their perspectives and discuss the challenges that they respectively face in their professional life when working on cases concerning the rights of unaccompanied children who are victims of human trafficking. As an example, some lawyers with experience in assisting unaccompanied children who are victims of human trafficking flagged systemic issues in the Italian judicial system that prevent victims from obtaining justice. This includes sexist prejudices in assessing cases of victims of human trafficking for the purpose of sexual exploitation and lack of knowledge for the judges of indicators and features of the crime of trafficking, which sometimes lead to incorrect convictions. Having judges participating in the training allowed them to express their views on this problem. They confirmed that their lack of knowledge of trafficking indicators of human trafficking weakens their ability to spot the vulnerability of the concerned minor and to provide them with the protection they need. Prosecutors agreed with this reasoning as well, saying that they may make mistakes in formulating the accusation against an underage defendant if they do not have the skills to understand their position as victims - and not as offenders.

It was useful to bring together professionals from several countries because this allowed understanding that professionals in very different jurisdictions often encounter similar challenges in dealing with cases concerning unaccompanied children who are victims of human trafficking. Thanks to this, it was possible for lawyers, judges, and prosecutors from different countries to exchange information and strategies on how to address these challenges, and to provide each other with advice on how to adapt those strategies to the different national contexts.

The best method to disseminate information prior to such training is to get in touch with training institutions for the targeted group of participants (e.g. Bar Associations, Official training entities for judges, etc.). Disseminating information about the training through the mentioned channels can in fact not only help to reach a wide range of potential participants,

but also makes it possible for the training to be perceived as a high-level event. This will prove useful in particular if the mentioned institutions award professional credits to participants for attending the event. Additional useful dissemination channels include newsletters of NGOs and associations of legal professionals, as well as posters with the information on the training to be put in strategic locations, such as courts and law libraries and flyers on social media.

When selecting participants, it is essential to immediately set a clear and objective selection criteria upon which deciding who of the applicants can be eventually selected to participate in the training. In the case of the training at issue, participants had to belong to the category of lawyers, judges and prosecutors, and an attempt was made to ensure that selected participants came from different geographical areas of the different countries. This decision was made to ensure that participants could contribute to the debate by bringing their experience and example of best practices from several courts in Italy and additional countries. It is important to coordinate with partners from other countries in order to ensure that the selection of participants in the various national contexts is consistent with the established selection criteria. Finally, while it is crucial for in-person training sessions to set and respect a maximum number of participants, it may be beneficial to select a higher number of participants in the case of online events. This can help to enrich the discussion and the question-and-answer sessions of the training, to allow participants to make a higher number of connections with each other, and to prevent scarce participation in the case any of the participants selected in the first place eventually cannot take part in the training.

The advertising should be done online, targeting the group of professionals that the training is addressed to. As for the timing, this should be done regularly during the month before the event, setting a registration deadline that is close to the training date. In this regard, publishing online a registration form link may help the organisers keep track of the individuals who have applied to participate in the training. Using an online registration form has proven to be particularly beneficial for the automatic features it includes, such as the automatic creation of the participant list and additional storage of registered information. A training on the rights of unaccompanied children who are victims of human trafficking will allow participants to consolidate the following legal notions and concepts:

- relevant international and EU legislative framework and standards on safeguarding children who are victims of trafficking;
- indicators and challenges in the identification of children who are victims of trafficking;
- legal ethics for practicing professionals working on cases involving children who are victims of human trafficking ;
- the principle of the best interest of the child in judicial procedures;
- financial compensation for children who are victims of human trafficking;
- EU case law concerning child victims of human trafficking;
- indicators of exploitation and integration paths in the country of destination in the context of supporting children who are victims of human trafficking and exploitation.

The overall training methodology to be considered for such an event should result from a mix of a classic-lecture training approach and an interactive approach. The lecture approach, supported by the use of PowerPoint presentations, proved useful in the implementation of the training at issue because it provided participants who had none or very little of the topics discussed with the basic information that allowed them to actively participate in the debate following the speaker's presentation. The mentioned debate

represented the interactive part of the training, in which participants had the opportunity to ask questions to the trainers and add relevant information and examples. In this sense, it proved particularly beneficial to have the trainers of the various sessions to participate in the other training sessions as well, in order to enrich the discussion from an expert perspective.

The evaluation of such training should be performed right after the implementation of the event in order to ensure that participants express their immediate views about the training. The evaluation should not only cover substantial aspects of the training, but also the methods used, including the amount of time allocated to each topic and the time spent with a lecture approach and with an interactive approach. The evaluation can also be the tool for participants to indicate relevant topics that have not been discussed during the training, so that the suggestions from participants can be used to build future training sessions. Also in this case, it is advisable to use an online evaluation form that can be easily circulated at the very end of the training and in the follow up communications. Any online training form can make it easier to gather all the information included in the filled evaluation form and provide detailed statistics of the participants who filled in the form and of the result of the evaluation. In addition, it is advisable to prepare certificates of attendance for those who have participated in the training and use them as an incentive for participants for filling in the evaluation form.

Follow-up activities after the training include the following:

- Thank you e-mail, which should be sent to all participants right after the end of the training;
- Evaluation form, following the directions mentioned above;
- Certificates of attendance reflecting the exact date and time of attendance for each participant;
- Materials of the training to be uploaded on the organiser's website. If possible, audio/video recording of the training should be made available, as well;
- Information about future initiatives to keep participants updated on similar activities.

The advantages of organising online training sessions consist in the possibility to involve a high number of participants while keeping organising costs low. In addition, it allows participants from different geographical areas to attend training sessions that would otherwise have been held in far locations. The challenges of organising online training sessions consist of guaranteeing the interaction between participants and making sure that trainers feel comfortable in giving their presentations without a physical interaction with participants. In this sense, it is advisable to ask participants to keep their cameras on, so as to make it more similar to a normal audience. Organising a training in a foreign language contributes to the improvement of legal language skills of participants because it allows them to familiarise with materials and technical terminology in a foreign language.

The right to access to the lawyer for victims of human trafficking who are refugees or third-country nationals

The Centre for European Constitutional Law (Greece) has organised a training on this legal theme, targeting Greek, Bulgarian and Romanian lawyers (19, 20, 21 November 2020). The event was implemented in partnership with The Center for the Study of Democracy (Bulgaria), Pro Refugiu Association (Romania). The training was conducted online, using the Zoom platform. Human trafficking is an underrepresented topic in trainings organised for lawyers in the participating countries, in particular when viewed in the context of asylum and migration. Nevertheless, the influx in migration flows toward Europe, observed in recent years, has led to an increase in trafficking cases of victims who are third-country nationals, refugees and asylum seekers, an issue underscored by the European Commission in its strategy toward the eradication of human trafficking in Europe¹. This has illustrated a gap in the training of legal professionals, especially lawyers, on this particular topic, which we sought to address by focusing our training on it. In addition, our experience has shown that more training is necessary on the EU framework on access to a lawyer and its complementary 2009 Roadmap directives, including the recently introduced directive on legal aid. Therefore, we created a targeted curriculum for lawyers, which combined the two issues, focusing on a European and rights-based perspective, building lawyers' capacity to handle these highly specialised and complex cases, ultimately leading to a better protection for victims.

Transnational training is considered to be particularly beneficial for legal professionals, in particular when it involves EU law. Training together professionals from several different countries aids the exchange of experience and practice and facilitates the creation of informal networks and channels of communication among them. It also contributes to the approximation of practices in the different Member States and to the harmonization of EU law in a particular area, rendering transnational judicial training a key feature of the European judicial training strategies. As regards the particular topic at hand, the cross-border nature of the crime of human trafficking boosts the importance of transnational exchange. Indeed, transnational cooperation is often needed in cases involving human trafficking, where more victims or perpetrators may be spread across different Member States.

When selecting participants for the training, the event's organiser capitalised on the pre-existing networks with lawyers and Bars. The online format of the event led to increased participation rates, shortening the time usually needed for communication and dissemination of in-person events. After securing the participation of the requisite number of participants from Bulgaria and Romania, in accordance with the success indicators of the project, the event organiser (CECL) proceeded with the registration of participants from Greece on a first-come, first-served basis.

¹ See 2017 EC follow-up communication on the EU strategy toward the eradication of trafficking in human beings and the corresponding Commission Staff working document.

The training addressed a number of different legal notions and concepts, allowing participants to gain a broad perspective on a variety of issues related to access to a lawyer in the context of human trafficking with victims who are third-country nationals. The training topics included: (a) an analysis of the EU framework on legal assistance for victims of human trafficking; (b) the role of the lawyer in the early identification of victims within the asylum system, especially of those residing in camps; (c) obstacles and challenges in accessing legal aid, especially for unaccompanied/separated children who are victims; (d) the psychological needs of women who are victims of sex trafficking; (e) interpretation services for communication between lawyers and victims; (f) the notion of consent and its effect on victim protection; (g) practical challenges in access to services and the lawyer's role in assisting the victims in this regard. The training themes complemented each other and offered a good mix of theoretical information and practical insights, with emphasis, however, placed on practice. National, EU and international perspectives were explored to ensure that the role of the lawyer in safeguarding the rights of victims of human trafficking was comprehensively examined. The above topics were selected to offer a holistic overview of the procedural safeguards in place for the protection of victims, as well as the challenges and bottlenecks within the specific context of asylum and migration (e.g. lack of or poor quality of interpretation services, obstacles in securing access to services) and the role of the victim's lawyer in mitigating them. Theoretical knowledge essential for the successful litigation of human trafficking cases, such as the notion of consent, in relevant national and European jurisprudence, as well as human rights standards enshrined in the EU Charter of Fundamental Rights and international law were explored in depth. Finally, we assumed an interdisciplinary approach in imparting psychological and sociological information in relation to the specific needs of women who are victims of sexual exploitation, providing participants with the tools to communicate more effectively and to better understand the needs of this prevalent and particularly vulnerable category of victims.

When designing the training methodology employed, CECL looked into best practices in adult learning, and specifically in judicial training methodology, and built on CECL significant experience as judicial training providers to ensure an event with long-term benefits for the participants' daily practice. Therefore, the event organiser opted for a problem-based, practice-oriented approach, building on the participants' pre-existing experiences as lawyers. This methodological approach promotes a deeper understanding and knowledge of the learning topics by consolidating pre-existing knowledge, illustrating the immediate practical benefits of acquiring the new knowledge and skills offered in the training, and ultimately motivating the learners by actively involving them in the learning process. To achieve the above-mentioned effects, CECL designed the training schedule to allow for the alternation of theory and practice. Theoretical material and presentations were alternated with discussion and case studies, aimed at illustrating how the issues analysed are manifested in every-day practice. Participants were encouraged to participate in an active manner. A challenge in the Covid-19 era was to tailor this interactive, practical approach, initially designed for in-person training, to the particularities of e-learning. The trainers and facilitators had been especially instructed to encourage audience participation and ensure an active dialogue.

The evaluation of the training took place in two separate stages. First, participants were asked to fill in a Google form right after the training, assessing their immediate response to it. The same evaluation questionnaire was developed and distributed in all trainings organised in the context of the project, to ensure that the qualitative success indicators set

are met and that the evaluation is performed in a uniform manner. The questionnaire included questions on the training topics, methodology and duration. The responses received were overwhelmingly positive. The second stage of the evaluation took the form of an ex-post survey, sent out to participants approximately a month after the training took place. The survey aimed at evaluating the impact of training on the participants' daily work. The survey was disseminated by e-mail and included questions on the topics most frequently used in the participants' professional practice following the training, as well as their personal evaluation of the quality of the training and its success in meeting their needs. Participants invariably responded that the training was beneficial and had a positive impact on their daily practice.

The outputs of the training were communicated to participants through a link on the website of the project, allowing them access to the training material.

E-learning in judicial training comes with its own set of distinct benefits and challenges. As regards its advantages, it makes it possible to reach more participants, it is cost-effective, easily replicable, has a lower environmental footprint and it allows for flexibility compatible with legal practitioners' busy schedules. Online training offers an accessible format that significantly facilitates participation in training activities. These advantages were clearly illustrated in the training for lawyers organised by CECL. Participation was more than double of what was originally forecast in the project success indicators (32 participants), allowing us to broaden the recipients of the project. At the same time, organisational costs were sliced, and the preparation time was minimised.

On the other hand, there have been some challenges related to the conversion from in-person to online format. To ensure the maintenance of attention levels throughout the duration of the training, the training schedule was adjusted and what was originally planned as a two-day event was stretched to three days, to allow for fewer training hours and more breaks within each day. Retaining participation throughout the training days also proved to be an issue, as some participants opted to not login for one or more days of training. Finally, interaction between participants and the trainers and, in particular, among participants themselves can be hampered in an online environment, undermining some of the desired effects of the training, as described above. This risk can be mitigated by instructing speakers to actively encourage interaction and by moderating the event in a manner that allows adequate time for discussions.

The training was delivered in English. Training in a foreign language does present its own challenges and may discourage some people from participating. Nevertheless, it also offers the opportunity to trainees to familiarise themselves with legal terminology in English. In an increasingly globalised working environment, where English serves as the *lingua franca*, this constitutes a distinct and highly valuable transversal skill for lawyers.