

Migrant Women and Human Trafficking

Handbook for Professionals

2016



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This handbook was prepared to raise awareness of the complex life and working conditions of migrant women who are at risk of or survivors of human trafficking. It further provides a practical tool for professionals interacting with this target group, especially regarding outreach work, identification and further support of those concerned.

It highlights the outcomes of the Project “Empowerment of Migrant Women at Risk of Exploitation, Trafficking or Enslavement” (the Project), cooperation between La Strada Czech Republic (a support NGO for trafficked women in the Czech Republic), Ban Ying (a counselling centre working to combat human trafficking in Germany) and LEFÖ-IBF (an intervention centre for trafficked women in Austria). These participants are funded by the DAPHNE fund of the EU.

The Project aims to empower migrant women who are victims of violence and other criminal abuse or who are at risk of falling victims. Its particular focus is on women working in hidden or enclosed environments such as households and cleaning services within enclosed hotel complexes etc. As the target group faces practical isolation from common awareness sources (media, schooling programs, offices of public authorities), the Project aims to find alternative methods to inform the target group of their legal rights and options for resolving abusive situations. It offers them further assistance within specialized services.

In this regard, the publication Migrant Women and Human Trafficking was designed to make positive outcomes available and easily applicable for professionals working within the target group of the Project. It offers rich insights into decades of working experience with migrant women at risk of being trafficked, as well as survivors provided by the partner organizations further developed within the Project.

On the one hand it provides detailed theoretical information about legal and human rights approaches towards human trafficking, with a focus on the vulnerability of migrant workers. On the other hand it highlights the working concept of cultural sensitivity to further develop tailored assistance. The Project enabled us to develop new strategies and to gain more experience in the field of tailored assistance, which allows taking various theoretical elaborations about migrant women’s vulnerability into practice.

Finally, the handbook offers a fruitful and practical tool for the identification, assistance and support of professionals working with migrant women at risk of human trafficking, as well as survivors. Its particular focus is on the hardly accessible and closed working environments of those concerned.

The handbook will serve as a guide to information concerning the rights of migrant women and tailored assistance that includes the histories of survivors. Their experiences can be a first step toward preventing further risk of exploitation, trafficking or enslavement. In regard to this, the Project was developed and implemented by the three partner organizations with a special focus on the intersectional circumstances that can best be described as follows:

“The complexity in people’s lives cannot be captured by a single approach alone, whether this approach is anti- trafficking, women’s rights, human rights, migrant rights, or labour rights. In other words, a person’s life cannot be summarized as being merely that of a “trafficked person” or “migrant worker”, as often happens. People’s lives are richer than their trafficking, migration and work experiences (GAATW 2010:2).”

A quick introduction of the Project partners

La Strada Czech Republic:

La Strada Czech Republic (La Strada CZ) was established in 1995 as a proFem project. Since 1998, it has been registered as an independent legal entity. In 2004, La Strada Czech Republic helped cofound the international network, *La Strada International*, with member organizations in 8 other European countries (Belarus, Bosnia and Herzegovina, Bulgaria, Macedonia, Moldavia, the Netherlands, Poland and Ukraine). Its International Secretariat is based in the Netherlands. La Strada CZ is the only NGO in the Czech Republic focusing solely on anti-trafficking activities.

La Strada CZ aims to prevent and minimize the results of trafficking in human beings and labour exploitation, while respecting the individual rights of all involved. La Strada CZ focuses on identifying the causes and consequences of human trafficking and exploitation, influencing public policy and providing social services for trafficked persons. To increase the impact of its work, La Strada CZ cooperates with public authorities and NGOs at both national and international levels. The organisation’s activities are principally divided into three categories:

- Social and legal services
- Prevention and education
- Advocacy and lobbying activities

Whom does La Strada CZ support?

- People trafficked or exploited in the Czech Republic (Czechs and foreigners)
- Czech citizens trafficked or exploited in other countries



- People at risk of human trafficking or exploitation

How does La Strada CZ support these victims?

- Provides financial and material aid
- Provides legal advice or representation
- Arranges health and psychological or psychiatric care
- Provides accommodation
- Arranges travel home and the subsequent care in the country of origin
- Provides social counselling

LEFÖ-IBF :

Since 1985, LEFÖ, the Austrian association advocated intensively against the structural violation and disregard of women's rights, promoting the visualization and identification of violence.

Since 1998, NGO LEFÖ-IBF (Intervention Centre for Trafficked Women) has supported women who have been trafficked into labour and/or living conditions in Austria, characterized by exploitation, violence and abuse.

Recognized as a victim protection institution, LEFÖ-IBF operates on a national level on behalf of the Ministry of the Interior and the Women's Directorate within the Federal Chancellery of Austria. Its mission is to protect affected women from further violence and exploitation and to find a path toward a life of dignity, independence and self-determination along with the women and girls affected.

Networking and exchange with national and international NGOs are fundamental prerequisites for reaching and implementing the goals LEFÖ-IBF has set for itself. The NGO cooperates with the competent authorities and ministries to guarantee the best support possible. In addition, it provides regular further training for law enforcement officers, judges and public prosecutors, in order to sensitize them to the issue of trafficking in women. LEFÖ-IBF influences public opinion in order to make a life of security and dignity a matter of course for all individuals.

Whom does LEFÖ-IBF support?

- Migrant women who are forced to engage in prostitution by means of violence, threat, exploitation, deceit or abuse of their strong dependency
- Migrant women who were brought to Austria through trafficking for marriage and forced to live under harsh conditions
- Migrant women who are trafficked into other exploitive or slave-like working conditions (such as housekeeping)

How does LEFÖ-IBF provide this support?

- Provides psychological, organizational and interventional support
- Accommodation in emergency shelters where support and cultural mediation are provided in the individual's native language
- 24 hour availability for the women affected
- Supportive housing in our temporary shelter
- Psychosocial, psychological, social, health and life counselling, psychotherapy
- Health and medical care
- Counselling and intervention regarding residence and labour law
- Accompaniment to police interviews
- Psychosocial and legal accompaniment for criminal proceedings
- Support during detention pending deportation in cases of alleged trafficking in women
- German language courses, further training and integration opportunities

Ban Ying:

Ban Ying is the Thai term for "House of Women". Founded in 1989 and continuously active since then, Ban Ying e.V. is one of the oldest women's projects working to combat human trafficking in Berlin. It runs two projects: a coordinating and counselling centre as well as a shelter for women who experienced trafficking or exploitation. The aim of Ban Yings' work is to improve the living conditions and social and legal situation of migrant women in Germany. In order to achieve this, the work does not focus only upon migrant women directly affected, but also upon their environment and the wider public sphere. Besides offering counselling and shelter, Ban Ying also conducts trainings, runs public awareness campaigns and does advocacy work. Building on strong national and international networks with other NGOs and relevant actors is crucial to achieve its goals.



Whom does Ban Ying support?

The counselling work of Ban Ying focusses upon:

- Migrant women affected by human trafficking
- Migrant women from South-East Asia who have experienced violence during the migration process, marital difficulties, or who have questionable residency status
- Domestic workers of diplomats

How does Ban Ying provide this support?

The Ban Ying counselling service is geared towards the individual needs of individual women with an empowerment approach. Counselling at Ban Ying is free of charge and with translation into the individual's native language. A lawyer is available for legal advice. Cultural mediators for Thai and Filipino are part of the staff, both at the counselling centre and shelter.

Support offered by Ban Ying includes:

- Providing counselling and support on a range of psychosocial situations
- Counselling and intervention regarding the woman's residency status
- Accompanying women to appointments with authorities
- Finding lawyers, doctors and therapists as required
- Arranging German language classes and training courses
- Organising language mediators for the individual's native language.
- Offering low-threshold group sessions and regular informative meetings for advice on legal and social issues with the assistance of external experts.
- If the individual at risk wishes to or is required to return to her country of origin, Ban Ying assists in her return arrangements, which to a great degree helps reduce the danger of re-victimization.

Introduction to Human Trafficking

Human trafficking must be understood not as an isolated act, but a rather complex process that takes place over a variable period of time and involves many factors. It occurs in most precarious work sectors, such as gastronomy, building, agriculture, the sex industry, care and cleaning work or domestic work in private households, among others less specific.

For human trafficking to occur, a national border need not necessarily be crossed, as it can occur both internationally and within a country. Furthermore, even when a national border *is* crossed, in many cases the individual's entry into the country may be absolutely legal, as they may possess a legal visa as a tourist, student, domestic worker, au pair or the like. During trafficking circumstances, individuals face a series of rights violations, ranging from restriction of movement and little or no payment, to mistreatment, psychological and physical violence.

Human Trafficking as a Human Rights Violation

Human trafficking is a global phenomenon, widely recognized as a serious human rights violation. The experience of specialized counselling centres shows that trafficked women often have experienced other forms of human rights violations in their countries of origin. Extreme poverty, lack of access to education, gender or ethnic discrimination and gender specific violence frequently exhibit a complex combination of these factors and are among the primary root causes of trafficking.

While the links between human rights and the fight against human trafficking are well established, the approach on the subject has been a matter of fundamental discussion internationally, regionally and nationally. Cross-border trafficking can be dealt with as an immigration issue or primarily as a matter of a crime against public order, with human rights being addressed only as an afterthought.

Over the past decade, an international consensus developed around the need for a rights-based approach to trafficking. This highlights the necessity to always put the affected individual's rights and interests at the centre of responses to trafficking. In that sense, the *"Recommended Principles and Guidelines on Human Rights and Human Trafficking"* presented by the Office of the High Commissioner for Human Rights in 2002 declares that: *"Violations of human rights are both a cause and a consequence of trafficking in persons. Accordingly, it is essential to place the protection of all human rights at the centre of any measures taken to prevent and end trafficking."*¹

¹ The Recommended Principles and Guidelines on Human Rights and Human Trafficking were transmitted by the then High Commissioner for Human Rights, Mary Robinson, to the United Nations Economic and Social Council, in 2002.



Along with the root causes of trafficking in the country of origin, there are root causes during the migration process. Fundamentally, the lack of opportunities for safe migration channels is a result of repressive migration policies. Finally, global factors such as a worldwide demand for cheap products and services push this phenomenon to extremes and are a further and substantial root cause of trafficking.

International Legal Framework

The *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime* (hereafter, the “UN Palermo Protocol”), adopted in 2000, is widely recognized as the basis and first point of reference for the international definition of trafficking in human beings.

Article 3 of the UN Palermo Protocol defines trafficking in human beings as follows: *“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.”*

Following this definition, trafficking involves three elements: (i) an ‘action’, being recruitment, transportation, transfer, harbouring or receipt of persons; (ii) a ‘means’ by which that action is achieved (threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, and the giving or receiving of payments or benefits to achieve consent of a person having control over another person); and (iii) a ‘purpose’ of exploitation. The presence of these three elements is required to constitute trafficking in persons within international law. The *only* exception is when that victim is a child: in such cases it is not necessary to prove that the act was accomplished through the use of any of the listed ‘means’.²

After the UN Palermo Protocol was adopted in 2000, national states began to adapt their domestic legislation accordingly, comprising the main elements of trafficking, i.e. punishable acts, forbidden means and the purpose of exploitation. Other international and regional legal frameworks also

² Issue Paper “Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons”, United Nations Office on Drugs and Crime, 2013, pp. 7.

steered the development of national legislations on trafficking in persons. These included the establishment of mechanisms and structures for providing assistance to identified trafficked individuals.

Still, at the present time most of existing structures are tailored to provide support for women exploited within the sex industry and there is a general gap in response for those trafficked in other economic sectors. This led to a significant exchange of information among NGOs working within the various fields of human trafficking. The reason for this gap is that, until 2000, the international definition of human trafficking excluded their exploitation outside the sex industry. It was only with the UN Palermo Protocol that international standards broadened the definition to incorporate other forms of trafficking. In this sense, while reflecting on the fifteenth anniversary of the UN Palermo Protocol, Dr. Anne T Gallagher states that *“While States continue to prioritise certain forms of trafficking over others, their laws almost uniformly recognize the essence of the Protocol’s conception of trafficking: that it can take place within as well as between countries; that it can be used against women, men and children; and that the purposes of trafficking extend to many of the ways in which individuals are severely exploited for private gain.”*³

Although most European countries have signed and ratified the UN Palermo Protocol, it is difficult to measure whether they are in compliance with it. The United Nations Convention against Transnational Organized Crime, which the UN Palermo Protocol is supplementing, as yet has no monitoring mechanism.

The European and EU Level:

During the last decade the subject of human trafficking received growing attention among the European community, and intergovernmental bodies have increasingly become involved in the anti-trafficking debate. The most significant legal frameworks at the European level are the following:

- *Convention on Action against Trafficking in Human Beings of the Council of Europe*, which was adopted in 2005 and came into force internationally in 2008. This binding treaty sets out a series of minimum measures that signing states are obliged to take with a view to ensuring the protection of the human rights of trafficked individuals, the prevention of trafficking and the prosecution of those responsible for it. One virtue of this convention is the creation of the *Group of Experts on Action against Trafficking in Human Beings* (GRETA). Its task is to monitor the implementation of convention provisions within the European states.

³ Gallagher, Anne T: “Two Cheers for the Trafficking Protocol”, *Anti-Trafficking Review*, issue 4, 2015, pp. 16, www.antitraffickingreview.org.



- *Directive 2011/36/EU of the European Parliament and the Council on preventing and combating trafficking in human beings and protecting its victims*, which was adopted on the 5th of April, 2011, and was to be transposed by member states by April of 2013. It can be seen as one of the largest steps to support those concerned, after the UN Palermo Protocol, because it is *explicitly* committed to preventing trafficking and protecting the rights of trafficked persons. This particularly included the establishment of mechanisms for early identification, specific protection of the rights of trafficked persons, specific safeguards for trafficked children and recognition of the importance of compensation for trafficked individuals. The directive further more set out important guidelines for advocacy for the rights of trafficked individuals by national NGOs. Although various NGOs proposed recommendations for improvement, new developments were critical to the development of an effective and rights based response to trafficking at EU level. These included the article on non-prosecuting and non-criminalisation of trafficked persons, the right to compensation and the implementation of national rapporteurs as independent bodies to monitor state actions against human trafficking.

Human Trafficking and Migrant Smuggling

In recent years there has been a significant increase of attention and controversy on the issue of smuggling of migrants. Yet as to the focus on smuggling increases, the media and public opinion, as well as authorities and policy makers often use the concepts of *migrant smuggling* and *human trafficking* interchangeably, which provokes prejudicial confusion. Trafficking and smuggling are two *entirely separate* legal concepts. They certainly overlap, although there are significant fundamental differences for both their definitions, legal consequences and possible remedies. According to the international definitions, those differences between the two include the following:

- **Consent.** Migrants *consent* to being smuggled, and once the destination country has been reached, they are commonly free to move and their relationship with the smuggler ends. In the case of trafficking, individuals may have initially agreed to a new location, a new work offer, or even to being smuggled. But their initial consent becomes legally irrelevant once the trafficker has applied force or other deceptive or coercive means to exploit the individual and this ends up as a trafficking situation. Even so, the *existence* of consent is not an absolute requirement to distinguish between smuggling and trafficking. Actors in both areas are becoming more and more careful about mentioning consent without providing further comment, since it is well understood that highlighting the existence of consent in smuggling often amounts to a criminal act and the stigmatising of 'irregular' migrants.

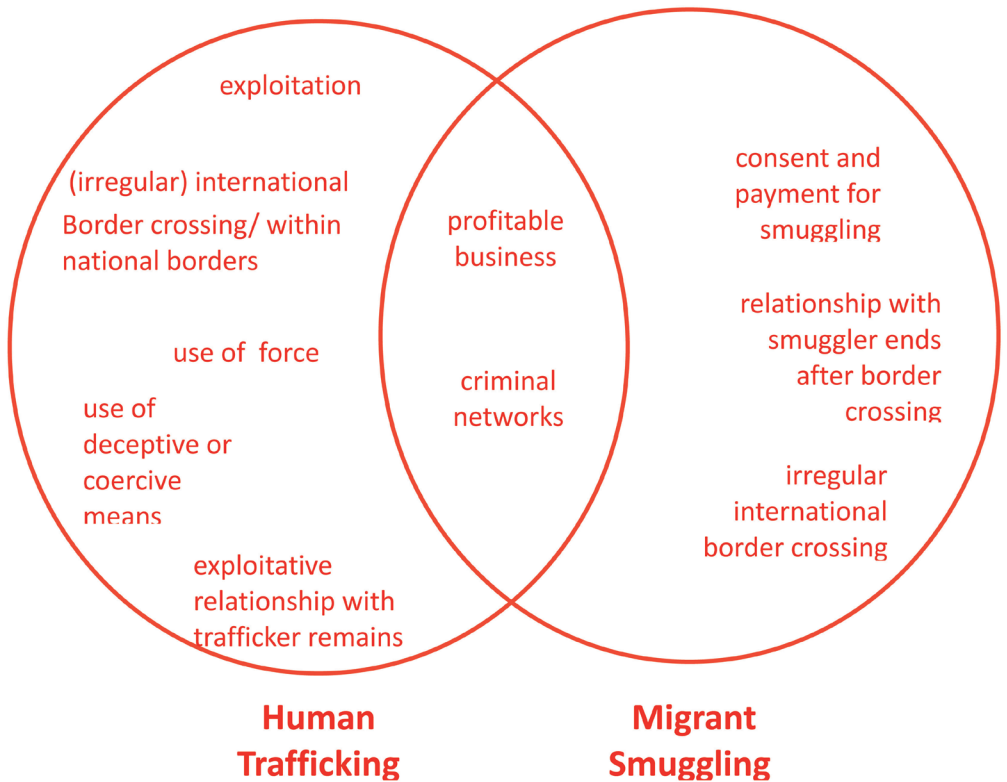
- In a Working Paper on the Intersections of Smuggling and Trafficking, published in 2011, the Global Alliance against Trafficking in Women states that:
- *“Not only for refugees, but also for trafficked persons, people can both express consent and feel force. They can consent initially and then find themselves exploited later; or they can consent though they may also feel forced to move out of a lack of other livelihood or safety options. Many people’s migration stories are not clear cut in this regard.”*⁴
- **Movement.** To define smuggling, an international border must be crossed (illegally), while human trafficking does not necessarily involve such international movement. It can take place entirely inside national borders.
- **Access to remedies.** Smuggled persons receive and are legally due very little assistance and access to remedies. Perhaps because of their inherent differences in definition, states usually count upon existing structures to provide trafficked individuals (identified as such) access, support and remedies. Also, individuals identified as smuggled are often criminalized, facing detention and deportation without a proper opportunity to fight for their eventual rights within a country.
- **Against whom the offence is charged.** Until recently, a clear distinction was made with regard to the legal asset affected: while smuggling is basically seen as a crime against state sovereignty, trafficking is mostly conceived as a crime against an individual. At the present time this approach is contested, since it has been acknowledged that an absolute distinction might conceal rights violations to which smuggled persons may have been victims. They may have experienced crimes and human rights violations in their country of origin, thus exposing the root cause for their decision to migrate through smuggling. Or they might have experienced situations of fraud, extortion or force during the smuggling process.

In fact, it is possible that smuggling turns into trafficking and back into smuggling, as situations and demands from smugglers change, making the distinction of the affected asset even more blurry. Still, it is important to recall that not every smuggled person is necessarily a victim of crime, and that at the core of the definition of the crime of smuggling there remains an illegal border crossing and not the violation of the individual’s rights.⁵

⁴ Global Alliance against Traffic in Women „Smuggling and Trafficking: Rights and Intersections“, GAATW Working Paper Series 2011, p. 43.

⁵ Pierce, Sarah: „The vital difference between human trafficking and migrant smuggling“, 12.11.2014, in *Beyond Trafficking and Slavery*, online blog: <https://www.opendemocracy.net/beyondslavery/sarah-pierce/vital-difference-between-human-trafficking-and-migrant-smuggling> visited on 05.02.2016.





Therefore, especially in our daily work with migrants and the (possible) survivors of trafficking, a clear definition and explanation such as the graphic above can help identify and offer further special support for those concerned. The occasionally blurred lines between migrant smuggling and human trafficking, as well as individual and complex life situations must be understood, due to the extreme vulnerability of this diverse group (i.e. migrant workers, women and refugees) at risk of human right violations and trafficking.

Literature and References:

- *“Recommended Principles and Guidelines on Human Rights and Human Trafficking”*, Office of the High Commissioner for Human Rights, 2002, E/2002/68/Add. 1.
- *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime*, 2000.

- *Convention on Action against Trafficking in Human Beings of the Council of Europe*, 2005.
- *Directive 2011/36/EU of the European Parliament and the Council on preventing and combating trafficking in human beings and protecting its victims*, 2011.
- *“Smuggling and Trafficking: Rights and Intersections”*, Global Alliance against Traffic in Women, GAATW Working Paper Series 2011.
- Issue Paper *“Abuse of a position of vulnerability and other ‘means’ within the definition of trafficking in persons”*, United Nations Office on Drugs and Crime, 2013.
- Gallagher, Anne T: *“Two Cheers for the Trafficking Protocol”*, *Anti-Trafficking Review*, issue 4, 2015, www.antitraffickingreview.org
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<https://www.opendemocracy.net/beyondslavery/sarah-pierce/vital-difference-between-human-trafficking-and-migrant-smuggling>



Migrant Vulnerability

In the context of human trafficking, the term ‘vulnerability’ is typically used to refer to those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked. These factors are generally agreed to include human rights violations such as poverty, inequality, discrimination and gender-based violence, all of which contribute to creating economic deprivation and social conditions that limit individual choice, making it easier for traffickers and exploiters to operate. It is agreed that factors shaping vulnerability to trafficking tend to impact differently and disproportionately on groups that already lack power and status in society, including migrants, women and refugees. Such conclusions have been generally borne out in studies of trafficking patterns and victim profiles.⁶

As such, the *2015 Report of the European Union Agency for Fundamental Rights* (hereinafter, the “FRA Report 2015”) states that “...moving country – generally – creates or exacerbates a situation of social and economic vulnerability. Social isolation resulting from not knowing the language of the country of destination, not having contacts among people outside the workplace and not being aware of local legal standards of where to turn when help is needed increases the risk of labour exploitation.”⁷

However, vulnerability to trafficking is certainly not a fixed, predetermined or even fully ‘known’ subject. Both, the context within which trafficking takes place and the capacity of individuals to respond, are determined by many varied factors. A genuine understanding of vulnerability will thereby almost always require situation-specific analysis.⁸

Risk Factors for Labour Exploitation Identified by the European Union Agency for Fundamental Rights

The FRA Report 2015 identifies *risk factors*, which it defines as “factors that put workers who have moved within or into the EU at risk of severe labour exploitation in the country where they work”.⁹ According to the Report, risk factors for labour exploitation can be identified at four different levels. As such, it groups them as factors related to (i) the legal and institutional framework, (ii) workers

⁶ Issue Paper “Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons”, United Nations Office on Drugs and Crime, 2013, pp. 13.

⁷ “Severe labour exploitation: workers moving within or into the European Union. Sates’ obligations and victims’ rights”, European Union Agency for Fundamental Rights, 2015, pp. 12.

⁸ Issue Paper “Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons”, United Nations Office on Drugs and Crime, 2013, pp. 14.

⁹ FRA Report 2015, pp. 13.

personal situations, (iii) specificities of the workplaces, and (iv) the employers' behaviour.

Risk factors relating to legal and institutional frameworks include legislation rendering the situation of workers from third countries *irregular* and hence making them more vulnerable to severe exploitation. The FRA Report 2015 states that labour migration regimes that prevent regular employment contribute to the risk of exploitation and are an important source of vulnerability for migrants. It also mentions labour migration regimes that link rights to legal *residence* or *work permits* as an aggravating factor for the risk of severe exploitation.¹⁰

Regarding the personal situations of workers that increases risk of labour exploitation, the FRA Report 2015 highlights: *not knowing the language of the country of work, having a low level of education or having experienced extreme poverty in the country of origin.*¹¹

In relation to risk factors specifically related to workplaces, the FRA Report 2015 identifies sectors of the economy that are particularly prone to exploitation. In fact, it concludes that employment in such a 'high-risk sector' is the most significant factor relating to the workplace. The Report suggests that (at least) agriculture, forestry, fishing, construction, accommodation and food service activities, domestic work and some forms of manufacturing should be considered high-risk sectors.¹² Other risk factors mentioned in relation to the workplace include isolation and bogus self-employment.

The fourth group of risk factors identified in the FRA Report 2015 are those related to employer actions. Here it mentions workers lacking a written contract *in a language they can actually understand* or not being informed of their rights. Another risk factor includes the actions employers take to increase worker-dependency, such as providing accommodation and transport.

Specific Vulnerabilities of Migrant Workers

Structural or contextual factors can affect specific groups of migrant workers and increase their vulnerability to trafficking and/or labour exploitation. In such cases, there is an increased power imbalance between employer and employee that limits these migrant workers individual choices. A number (but not all) of these specific groups are mentioned below.

Live-in migrant workers in the domestic and care-work sectors

In most EU countries it is very difficult to obtain a work permit for domestic work. Due to this lack of access to the formal labour market, migrants working as domestic workers in private households

¹⁰ FRA Report 2015, pp. 44.

¹¹ FRA Report 2015, pp. 45.

¹² FRA Report 2015, pp. 25.



operate in a highly unregulated sector and are therefore a particularly vulnerable group. Also migrants working in the care sector are affected, specifically when the work relationship is between private individuals. The larger risk exists when the employment takes place under a 'live-in' system¹³, since isolation, limited access to information and lack of private space for the migrant worker are more likely to occur. This greatly enhances migrant dependency on the employer and possibly creates the contextual conditions for abuse or mistreatment.

A migrant worker who experiences trafficking or exploitation while working in a live-in system has very little possibility to access information on her rights and seek assistance. As the work takes place in the private sphere of a household, from the outside this migrant worker and her abuse will hardly be noticed. There is also a specific gender dimension related to the recruiting of migrant workers to fill jobs in the care and domestic work sectors. The fact that most migrant domestic workers are female and performing informal, poorly paid and unprotected work is a clear example of multiple discriminations.¹⁴

Migrants whose residency permit is tied to a sole employer – the case of domestic workers in diplomatic households

Work permits that bind the worker to a single specific employer, as well as permits that are granted to employers instead of to employees, creates an extreme imbalance of power between worker and employer. Workers with these types of visas structurally depend on the employer, which makes them highly vulnerable and constitutes a risk factor for severe exploitation. This may lead to situations where migrants will accept any working conditions, even those that are unacceptable according to the legal standards of the country of work.

Domestic migrants working in diplomatic households are a specific case of visas tied to a single employer. Members of diplomatic missions and international civil servants (depending upon their rank) may bring domestic personnel with them to work in their private household in the hosting country. These individuals, mostly women, receive a diplomatic card that is tied to their employer, meaning that they can only stay in the country as long as they work in that specific household. In most countries, a change of employer is not permitted by the Federal Foreign Office.

¹³ The European Union Agency for Fundamental Rights distinguishes three forms in which domestic employment takes place: (i) live in domestic workers; (ii) live-out domestic workers employed full time by one employer; (iii) live-out domestic workers working for several employers. "Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member States", European Union Agency for Fundamental Rights, 2012, pp. 15.

¹⁴ European Union Agency for Fundamental Rights, "Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member States", 2012, pp.16.

This means that if a domestic worker is underpaid, exploited and/or mistreated, she will have only limited possibilities for redress: either she leaves the exploitative working relationship and must leave the country immediately, or she remains dependent and continues to endure her exploitive working and living conditions. Should she want to enforce her rights before a court, she will come up against an insurmountable legal obstacle, as diplomats enjoy diplomatic immunity and are exempt from the jurisdiction of their hosting country.¹⁵ This conflation of diplomatic immunity of employers and work permits for domestic workers strictly tied to one employer creates an exceptionally high degree of vulnerability for this specific group of migrant workers.

Seasonal workers

The *Seasonal Workers Directive*¹⁶ relates to areas of the economy such as agriculture, horticulture and tourism which, according to the FRA Report 2015, are among the sectors most prone to labour exploitation in the European Union. Also in this case there are structural factors exacerbating the vulnerability of workers, such as the existence of work permits tied to a single employer or the individual's limited access to information and support. In this regard, the FRA Report 2015 states that *"As has been highlighted by previous research, the status of seasonal workers is burdened with circumstances that increase their risk of exploitation, such as the fact that the worker is tied to – and in practice often at the mercy of – one employer or one temporary work agency, and the fact that seasonal workers are barred from any recourse to social assistance systems. This legal status creates a situation of vulnerability to labour exploitation."*¹⁷

Nevertheless, it must be noted that the Seasonal Workers Directive *expressly allows* seasonal workers to change employers. In fact, its Recital 31 makes it clear that the possibility of changing employers should serve *"to reduce the risk of abuse that seasonal workers may face if tied to a single employer"*¹⁸.

Undocumented migrants

Undocumented migrants in the EU are basically excluded from contributing to the economy, as their access to the labour market is hindered. Since their work-choices are limited and they do not have real access to social protection, undocumented migrants are often exposed to situations of exclusion

¹⁵ Riedemann, Paula, "Domestic workers in diplomatic households", in Human Trafficking in Germany – an Overview from a practical Standpoint, KOK German NGO Network against Trafficking in Human Beings, 2015, pp. 99.

¹⁶ The Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, "Seasonal Workers Directive" from 26.02.2014, is to be transposed by Member States by 30.09.2016.

¹⁷ FRA Report 2015, pp. 30.

¹⁸ Directive 2014/36/EU, Recital 31



and exploitation in the most abusive labour sectors. As such, they are particularly vulnerable to trafficking.

The experience of our counselling centres shows that individuals in exploitation or trafficking situations often get threats of being reported to the police or the immigration authority. Their lack of legal residency status is an effective means used by traffickers to exercise control on individuals and groups, effectively preventing them from seeking external support.

The effective consequences of asking the authorities to become involved will greatly depend upon each specific case. If the undocumented migrant is identified as a victim of trafficking, regulations and protocols of the criminal justice framework will apply and the individual will (possibly) get a temporary residency permit if he or she agrees to cooperate with the process (*see chapter concerning 'Identification' in this Handbook*). Only a *fraction* of exploited persons get formally identified as trafficked and access to remedies for undocumented migrants is *very* limited outside the *trafficking framework*. In this context, the work done by specialized counselling centres is of significant relevance for informing undocumented migrants of their choices and rights.

The Employers 'Sanctions Directive'¹⁹, with the deadline for transposition by EU member states set for July 2011, establishes certain provisions to ensure the labour rights of undocumented migrants. Yet, it has been recognized that this Directive focuses more on *sanctioning the employers* of irregular migrants than on the *actual protection of labour rights*. As stated by the Platform for International Cooperation on Undocumented Migrants (PICUM) in July of 2015, since an effective complaint mechanism of the Employers Sanctions Directive remains missing, it is very difficult in practice to receive unpaid wages.²⁰

In recent years PICUM has vigorously stressed the necessity of a 'firewall' to ensure that undocumented migrants are able to access justice and social services. Such a firewall would provide a clear separation between immigration enforcement authorities and labour and social inspectors. That would enable undocumented migrants to report exploitation and abuse *without fearing immigration law enforcement*.²¹

¹⁹ Directive 2009/52/EC providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals, "Employers Sanctions Directive", from 18.06.2009.

²⁰ PICUM, „The gaps in EU policies on migration, trafficking and victims' protection“, in PICUM blog <http://picum.org/en/news/blog/47817/>, visited on 19.02.2016

²¹ PICUM, „Internation Migrants' day – Changing the Narrative“, in PICUM blog <http://picum.org/en/news/blog/49052/>, visited on 19.02.2016.

In that sense, the FRA Report 2015 also states that

“Expert interviews pointed out that the tasks of public authorities in controlling migration on the one hand and acknowledging and supporting victims of severe exploitation on the other can lead to conflicting roles and requirements. Labour inspectors and police officers should be briefed and trained to give priority to the fundamental rights of victims over issues of public order when confronted with a situation of severe exploitation of third-country nationals in an irregular situation.”²²

But how can be an environment of trust and support established that encourages the reporting of exploitation and abuse, but without an understanding of the close and complex character of migration and its linkage with trafficking? How can we acknowledge the widely varied life realities and special needs of various vulnerable migrant workers groups who may become affected by trafficking?

In the following chapter we argue for a holistic *intersectional approach* that includes experiences of discrimination based on gender, along with unfair treatment against other identities such as class, race, age and sexuality. We investigate the links between migration and human trafficking and suggest methods of support for those concerned.

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²² FRA Report 2015, pp. 15.



- Directive 2009/52/EC providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals, *“Employers Sanctions Directive”*, from 18.06.2009.
- Platform for International Cooperation on Undocumented Migrants (PICUM) *“The gaps in EU policies on migration, trafficking and victims’ protection”*, online blog: <http://picum.org/en/news/blog/47817/>
- Platform for International Cooperation on Undocumented Migrants (PICUM) *“International Migrants’ day – Changing the Narrative”*, online blog: <http://picum.org/en/news/blog/49052/>

Linkages between Migration and Human Trafficking

There is no doubt that a specific anti-trafficking framework would greatly contribute to the rights of trafficked individuals. Conceptual clarity is crucial for national legislation, its enforcement and further victim-support mechanisms (Prasad 2015: 160). Nevertheless, this lack of clarity has widely isolated anti-trafficking debates from that context of labour and migration and, instead, emphasized its sensational character.

It is necessary to personalise perspectives of human trafficking by stressing the social factors of this movement, underscore its intertwined complexities and thus render migrant circumstances visible. Therefore, the existing link between trafficking, migration and (forced) labour *must* be acknowledged in the broader context of gender, security and the conflicting systems of globalization.

Migration occurs in various forms, ways and widely variable circumstances. Individuals and families move independently or assisted within national or international borders. They may be motivated by hope or the forced abandonment of their home country by war or political targeting. Some migrate for pleasure and high skilled jobs; others move to support their families and to survive. Those who choose or are forced to migrate have various backgrounds concerning age, gender, nationality, race and political motivations.

Sometimes those aims are met but often they find themselves in precarious and dangerous situations. Globalization, which fosters economic and political insecurities, pushes individuals in search of work opportunities and better futures. In regard to this, we must acknowledge various categories of migrants including refugees and the smuggled, trafficked and undocumented migrants

who are especially vulnerable to exploitation. Nevertheless, we must remind ourselves that these categories are often blurred, can switch easily and occur simultaneously.

- A migrant woman might be fleeing war in Syria, pay money to the promise of being smuggled to Europe and end up as an undocumented, low paid migrant working in the domestic sector without available recourse. The same woman might flee the war in Syria to a neighbouring country. She could be unwittingly trafficked on the basis of quickly broken promises to Europe, where she could well find herself heavily exploited, locked into a household and work 24 hours a day without any payment in her destination country.
- A migrant woman from Serbia might well come to Austria on a tourist visa and find undocumented work as a 24 hour care taker. She might also come to Austria (again, with a tourist visa and find 'friends' to stay with who could force her to work as a 24-hour care taker for their grandmother. Yet again, this occurs without payment, days off and proper accommodation.
- A migrant man from Afghanistan could end up in Germany with a denied asylum application and in desperation find undocumented, low paid work at a construction site. His boss could forward him as harvest hand to another company, where he must stay without have contact with his family, performing an unbelievable amount of work, not getting paid and facing physical violence.

Migration Restrictions and Human Trafficking

Migration (or movement) is an element of trafficking, as are coercion and abuse. Simultaneously, we must recognize the complex dynamics of migration, where trafficking is but one of many possible outcomes. When *irregular* migration is linked with trafficking, it is implied that increasing border control and security measures to manage migration would be the prevention.

Against this argument, trafficking also occurs when individuals migrate through 'regular' channels and many migrants **must** leave their countries due to economic reasons, conflict, political repression and war (AIS 2003). Furthermore, increasing migration controls as we have been practicing since the current movement of refugees to Europe in 2015 pushes the limited potential of those travelling without documents into risky channels. These practices enable traffickers and others involved in transporting people and making a business out of individual vulnerabilities. Therefore, it is vitally important to counter these current trends that restrict migration and labour policies in the name of



trafficking. By doing so, they (and we) unwittingly create opportunities for vulnerability, irregular forms of migration and trafficking that are merely another form of labour exploitation.

In this regard, the necessity of flexible and effective migration opportunities to counter human rights violations and protect migrant rights becomes overwhelmingly obvious. It is a *fact* that many countries in the global North and South *require* migrant labour to address labour shortages and working sectors that are not preferred by local workers. States *and the international community* must put in place human rights-based systems of migration governance that would premise migrant entry on the actual *needs* of the labour market and care economy as well as demand family reunification (UNHCR 2015).

Thus, governments will be required to provide safe methods for migrants to move to these countries and the legal opportunities to stay. Furthermore, they should offer easy access to assistance and transparent migration policies centred on migrant needs (UNHCR 2015:33, PICUM 2015). As a study of GAATW shows, *everyone wins*:

“People working for a legal employer would be paid a wage regulated by the state and would pay taxes. The employer has an employee, the economy is boosted by productive work, the government earns increase tax revenue, and the migrant person has a secure status. He or she also has a livelihood and is, in the process of gaining work, less likely to have to turn to brokers, who might turn out to be traffickers” (2010: 15).

Gender Perspectives on Migration and Human Trafficking

Gender perspectives on migration and trafficking are often simplified by focusing on female experiences only or by dichotomizing women migrants as victims and men as a social threat to the labour market. Against these stereotypes, it is crucial that a broader perspective that focuses on structural violence and discrimination based on socially constructed stereotypes of individuals and collectives must be implemented (ITUC 2015:6).

We point to one example by looking closer at the term *feminisation of labour* or the *feminisation of migration* (Gutierrez-Rodriguez 2010: 88). These terms have been used to describe the increasing number of working-class women who migrate autonomously to find job opportunities in often precarious work sectors. Structural circumstances such as the lack of livelihood opportunities for women in their home countries and an increasing demand for domestic services. Other in-house services such as caretaking or child care in receiving countries encourage women to migrate.

These work fields are those that cannot be outsourced, and are merely low paid by comparison to local wages. Within this context, migrant women workers are seen as desirable, because they are perceived to be cheaper, harder working and more manageable than their male counterparts (GAATW 2010). It is in this regard that the gendered and radicalized dimensions of specialized feminised skills become visible. These are seen as skills defined as ‘naturally acquired’ by women through their socialization. These perceptions imply low levels of appreciation followed by lowest wages, precarious working conditions and exploitation. Female skills are especially demanded in areas like cleaning, caring or personal services.

Another example may be found in changing gender roles within families after women migrate. On the one hand, work in foreign countries can be seen as an opportunity to escape gender stereotypes, violence and unsafe situations in home countries. On the other hand, increasing numbers of women become the main providers for their family income, with their husbands and relatives caring for the children left back home and facing social and emotional stress due to family separation and their limited ability to parent. This situation coupled with the high expectations of families back home makes migrant women more vulnerable to accepting exploitative working conditions and becoming unwitting victims of human trafficking.

A third example focuses on the dichotomies of portraying the women as victims and the men as perpetrators in human trafficking cases. Many studies show that anti-trafficking measures developed to protect women are often centred on their victimhood, but with little attention to protecting their rights as migrants and survivors (GAATW: 20). This undermines women migrant’s rights to freedom of movement and freedom of discrimination, as well as rendering their circumstances (even as survivors) invisible. On the other hand, portraying only men as perpetrators (or as a threatening force to the labour market) prevents the identification of exploitation and human trafficking of men and boys in special work sectors.

Therefore, it is important to include the multiple experiences of discrimination based on gender, along with that against other identities such as class, race, age and sexuality while investigating links between migration and human trafficking and providing support for those concerned. The focus on women is a given, due to the fact of worldwide and various forms of discrimination against women. *“Discrimination against women has been identified as one of the root causes of trafficking as discrimination can affect where and when a woman can work, travel, migrate, and make her own decisions. It ultimately affects whether and how her human rights are respected”* (GAATW 2008:2).



Why do Migrant Labour Rights Matter for Trafficked Individuals?

As previous research on the link between migration, (forced) labour and human trafficking has shown, most cases of exploitation take place in the context of migrant labour (HEUNI 2013, Hajdu/Planitzer/Probst 2014, OSCE 2011, FRA 2015). Therefore, the prevention of trafficking for forced labour must always include a wider perspective on preventing exploitation of migrant workers and advocating for equality and labour rights for **all** workers. This is the most efficient way to improve the general standards of employment in the first place. Severe labour exploitation affects EU and non-EU citizens in various ways. Therefore, it is important to advocate for the implementation of Article 31 of the EU charter for Fundamental Rights for fair and just working conditions for workers, regardless of their residence situation, be it regular or irregular.

Considering the labour market, it is a *fact* that migrant workers undertake a high percentage of jobs that are characterized by irregular recruiting practices, uncertain terms and conditions as well as low wages. Employers may look for cost saving measures through using temporary and part-time contracts. They demand the high flexibility of workers as a cheap alternative to the local work force. In regard to this, an unequal labour market has been created that divides and discriminates against workers and their rights (FRA 2015).

Therefore, the prevention of severe exploitation or labour human trafficking must be addressed through preventative measures that reach those concerns *before they are at risk of exploitation* (OSCE 2011, ILO 2008). This must be done on various levels.

First of all, it is important to identify and evaluate those factors that increase migrant workers' risk of becoming subject to exploitation. For example, as a study of labour exploitation of Hungarian nationals in Austria shows, the risk factors that lead to and enable exploitation begin with the personal backgrounds of migrant employees. Other risk factors include the recruitment process, agencies and the hiring process of the employees, lack of information concerning advocacy, access to justice and the enforcement of rights (Hajdu/Planitzer/Probst 2014).

Second, advisory institutions and controlling authorities must raise their awareness of these risk factors. More training for police forces, controlling authorities and experts working in key sectors are all necessary.

Third, communicating with and providing information for *individual* migrant workers is one of the most important prevention measures. Increased awareness-raising concerning the generally accepted terms and conditions of employment *at an early stage* and *in the native language of the migrant* are critically important.

This must be accomplished by ensuring migrant worker participation and support in labour unions, regardless of their residence status or whether the workers are union members in their home countries or not. Furthermore, tailored assistance must be provided for those who work in hidden, hardly reachable or closed places like care work, cleaning and domestic service. Information materials concerning migrant worker rights must also be provided in multiple languages, in person, on the phone and online as a response to the needs of the most vulnerable groups of migrants such as those who are undocumented.

In this regard every migrant worker should be entitled to the same human rights as local labour and enjoy labour law without discrimination in the county of destination. The ILO Convention No.189 and Recommendation No. 201 providing additional standards on decent conditions of work for domestic workers is one of the most effective instruments to advocate for human rights or migrant worker rights, as it especially addresses the promotion and protection of the rights of domestic workers. *“States have a duty to ensure that all migrant domestic workers, regardless of status, can enjoy their human rights. This includes taking effective action to prevent private actors, including employers, from abusing the rights of the migrant”* (OHCHR 2015).

But how can we establish an environment of trust and support be that insures those concerned are effectively reached to inform them about their labour and human rights and the offer of tailored assistance? How can we acknowledge the widely varied life realities and special needs of various vulnerable migrant worker groups who, besides fearing immigration law enforcement, must cope with structural inequality, poverty and racism? The concept of cultural sensitivity, elaborated upon in the next chapter as applied practice, offers newly developed useful tools to overcome distrust and the reservations of those most intimately concerned.

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Cultural Sensitivity

Introduction

Cultural sensitivity is a concept that already made its way years ago into social work, teaching, development cooperation and politics. This handbook does not primarily aim to answer the question of whether there are culture-specific offers available to various groups. It critically examines the question of HOW.

A reflection upon the use of cultural sensitivity as an applied practice concept in working with migrant women makes it possible to more clearly identify its related challenges, limitations and successes.

First of all, we must overcome a one-size-fits-all approach or inherent antagonism toward a universal explanation framework in this practice. Rather, the purpose is to facilitate cooperation and support structures for migrant women in a common area that, though shared, is not commonly lived and experienced. Cultural sensitivity as an applied practice means supporting and encouraging client women who, in an environment of structural inequality, attempt to cope with unemployment, difficult life and job realities, poverty or racist and sexist ostracism by the majority society. This occurs by responding to their *individual* life realities and survival strategies and by becoming more sensitive to the needs of various groups and their trans-cultural affiliation. Cultural sensitivity as an applied practice allows us to overcome client distrust and reservations, thus encouraging participative encounters.

The fluid classification aspects of culture play a key role although the term *of culture* is used herein. In doing so, culture is not defined as an enclosed entity; rather, it is perceived as something hybrid that is constantly exposed to exchange and remains dynamic.

Culture means the world of mental goods, material synthetic products and social institutions created by mankind itself, with nature subject to impacts caused by technology. The term *of culture* brings certain assumptions with itself that have been negotiated during the course of the socialization of people. These include, for example, certain forms of life and work, courses of thinking and action as well as moral ideas of a given society (Bundeszentrale für politische Bildung, 2009). Culture can be viewed as a conglomeration of diverse practices that form a life typical for a human being. This



includes daily routines, competencies, convictions, manners, social rules, world views and such. In many cases, culture also includes a geographical, national or ethnic 'boundary' to certain practices (cf. Welsch 2010, pp. 1-4). In the present era of globalization, it is proper to question boundaries when defining cultures: The worldwide interconnection in the economic, political and, above all, cultural sense has created new interest alliances across regions.

If you look at culture as a self-contained system of values and affiliations, you may observe seemingly inherent areas of responsibility, power hierarchies and identity attributes, which are then (of course) considered to be cultural facts. On the contrary, a hybrid concept of culture allows you to acknowledge multiple practices of daily life, languages and value systems embedded in the complex power dynamics of rapid urbanization, migration and transformation of societies. Nevertheless, ever new forms of conflicts arise simultaneously (Rommelspacher 2002, p. 19), which are essential and required for the negotiation of new methods of living together.

However, these important conflict structures are rarely noticed immediately, but rather they are more often promoted as ambivalent relationships among various cultures. On the one hand, priority is given to the melting of cultures and new ways of living together peacefully and with equal rights for all. On the other hand, there comes a kind of cultural compartmentalisation that manifests itself in racist segregation processes and divisions of labour between the Global North and South.

The concept of the trans-cultural opposes this ambivalence and begins with the notion that cultures are not homogenous entities that can be clearly discerned from one another, but rather become ever more interconnected and mixed due to relentless globalization. Trans-cultural redefines exactly this aspect of development from clearly separable single cultures toward a global culture. It constitutes a counterpart to concepts such as 'multi-cultural' and 'inter-cultural' that are based on the premise that diverse cultures exist next to and influence one another without actually transforming themselves.

In this respect, cultural sensitivity is to be understood as an awareness of the existence of cultural differences and similarities, all of which influence values, learning and behaviour. This also includes acknowledging and appreciating one's 'own' culture and being prepared to adapt and negotiate its actual conduct patterns with other cultural standards. The readiness to learn the traditions and characteristics of other cultures is regarded as a primary attribute of the concept of cultural sensitivity (Stafford et al 1997). Representativeness also plays a role in cultural sensitivity. The purpose is not just to put oneself in the position of subaltern society classes, as Gayatri Spivak puts

it²³, it is rather more important to get them actively involved and to reflect their perspectives and positions.

Cultural sensitivity as applied practice when working with the survivors of trafficking in women makes it possible to acknowledge the cultural positioning of clients and to understand it through social and cultural mediators, as well as assuring different perspectives while making sure diversity is constantly acknowledged.

Socio Cultural Mediation

Language interpreters and socio cultural mediators/assistants are placed in social facilities with the objective of facilitating integration and social communication.

Interaction and communication are processes that facilitate the functioning of society and the individual. Only when communication problems or misunderstandings arise due to this complexity do these processes manifest. Social communication is embedded in various communication conditions. Social situations, socio cultural systems and socioeconomic positions represent equally relevant aspects as do biography, space, time and context, all of which play a role in communication.

Moreover, transversal factors also permeate these analytical dimensions. Language or group affiliations are examples of aspects that play a role on the individual, social and context levels. Social communication takes place between individuals or social groups, and this communication requires at least a partial agreement on a semiotic system or reference system between individuals or groups involved in communication. These semiotic systems consist of languages, codes, values, standards and cultural meanings that are all products of the individual level of socialization and enculturation processes. These are subject to continuous modification.

Furthermore, on the social level these are also a product of negotiations among various social groups and thus an expression of power relationships. The semiotic systems of two individuals or groups will never be 100% equal due to their different development conditions. It is only possible to achieve a greater or lesser overlapping thereof. Examples of these semiotic systems can be emotions such as grief, expressed in different ways or various forms of bodily expressions that are established through social conventions in daily life, such as country-specific forms of greeting. This knowledge, acquired

²³Due to hegemonic structures and the exercising of authority or dominion by other parts of society, subaltern society levels are strongly limited in their possibilities to become aware of their political interests and potential political power and to articulate themselves politically and publicly. This is a result of hegemonic discourses that are created by society through the practice of social exclusion.



from socio cultural mediators, may also prevent structural disadvantages in dealing with the authorities.

Therefore, socio cultural mediators can play a supportive role when the semiotic system of individuals or groups overlap too little, thus rendering social communication impossible, or when the reference systems are very dissimilar. Communication competence includes the ability to adequately interpret social situations and act in them at the same time. Essentially, this can also be transferred to communication situations such as role distribution and methods of non-verbal communication between communicating entities.

Socio cultural mediators attempt to detach themselves from certain attributes often perceived as determining factors, such as ethnic origin, gender or social class. In this form of mediation, the focus is on the individual, not on 'being a migrant' (cf. Dahinden 2002, pp. 12-19). Always take into consideration that the woman (or migrant woman) is more or less victimized not just as a woman or migrant, but far more since identity always plays a key role in this respect.

This also applies to various differentiation attributes and affiliations (living environment, subcultures and surroundings). The terms 'hybridizing' and 'multiple affiliations' are frequently used in an effort at explanation. The concept of culture as used in cultural studies encompasses daily symbolic and social practices of appropriating and interpreting particular living conditions (Sprung 2008/2013). Models that consider primarily mental and social factors must be created to promote transcultural competence. Culture-based explanation patterns should be deconstructed as part of this problem-solving competence (cf. Dahinden 2002, pp. 12-19).

What then does cultural sensitivity mean from the viewpoint of counselling and assisting the affected women? Affected women who work in hard-to-access locations and are exposed to exploitation and violence there require a specific approach. Socio cultural mediators/assistances need to know something about the socio cultural background, be aware of misunderstandings as well as of the multicultural backgrounds of the affected women, and should be able to reflect upon their own perspective and preconceived notions. Socio cultural mediators/assistances have an important position, as they not only avoid misunderstandings and conflicts but also overcome language and cultural obstacles, thus significantly improving the communication process.

On the basis of socio cultural mediation, LEFÖ-IBF the intervention centre for trafficked women, counsels and assists those concerned since its beginning and has constantly updated its concept of socio cultural mediation. The team of counsellors and assistants was formed to have a transcultural profile and offer the organisation's services to the affected women and girls in their native language. Socio cultural mediation, as one part of the activities of LEFÖ-IBF, can be described as follows: *"Cultural women mediators are intermediaries who know the reasons for migration, habits and rules*

of both the migrant women or cultural groups and the majority culture of (...) [the target country]; at the same time, they are also aware of the conditions, social ethics and the situation in which the minority finds itself' (LEFÖ 2009: 13).

Tailored Assistance

Socio cultural mediators play relevant roles in dealing with the affected women as well as in their daily work in various areas, such as counselling, assistance or even outreach work. Tailored assistance, a concept further developed within the Project, means to empower the affected women. This requires a holistic, client-oriented approach with particular attention paid to the social exclusion of women, their marginalization and social discrimination. Simultaneously, the approach focuses on community development with the objective of establishing self-supporting structures within the community. The practical experience gained during the Project enabled us to gain new insights into the concept of tailored assistance, which will be elaborated below.

The Project reaches women in hard-to-access areas, thus achieving their self-identification and preventing the exploitation of those affected by trafficking in women or jeopardising migrant women. Migrant women often find themselves in dangerous situations, particularly due to structured working conditions that make it more difficult for them to pursue legally regulated work. This in turn brings them into precarious and dangerous working relationships. The concept of tailored assistance in the Project represents an important instrument to counter this danger and promote the rights of the affected individuals.

Outreach work conducted by socio cultural mediators was used to inform target groups in specific areas (railway stations, bus terminal, churches, etc.) concerning available counselling and assistance services. Information brochures were distributed that were co-created in workshops with survivors. This made it possible to incorporate the active critical comments and change proposals made by the affected women themselves in the modified version of the material.

This expertise was also used to reach target group communities, as these know best what is needed. The outreach work conducted and direct exchange of information concerning the rights of affected individuals made it possible to establish personal contacts and build trust and sincere relationships by means of the cultural sensitivity concept. Materials were distributed in different languages that included the native language of the individuals. If the affected women eventually decided to contact a facility, tailored assistance was then further provided in terms of counselling and assistance. Thus the assistance is tailored to suit the individual needs of affected individuals.



The various pillars of the service-range offered by LEFÖ-IBF, one of the organizations participating in the Project, are based on resource-oriented work. The overall objective is to empower affected women to lead an independent life of their choice and help them restore their ability to make independent decisions. The development of new handling procedures evolved from the needs of affected individuals.

This counselling and assistance concept is based on multiple pillars. One of those is 24-hour assistance in an emergency flat or assisted living in a transition apartment. Another is psychosocial counselling. This counselling and the accompanying of affected individuals represent a complex area of work that can be described from various viewpoints.

Psychosocial interventions can be effective toward affected individuals only when there is a relatively stable place of living arranged and their residence status clarified. Unfortunately, where residence status is concerned, the support possibilities of LEFÖ-IBF are limited and further steps require a reasonable legislative response by politicians and competent authorities.

Nevertheless, tailored assistance, as experienced within the PRACE project, must go beyond psychosocial interventions. The 24 hour caretakers target group in Austria, were additionally in need of professional counselling regarding labour and social law. Particularly the limited information available in native languages of the individuals we reached was one of the largest obstacles to finding information concerning their rights and duties.

Furthermore, the risk of and concerns from seeking help at such institutions while living undocumented and fearing labour and social inspectors was a major factor. Therefore, LEFÖ IBF should recognise the importance of building networks with other migrant rights organizations, like the Drop In Centre for undocumented workers and relevant governmental institutions. These might include the Austrian Economic Chamber and the Chamber of Labour to dramatize the needs of those at risk.

Additionally, these networks must also meet to quickly enable professional support and counselling from those institutions that can offer expert testimony concerning these sensitive issues. This holistic approach pays tribute to the complex living realities of those individuals concerned and puts their needs into the heart of our work. This allows the active support and intervention provided to have longer-term effects. Furthermore, it renders visible the need for cooperation between various support organisations that would be very difficult to reach without tailored assistance structures.

Tailored assistance with affected women based on cultural sensitivity in the daily workplace is to be understood as a holistic approach that considers the mental, social, health, legal and structural

circumstances of those affected. Empowerment strategies with gender-sensitive and transcultural approaches are used to reach affected individuals, yet with the aim of building on *their own decisions* from the very beginning. This process is based on amicable decision-making and joint actions rather than simply limited to counselling sessions.

In this context, *transcultural* also means acknowledging individual emotional needs beyond the prevailing cultural perceptions. Awareness of the intimacy required on the one hand and a respectful distance on the other arises from close cooperation with affected women and the joint accommodation of their individual needs. This happens at a distance from static cultural behavioural perceptions, yet with the full knowledge of structural and social power relationships and exclusionary structures.

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Identifying Trafficked Women

Identifying trafficked women is the underlying prerequisite for fighting against trafficking and ensuring the rights of trafficked individuals. In practice, identification is a gateway to using social services that can subsequently help minimize the consequences of criminal activities and facilitate a return to normal life. Trafficked and exploited individuals and groups can be identified not only by the police, but also by those institutions and organizations that might come into contact with a trafficked woman. This is mainly comprised of social workers, outreach workers, medical staff and others.

Trafficking in women is often related to certain specific settings or sectors such as prostitution (brothels, massage salons), pornography, illegal activities in massage salons and striptease bars, as well as to criminal activities involving unaccompanied children, etc. However, trafficking in women can also occur within settings that are *not in any way exceptional*, such as sectors of industry, agriculture, construction or other services including 24 hour care takers, cleaning, domestic work and child care.

Women Trafficked in Hidden and Not Easily Accessible Sectors

Regarding establishing contact with trafficked individuals and identifying them, some sectors are relatively accessible, while others are not. This is certainly true of cleaning services and other types of jobs performed in specific commercial premises. As an example, here we must differentiate between hotels operating under ordinary circumstances – these may be not easily accessible for those who are not accommodated there. However, female workers²⁴ such as cleaning ladies, chambermaids, female cooks and laundrywomen leave the premises once their shift is over and it is thus theoretically possible to contact them in public spaces. Yet female workers do not leave pensions and closed hotels, wellness and fitness complexes that are also inaccessible because they are staying there on a long term basis. Moreover, these complexes are often located at secluded locations.

However, *all* of these locations can actually be identified (if one searches diligently) based on information obtained *from publicly accessible sources*. Thus successful attempts *can* be made to contact resident female workers.

Trafficked individuals may also be found in the hidden and not easily accessible sector of domestic work. It is often a case of distinguishing those female migrants *living out* from those *living in* households. In either case they may be cleaning and assisting with other household chores,

babysitting or caring for people with disabilities or for the elderly. Most at risk are those working within closed private premises, usually family houses, but often in housing complexes where particular apartments are identified only with difficulty.

Should a female worker not leave the premises to fulfil certain duties such as shopping, accompanying children to school, etc. it is practically impossible to establish contact. Provided she worker leaves the household at least from time to time, it is possible to approach her in public spaces, preferably when she is alone, such as those times when she is returning home after dropping the children at school. Other methods of establishing a contact include various interest and self-help groups of female migrants, shops with exotic spices and food, churches and prayer rooms or other locations these individual workers may frequent.

Cooperation between the Czech Ministry of Foreign Affairs and the La Strada Czech Republic organization regarding registration of private servants in domestic service has proven to be very useful. Yet servants are *private* employees of members of diplomatic missions, who are *not* in an employment relationship with the sending state and, at the same time, *not Czech nationals* nor do they require a permit to reside in the Czech Republic under these circumstances.

In April 2015, the *Rules for the Registration of Private Servants*, including a new employment contract template, were circulated by the Diplomatic Protocol of the Czech Ministry of Foreign Affairs among all resident Diplomatic Missions accredited in the Czech Republic.²⁵ Subsequently, the organisation La Strada Czech Republic was invited to participate in interviews with these private servants, which take place regularly every year in order to *personally* hand over a new residency permit to these servants. The aim of these interviews is to specifically monitor these private servants' working conditions. For La Strada CZ they present a unique opportunity to make contact with individual household workers employed in households of those with diplomatic immunity. These private servants can subsequently spread information concerning the existence of a helping organization among other staff members within diplomatic missions.

Field Identification and Contact of Female Domestic Workers

A specific method of field identification and contacting female domestic workers is predicting likely locations based on publicly available information and exterior signage (for more details see the illustration photos below). This should be followed by an attempt to personally hand over or leave an information leaflet directly on the spot.

²⁵ The document *Rules for the Registration of Private Servants* in Czech and English is available at: http://www.mzv.cz/file/947078/Registration_of_Private_Servants_Registrace_soukromych_sluzebnych_osob.pdf



Should individual female workers not be allowed to leave the premises and legally entering those private premises is impossible, another possibility is to disseminate informative material through other members of staff. This may include gardeners, drivers, maintenance men, etc. or live-out cleaning ladies and/or companies providing maintenance of air-conditioning, swimming pools, etc.

Remember though that in this case it is never certain that the information materials will actually be delivered, as those contacted may directly the employer. In these cases, more attention should be paid to a detailed observation of the functions at a particular location and determine the native language of targeted individuals. If the handing over informative materials through a third party is unlikely to succeed or is disproportionately difficult considering the possible outcome (uncertainty if the individual present within the premises, who they are or what their situation is), one may leave information materials at a location where the individual is likely to appear. Choose a place with a relatively low chance that the materials will be found by the employer. This usually includes areas around kitchens, laundry rooms or garbage cans.



Example of the informational material placed where the target group will find it, photo by La Strada Czech Republic.



Premises suitable for screening can often be identified by using aerial maps: *It can be assumed that caring for premises of this size will require private servants / personnel. Another indicator other than the size of the house may be the extent of the estate; and observation assumes the owner hires out the services needed. The financial situation of the owner can also be deduced by security measures protecting the premises. (Illustration photo)*

Basic Tips to Identify Trafficked Women Working in Hidden and Not Easily Accessible Settings

Indicators identifying trafficked women working in hidden and not easily accessible settings are in many respects identical with identifying trafficked persons working in other types of jobs or settings. Those at risk (mainly in households) are in most of the cases **related to the type of workplace they inhabit – often a private dwelling** which is outside the scope of any social control or control by relevant authorities or institutions. Additional clues relate to the **type of work**. **Many** employers consider it useful for female workers to be denied any free time and were expected to be available all the time for any type of job.

In the case of the live-in female workers, the fact that they **live in the household** presents a combination of both types of risk– they may be deprived of privacy, denied rest and access to hygiene, medical aid, food or beverages. Family members might humiliate them, etc. Contrary to widely spread beliefs, a trafficked woman does not have to have visible traces of physical violence. Our experience illustrates that human traffickers currently use such forms of coercion the consequences of which are most often not visible at first sight.

Non-verbal signs during contact with a potentially trafficked woman which may indicate human trafficking may show:

- worsened living conditions,
- insufficient or non-existent privacy,
- physical or sexual abuse,
- inadequate working and accommodation conditions,
- signs that personal freedoms have been restricted,
- behaviour illustrating excessive dependency,
- disorientation, as they may not know where they are (in which city, country, etc.),
- identity documents withheld,
- identity documents that are invalid, forged or altered,
- another person insists upon making explanations to police officers, officials or social workers.

A trafficked woman can also be recognised by specialized organizations or institutions that are involved in solving other life situations. During interviews with a female worker they may notice other **indicators** besides those mentioned above **that may point to a criminal offense of trafficking in human beings**. These indicators include, *inter alia*:

- in the country of origin, the job offer was made by a third party that also organized the journey, arranged for and potentially paid for documents, as well as promising a work permit,
- false or misleading promises regarding the nature of the job were made (for example with respect to the working conditions or hours),
- the female worker was handed over or sold to another person,
- the female worker was located in a place she could not freely leave,
- the female worker experienced threats, intimidation or blackmail (harm caused either to her personally or to related persons, threats of turning her in to the authorities, etc.) either during the journey or more often at the place where she was working/ accommodated,
- during her employment the residency/work permit expired and the female worker found herself in illegal circumstances,
- her documents were withheld or her freedom of movement was restricted,
- she was forced to provide improper services,
- fictitious debts were created or financial penalties enforced,
- her movements were monitored (inside and/or outside the premises),
- she was prevented from establishing contacts with the outside world,
- her right to privacy was violated and she was forced to be available 24 hours a day,
- due to her desperate situation, she was not able to refuse the job or a particular activity,
- she was forced to perform the job against her will and/or could not leave,
- the agreed wage was not paid or, over a long period, only so called advances of wages were paid out,
- the wage was sent by the employer directly to her family in the country of origin and she had no control over it,
- drugs were offered or imposed upon her and subsequently were used as a tool control her,
- any of the following occurred: beating, physical abuse, removal of personal belongings, denied access to food, sleep, fluids, hygiene or medical aid,
- torture occurred or actions by third parties were perceived as inhuman or humiliating,
- she was once (or repeatedly) raped or forced to undergo coerced sexual contact.

If any of the above listed occurrences appear in the female client's story, a criminal offence may have been committed.



It must be determined whether the female client would consider using offers of aid, including legal aid. If so, it is advisable to come to an agreement with the female client about who will continue conducting the interview with her – particularly whether she wishes to contact a specialized non-governmental organization (after those options are clearly explained and protections are provided).

In case the female client fails to respond positively, she should be at least given contact details for such specialized organizations.

Introduction

For the majority of trafficked women, especially those from the hidden and not easily accessible settings described here, it may be **problematic to ask for help, establish contact and build a relationship of trust** with outsiders. This is most likely caused by their vulnerability, the **fear that her employer will seek revenge on her or her family or the understandable fear of sanctions from state authorities**. Language and cultural barriers are usually an issue, as well as lack of understanding regarding the concept and legality of a helping organization. Events may have reinforced the belief that everything always works on a '*quid pro quo* basis' and no service is provided free of charge.

The situation is far more complicated in cases of women who never leave their employer's building or cannot leave it on their own, thus making them completely isolated. Not only are such women hard to find but, as a rule, there are also few opportunities to contact them and give them a helping organization's contact information. Additionally, they usually have few opportunities to activate that contact. If one manages to communicate a contact telephone number to them (on a promotional item or information leaflet), a toll-free number should be available that can be called from any phone, even a prepaid card with no money on it. The chapter on field identification and contacting describes the possible ways of contacting these women in more detail.

An **existential dependency of a broader family in the country of origin on remittances**²⁶ can also play a certain role, because it is often mothers of children who leave for these types of jobs, or a daughter is sent whose task is to ensure an income for the rest of the family. This is also connected to the issue of **debts**, be it in the country of origin (the family got into debt in order to ensure the journey, documents and mediation fees) or in the target country (debts for the journey, accommodation, food, etc.).

To return home without money earned is often unimaginable for these women. In some cases when the mediation and employment system is set in such a way that the female workers first have to pay off their debt by providing their services (the debt amount and the amortization is often not fully transparent) we may use the term 'debt slavery'.

²⁶ Remittances are financial and other means sent by migrants from the countries where they work back to their countries of origin. According to some surveys, for some developing countries remittances are allegedly the second most significant source of capital right after direct foreign investment (see for example Wikipedia – <https://en.wikipedia.org/wiki/Remittance>)



Alleged or real employers' or middlemen's social and power ties (usually financially well-situated people with a certain influence and possibilities, including a legal background) serve not only as a tool for **intimidation** and discouraging female workers from searching help, but often serve as the basis for fears of **stigmatization**. In the case of individuals from certain cultures the **use of very specific and effective ways of coercion** may appear, **such as curses**. To date there is only one such publicly known case in the Czech Republic, when women from Nigeria were trafficked in the sector of prostitution using occult practices known as 'Jujú'.²⁷ We cannot rule out such practices being used in other areas of human trafficking besides the sex industry.

Another difficulty female workers must face may relate to **coping with the feeling they have failed** as breadwinners, or that once they speak out against those with high social status, they may be labelled as 'liars' or 'ungrateful'. Other important factors include the culturally conditioned role of men and women in their native society (female workers often come from cultures where women are traditionally subordinate). Additionally, **'tunnel vision' is typical in certain states of psychological crisis**, along with a number of other factors.

During screenings to identify potentially trafficked women, sensitivity is especially important to the overall context of the circumstances. Pay particular attention to those nonverbal clues described in the subchapter *Basic Tips on how to Identify Trafficked Women Working in Hidden and Not Easily Accessible Settings*.

Problematic Aspects when Providing Social Services to Trafficked Women from Hidden and Not Easily Accessible Settings

Another difficulty may be posed by certain aspects of providing social services to domestic female workers and trafficked women from hidden and not easily accessible settings in general. This applies both to women who still find themselves in these settings and who are considering leaving their employer, as well as those who have already left these settings on their own or have been freed. This mainly pertains to **complications linked to residential status, insurance, language, cultural barriers or a current state of health**. The example of the Czech Republic regarding support services for trafficked women and its difficulties (below) provides insights to multiple obstacles.

²⁷ For more information in Czech and English, see: <http://zpravy.aktualne.cz/domaci/gang-nutil-zeny-k-prostitutici-praktikoval-vooodoo/r~i:article:711673/> or <http://lastradainternational.org/dynamic/files/La%20Strada%20Newsletter%20Issue%20209.pdf> (page 8).

The question of **issuing new or substitute documents, legalization of residence and health insurance payment in confirmed cases of human trafficking** is dealt with under the *Programme of the Ministry of the Interior of the Czech Republic*.²⁸ The Ministry carries out a **Programme of support and protection of victims of trafficking**. It provides trafficked individuals with medical, social and legal assistance, as well as accommodation and ensures safe return to their country of origin.

Participation in the Programme is made conditional for trafficked individuals by cooperation with law enforcement authorities in criminal proceedings. However, if the trafficked person for some reason chooses not to participate in the *Programme* because they do not want to cooperate with prosecuting authorities, the criminal offense of human trafficking was not proved or was reassessed as a different type of criminal offence, it is often problematic to provide legal status and pay for all medical treatment in cash. Issuing a substitute document if the original was confiscated/stolen/lost/spoiled also may prove difficult. This is particularly true if the female client of the helping organization is not enrolled in the *Programme* and the embassy of her country is not currently located in the Czech Republic.

Especially when female domestic workers cannot leave the household and are intentionally kept in isolation and therefore cannot learn even the basics of the language of the country they work in, there is a problematic **language barrier**. Moreover, for some languages it is difficult to ensure **interpreters and** for certain dialects virtually impossible. Therefore it is necessary to look for interpreters abroad. Searching for interpreters within a certain community for the single needs of an individual client may also be risky. Because it is necessary to act fast, the 'safety' of clients and discretion of interpreters cannot always be 100% guaranteed despite the fact that the interpreters are usually verified and sworn to secrecy.

It would be excellent to have trained interpreters with a long history of collaboration at all times, certainly several for each language encountered in one's work. While this may not be practicable, we recommend an effort to build and maintain the broadest possible database of interpreters.

Interpretation still may not solve all difficulties related to the language barrier, as some arise by the very nature of first contact. More specifically, it is **relatively difficult to guess the languages required of information hand-outs** distributed in these settings. During field identification one seldom knows in advance the nationality and language of the women employed. One possible solution is to produce multilingual hand-outs, and leaflets. Proven useful for this purpose are folded leaflets that allow up

²⁸ For more information on the *Programme of support and protection of victims of trafficking* in English, see: https://ec.europa.eu/anti-trafficking/member-states/czech-republic-3-implementation-anti-trafficking-policy_en



to 11 language versions on a relatively small piece of paper, eventually collapsed to about one-twelfth of the A4 format (see an example page below).

Such leaflets can be produced for different groups of languages, for example in European, Asian and African language groups, with each containing a basic English version. These are much easier to use than normal one- or two-language leaflets because the outreach team is no longer obliged to identify the worker's nationality/language. The shorter time spent by the outreach team in the place of employment and residence, the lower the risk of encounter and conflict with employers. This should be avoided for the sake of both parties' safety. The less attention the outreach team attracts in the field, the more likely targeted workers are able to safely quit their job or escape their employer.



Example page of folded multilingual flyer with 11 language versions made by La Strada CZ

Creative thinking is an essential of outreach work and this is even more the case in not easily accessible settings. In the Czech Republic, La Strada CZ tried some non-standard methods to contact workers trafficked and exploited in these settings. While one must always comply with national laws, there are still a relatively broad range of options for contacting target groups other than

screening, which is typically ineffective in this type of setting. Aside from more costly and less targeted campaign formats, one method of contact is through letters fictitiously sent from the home country to the addresses of workers who have their registered residency in a massage parlour.

As for workers who are not held in isolation but work long hours and have no time to go out (possibly using free time to rest), letters are typically passed to them by their employers. One can then create an envelope with an “imprinted” stamp from the country of origin and enclose a letter offering assistance in a language the worker understands.

La Strada Czech Republic used this method to successfully contact a Thai woman working in a massage parlour operating out of a private villa that was otherwise inaccessible to the outreach team. Shortly after receiving the ‘letter’ the worker chose to quit her job. The employer had been exploiting her for a long time. In addition to ten- to twelve-hour shifts, they forced her to work in their household, cleaning the entire house, etc. When she quit, she suffered a physical assault by her employer, who threatened that her residence permit would be immediately voided and she would be deported unless she continued working for him. Ultimately she was locked up in the villa. She managed to escape at night and the next day contacted La Strada CZ to request counselling and legal assistance. The case was eventually settled when worker and employer agreed to terminate the employment contract with notice, so the worker had time to find a new job.

As for other methods, one can use the so-called reverse graffiti, chalk-and-milk paint, sand graffiti or snow graffiti²⁹ to place text directly on a wall, sidewalk or other surface where it can be seen by workers, while avoiding criminal or administrative liability for damage to property³⁰. Such texts should be written in the worker’s language in order to catch their attention and, in some cases, eliminate the risk of exposure to unwanted witnesses (employers, guards etc.) One advantage is that graffiti stands out by being written in large letters or on the ground and thus commands attention. At the same time, a template with a short text and contact information, in a number of language versions, is typically fairly easily made and quickly applied, allowing flexible responses to circumstances in the field.

With respect to acts of criminal proceedings, the Act No. 141/1961 Coll. on criminal judicial procedure (Criminal Procedure Code), section 2, subsection 14 is of theoretical help here, as it states that: *Authorities active in (responsible for) criminal proceedings conduct the proceedings and make their decisions in the Czech language. Anybody having declared that he/she cannot speak Czech is*

²⁹ For more information, see, for example, http://www.nechceme-billboardy.cz/doc/greengraffiti/prezentace_greengraffiti.pdf (in Czech).

³⁰ See, for example, *Manuál dobrých praxí – Bezpečnost, prevence a krizová intervence*. ASZ, Praha 2014, ISBN: 978-80-7440-108-4, p. 64 (in Czech).



authorized to use their native language or any language he/she declares to speak before the authorities active in (responsible for) criminal proceedings.

In this instance interpreters are present at the oral proceedings, interpreting from Czech to the foreign language and also translate the documents. The costs of interpreting and document translation are covered by the state. However, even this right, stipulated by law, does not necessarily mean that it will always be possible to secure an appropriate interpretation or that it will be secured within a reasonable time period.

Nonetheless, interpreting from/to less frequent languages also remains a problem during ordinary activities. Even if one succeeds in securing an interpreter for negotiations with state agencies and meetings with a social worker, during the stay of the female client in asylum housing, as well as during her ordinary activities in the city, a number of situations occur which prove to be very difficult if the person cannot speak the language. There may arise conflicts in the asylum housing, emergencies and various failures, the female client may get lost while walking in the city and so on.

In these cases a much more intensive personal contact and communication with the social worker and the interpreter are needed, compared to other female clients. It is possible that the woman has never encountered many of these situations before and she never had to deal with them, as she was isolated in her workplace and her freedom of movement was restricted. However, due to time, financial and capacity reasons it may not always be possible to secure such intensive contact.

Cultural practices and specifics, poor experiences with institutions and organizations in the country of origin or insensitivity of institutions/organizations in the target country towards cultural differences, religion or practices may similarly create barriers in communication with the trafficked women from closed settings, even after they have entered the system of social services. Finally, **health issues of both psychological** (namely the manifestations of post-traumatic stress syndrome) **and a physical nature frequently appear**³¹, and must be dealt with accordingly.

A number of these obstacles have to be overcome during first contact, since this is often the only chance to get in touch with the person at all. It is best to enter the community 'seamlessly', through socio cultural mediators, the church, or while promoting other causes than human trafficking and exploitation. For that reason, **outreach should be conducted among other settings such as places of worship, churches, exotic food shops, in the vicinity of selected private schools, or residential**

³¹ For more details see for example a survey on this topic: Zimmerman, C. et al.: *Stolen smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*. The London School of Hygiene & Tropical Medicine 2006. (Available online at: <http://www.strada.cz/en/publication>).

neighbourhoods. Moreover, the target group's access to the service will be improved by timing the screening in accordance with the likelihood of encountering its members in these settings. For instance, screening around schools should be conducted early in the morning on weekdays, while Sundays are more appropriate for other settings (typically the only day off for many migrant workers).

This type of screening should be supplied with **hand-outs other than** leaflets with information on services that are available to trafficked or exploited persons. This is because some of the women working in hidden or not easily accessible settings are *not* held by means of employer coercion. Their plight is due to social isolation not feeling the need to go out, a fact that is often used by their employers against them.

Information that appears useful in this context covers cultural and social life in the host country, visa issues, references to various migrant self-help groups addressing family issues, leisure activities, job clubs, free language courses or social and visa counselling. In addition, the service providers should be well-acquainted with issues of human trafficking and provided with the necessary information resources. They must be capable of identifying at-risk situations and offering or mediating professional assistance in suitable ways. Not only does this help us establish rapport and build a trusting relationship that offers help in a comprehensible way, but the ensuing ties and contacts can be relied upon after the individual accepts the social services of an anti-trafficking organization.

The **outreach team's technical equipment** should facilitate counselling provision directly in the field, including the drafting of documents. This requires a mobile office with internet access, off-line translation software, printer and a set of document templates in various languages. Indeed, the first contact with members of this target group is often relatively random – even if the outreach team picks an adequate place, it is still highly unlikely to encounter a worker in person because she almost never leaves the premises in which she works and to which access is restricted. If contact is made and the opportunity for counselling and the drafting or printing of specific documents arises, one must be ready.

In the Czech Republic, the outreach team made good use of a **mobile office**, particularly when traveling outside Prague, where the headquarters and counselling centre are located. For example, during screening on the large restricted-access compound of a wellness centre about 100 kilometres from Prague, the outreach team contacted a group of eight women workers from Ukraine and Bulgaria. They lived and worked inside the compound and failed to establish contacts with the outside world due to long shifts and their isolated location on the edge of a small community with no public transport.



The workers asked La Strada CZ to verify their employment contracts, which were written in Czech and difficult for them to understand. At the same time, five wanted to terminate their employment relationship as soon as possible because the work was demanding and extremely underpaid. Since it might have been difficult for the outreach team to enter the guarded compound again, with access restricted to tenants and the workers were unable to travel to any major city to visit a legal aid centre, the counselling sessions were organized on the compound in a secluded part of the wellness centre's technology facility.

The outreach team scanned the employment contracts and emailed them to the organization's lawyer for consultation. The lawyer drafted an agreement terminating the employment relationship with the necessary legal details and the team printed it out and immediately handed it to the workers. The workers were then able to take the next steps toward solving their situation on their own.

Work in online social networks is another potential method to reach out and offer services to this target group. Some migrant women, especially from Asian countries, keep in touch with their family and community through the online world, even if their employer does not allow real-world contacts. There is a diversity of discussion forums in different languages where one can use keyword search, communicate and promote one's assistance portfolio with a view to establishing contacts either directly with the target group or with individuals who are nearby and might pass the information. Some inspiration for this online working method could be drawn from the model of online youth outreach practiced by the police in Finland³².

Investigation and proof of the criminal offence of human trafficking that occurred in hidden and not easily accessible settings of domestic work pertains to the competence of the authorities active in the criminal proceedings. However, in the connection with trafficked individuals and their specific needs for services, the process should be at least mentioned here.

In general, the **problem lies in the proof, if no direct evidence or testimony is available** or if the only available witnesses are family members of the offender. Similar to cases of domestic violence, in trafficking cases everything also usually happens 'behind closed doors'. The investigation and potential prosecution of employers with a diplomatic immunity especially constitutes a major obstacle to be solved.

However, regarding the injured parties and the further provision of social services, the issue of how to prove the criminal offence of human trafficking is of major importance. Not only because it is

³² For more information, see, for example, <http://www.policista.cz/clanky/reportaz/evropa-a-community-policing-reportaz-ze-seminare-evropske-policejni-akademie-837/> (in Czech).

necessary to accomplish certain moral and financial satisfaction, but also because of the aforementioned issues of further stay of the female individuals in the Czech Republic. If criminal offence is *not* proven, the client loses their residence status and entitlement to insurance, which is otherwise guaranteed within the *Programme* of the Ministry of the Interior of the Czech Republic. Safety is a further issue. The offender is free, but at the same time the individual client is not yet considered a victim of a criminal offence and is therefore not protected.

Alternative Legal Procedures for Survivors of Human Trafficking

The number of people seeking asylum in Europe since 2015 reached an unprecedented high following the 1990s. Due to temporarily opened borders in countries such as Germany and Austria during the summer of 2015, nearly 1.5 million refugees were granted the ability to apply for asylum in Europe. Most had escaped from the ongoing war in Syria and the violent conflicts in Afghanistan and Iraq.

In many European countries, where large numbers of refugees have sought (and continue to seek) sanctuary, the infrastructural needs for filing for asylum, receiving accommodation in initial reception centres, getting basic alimentation and health care etc., overran the current systems in place. As a result, many asylum seekers were forced to live under extreme provisional conditions during the first months of their asylum procedure. Accommodations were not always dependable and quite often inhumane, leaving many asylum seekers no choice but to camp outside due to overcrowding. This situation created unsafe spaces, particularly for the most vulnerable among them, such as women, children, unaccompanied minors, LGBTQI individuals and refugees with disabilities.

The increased number of individuals and families seeking asylum in the European Union created a challenge for counselling centres working in the field of human trafficking. Acknowledging that there may exist an overlap between trafficking and asylum seeking, they broadened their counselling framework to include an asylum perspective alongside the criminal, social and labour regulations.

Specifically, this means that counselling centres must remain aware that a person seeking asylum in Europe may have been victimised by trafficking. If there are signs or evidence of this, it must be taken into account when deciding how to proceed in such a case.

It may possibly be treated as a trafficking case, with a criminal justice approach. Another possibility is to call attention to the authority responsible for dealing with the asylum request, since being a survivor of trafficking may be considered in a decision granting asylum. This also leads to the



conclusion that counselling centres must remain aware that living in massive accommodation centres in European cities under extreme stress might increase the vulnerability of individuals finding themselves situations of trafficking.

Even though media interest in this regard has been pretty high during the last year in Europe, the fact is that there are not many known cases of such developments. One possible explanation is that the precarious circumstances, under which social workers currently work in accommodation centres, as well as a general lack of awareness, might make it extremely difficult for them to identify trafficking situations.

Identifying Asylum Seekers in Accommodation Centres

The most crucial point in identifying survivors of human trafficking in the asylum context is to raise awareness and train employees. These include social workers, translators, and security staff as well as doctors, midwives and volunteers who work in or visit these reception centres and are in close contact with individual female asylum seekers. Workshops related to their field of work/profession should be provided, along with attempts to identify victims or survivors of human trafficking. Thus they are better able to introduce measures of protection and assistance and refer these individuals to specialized counselling centres.

It would also be of great benefit for human rights guidelines to be implemented, especially in emergency camp training protocols, which are at the moment mostly lacking.

For outreach workers of specialized counselling centres such as La Strada CZ, Lefö or Ban Ying, getting access to refugee accommodations has proven to be complicated and in some cases even impossible. This is due to the fact that many providers of refugee accommodations are private companies who are able to exercise their property rights in limiting or denying access to outreach workers, social services of any kind and volunteer support.

Nevertheless, certain actions have been put in place at regional levels. In Germany, for instance, in recent years two pilot projects were created to identify and inform potential survivors of human trafficking in the asylum procedure, as well as to provide counsel as to their rights and options. Furthermore, some counselling centres such as Ban Ying, were invited to conduct trainings in German cities to sensitize social workers to the issue of human trafficking.

Trafficking as Grounds for Granting Asylum – the German Case

In Germany individuals may be granted asylum simply for being a survivor of human trafficking, thereby allowing them a secure stay in the country. Yet for this decision to be adopted, certain crucial factors must be in place. These would require that decision makers conducting interviews, as well as translators and lawyers, are aware of the range of legal options for survivors of human trafficking as dictated by asylum law.

On the other hand, this would require a conscious awareness of the indicators of human trafficking and knowledge that women are often threatened by their perpetrators, or may feel ashamed due to their experience. Confidence between the survivor and interviewer must be established, because only after a level of trust develops is it possible or useful to speak in greater detail about the individuals previous experiences.

Since 2012, has the German Federal Office for Migration and Refugees (BAMF, the authority responsible for the asylum procedures), appointed special representatives, who are decision makers especially trained on the issues of human trafficking. Internal regulations of BAMF prescribe that any emerging information concerning a possible trafficking case (which for example may be provided by a specialized counselling centre) must be shared with the specialized representative before the initial interview and thereafter it will be determined which representative is most applicable.

Furthermore, BAMF recommends that a female translator should be appointed for the individual's comfort. If there are indicators of possible trafficking during the asylum interview, the special representative must be consulted to review the asylum application. If that special representative advises a further interview, BAMF suggests a consultation with the individual asylum seeker in order to minimize distress. A list of possible indicators for human trafficking, such as sexually transmitted diseases, long retention periods in another European states and visible indicators of psychosomatic conditions also frame areas of the internal protocol.

Furthermore, countries with high rates of known trafficking cases are listed, such as Nigeria, Serbia and Vietnam. It is also recommended by BAMF that survivors of trafficking should be referred to a specialized counselling centre to stabilize and enable an individual to make further informed decisions.



Trafficking and Asylum Frameworks

From a legal perspective, the decision on how a case may be framed for further action requires an in-depth analysis.

The primary element is to always consider the best interests of the woman at risk. If her main concern is security and protection within the European Union, because she will be in some kind of danger in her home country, the asylum framework might well be favoured. If, on the other hand, the woman is primarily concerned that her case be investigated justice served upon the trafficker, the trafficking framework will provide a more appropriate approach. This might also be the case if the trafficked woman intends to claim unpaid wages and compensation from the trafficker.

Besides considering the interests of the individual, one must also evaluate the odds of success based on both testimony and evidence. To prove trafficking in court requires a great deal of specific information on the situation the individual experienced. This is a major challenge for prosecutors and lawyers handling trafficking cases, since evidence is often difficult to deliver and trafficking cases are very time and resource consuming.

Since asylum and trafficking are two separate proceedings handled by two different authorities, they can be instituted concurrently and develop independently. Thus, even if a trafficking case has been dismissed in criminal court for lack of evidence, this won't necessarily prevent asylum to be granted on the basis of trafficking.

Study Case

Binta³³ was 20 years old when she met a German man in her home town, who suggested she travel to Germany with him. He offered to arrange all necessary papers for her and to also support her in finding vocational training of her interest.

So she decided to accept his offer and in 2012 she entered Germany. She quickly recognised that the reality was far different than expected. She was locked in an apartment and forced to engage in sex work. Clients would come to the apartment, as everything was arranged by the man. She received no payment for her work.

³³ Name has been changed.

After some months, one day he forgot to lock the door, so she used the opportunity to run away. Some days later, while living on the street, she came in contact with two women who offered to accompany her to the police station. But she was afraid and refused to go with them. So the women advised her to apply for asylum in Germany, which she did. More than six months later, her asylum interview appointment finally arrived. After having told her story as it had happened, she was advised to seek a counselling centre for trafficked women.

With the assistance of the social worker at the accommodation centre, she found information online concerning Ban Ying and called. After hearing her story, the social worker at Ban Ying explained her legal options. Binta decided to report her case to the police.

Literature and References:

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<http://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/EMN/SyntheseberichteInform/ZuStudien/emn-wp56-synthesebericht-identifikation-opfer-menschenhandel.html>

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Coordination between Authorities and NGOs

The previous chapter on the importance of broadening counselling frameworks in the context of the current refugee movements towards Europe makes visible the complex working environment of counselling centres and their social workers. Nevertheless, all three partner organisations share long experience adapting their counselling services to respond to various flight and migration movements in a rapidly changing globalised labour market. Therefore, this section takes a closer look at their methods and the importance of coordination with national authorities and affiliated NGOs to meet migrant women's diversified needs.

Tailored assistance further developed within the Project enabled the partners to provide and build further support structures for women at risk of exploitation and trafficking. This meant to **(1) invest time for research** on legal backgrounds such as criminal and social law in regard to labour exploitation, as well as on labour law with a focus on employment possibilities and foreign deployment. Furthermore, responsible governmental authorities who are charged with the control of salaries and wages were contacted and their range of assistance documented. Last but not least, other local NGOs providing additional counselling were investigated and the working and living conditions in various countries of origin of those concerned were studied.

This information was used to **(2) develop a strategic plan of action** regarding coordination with and awareness-raising within specific national authorities and governmental support structures. **(3) Cooperation meetings** with NGOs were organised to define operating ranges within the organizations, as well as possibilities for reference and joint counselling offers.

The following plusses and pitfalls of LEFÖ-IBF when supporting specific target groups of 24 hour care takers provides vivid reasons to build networks and coordinate between various authorities and NGOs in Austria.

During the counselling sessions it became apparent that the concept of psycho-social support must be expanded through accurate legal advice regarding labour and social law. 24 hour care takers, especially those who are self-employed but contracted by agencies in their destination countries, face a gap between performing duties for their clients, but at the same time *because* they are self-employed do not benefit from legal security and the protections of labour law. For social workers, this requires dealing with the various actors involved in the individual's experiences.

For example they have to interact and negotiate with clients, relatives of clients and contracting agencies in the countries of origin. In some cases, these same individuals are involved in the

exploitation or trafficking of the client. On the other hand, due to the fact that the lines between labour exploitation and trafficking are often blurred, many clients had to be connected to other migrant rights organisations. In some cases the NGOs that provide legal and social counselling in regard to migration, residence, employment, undocumented work, social benefits and housing, were sensitized for the client's specific needs--other times not. Furthermore, some clients required further professional psychological counselling and therapy regarding the stress they faced during their work with mostly elderly and, in many cases, seriously ill clients.

It became clear in Austria that all responsible governmental support structures had to be sensitized in regard to the complex and vulnerable working conditions of 24 –hour care takers. Regarding this, LEFÖ-IBF attempted to contact individuals within the Austrian labour Chamber, the Austrian Trade Union Federation and the Austrian Ministry for Labour, Social Affairs and Consumer Protection who might provide further useful information for counselling, but at the same time functioned as multipliers in the raising of awareness within their institutions. Unfortunately, contact with the Austrian Economic Chamber could not be established until now. Since this should be the *one* institution that advocates and provides special assistance regarding self-employed 24-hour caretakers, there is still a lot of work to be invested in building up matters of trust. Nevertheless, LEFÖ-IBF is still trying to raise awareness of the role of the Economic Chamber to inform about rights and cases of labour exploitation and trafficking within this working area.

To connect various actors within the support network of those concerned (and to raise awareness), LEFÖ-IBF together with its partners organized a panel discussion and workshop at the EU Anti-Trafficking Day. Public events such as this can be perceived as a positive strategy to connect and further plan various actions.

Simultaneously, LEFÖ-IBF built relationships with various embassies in countries of origin for 24-hour care takers. Due to LEFÖ-IBF's long standing experience, regular contact with these institutions facilitates their help regarding missing personal documents of its clients, as well as represents a place to turn if women at risk of exploitation or trafficking are searching help or further advice. Therefore, LEFÖ-IBF tried to make the employees of the Embassies understand that they could be one of the first responders to identify such cases.

Lastly, meetings with contracting agencies whose concerns about preventing exploitation or trafficking of their clients provided further insights into common precarious living and working conditions. These exist and have existed long before migrant women begin their work in foreign countries. Such contacts are highly relevant for reaching out to those concerned.



The goal of the coordination form included below is to fill the gaps in a multi-layered network that is able to jointly communicate and skilfully use various resources and expertise to improve the empowerment and specialised support for migrant women at risk of trafficking, as well as survivors.

Preparation and Conduct for Interviews with Potentially Trafficked Women: Some Practical Recommendations

Conducting an interview with a potentially trafficked woman has specifics which must be accounted for. These stem from the very nature of trafficking. The following recommendations apply to interviewing trafficked women in hidden and not easily accessible sectors other than the sex industry.

Building on the La Strada CZ, Ban Ying and LEFÖ-IBF expertise in working with and counselling trafficked women, in most cases clients prefer female counsellors for interviews. Therefore, we recommend making sure that female counsellors are available and that interpreters are also female. If this is not possible, the client must be informed immediately, either assuring her comfort or offering an alternative counselling appointment.

The chapter on gendered aspects of the inter-linkages between migration and THB may provide helpful and additional information that counsellors should bear in mind while working with trafficked individuals. Additionally, cultural sensitivity, as elaborated above, must provide the basis of every interview.

Psychological states of potentially trafficked women

- Realize that when first meeting a potentially trafficked individual, she might well be in an acute state of stress immediately after the act. Such acute reactions may appear at any time following the act and the individual might show symptoms of post-traumatic stress disorder.
- In both of the above cases, it may be necessary to employ the principles of crisis intervention during the interview or, alternatively, to work with the manifestations of this apparent post-traumatic stress disorder.

Psychological support and personal reinforcement

- According to the circumstances, it is important during the interview to:
 - normalize the consequences of the past experience;
 - enable processing of feelings of guilt;

- support the expressing of emotions;
 - exhibit empathy and interest for the needs of the potentially trafficked individual.
- Those conducting interviews should provide their client with information *even during the interview* and verbally or nonverbally assure her that they are prepared to hear out any possible descriptions of difficult situations and fully accept feelings of shame.

Safety aspects

- Safety aspects relate to the fact that human trafficking is a criminal offence.
- It is necessary to the potentially trafficked individual must be informed about basic safety measures:
 - Not to contact anybody from risky settings.
 - Not to tell other people about where she is or where she is (or will be) staying.
 - If necessary, to change or adjust her appearance (to wear a hat, to change hair colour, etc.).
 - In case of contact with the offenders, to conceal all cooperation with the helping organization or with the police, or insist that the cooperation was enforced.
 - If attacked in a public place, to defend herself loudly and to use the polite form of addressing so that it is obvious that it is not simply an argument between partners.
 - Then too run to crowded places, preferably public institutions (hospitals, public authorities, etc.).
 - In case that individual herself or her family is in danger, to contact the police first and the helping organization only after that.

Communication barriers

- The interview might be influenced by communication barriers related to:
 - gender;
 - residence status;
 - fear of punishment or revenge from the side of the offenders;
 - relationship with the traffickers;
 - cultural specifics;
 - individual situation;
 - attitudes of the interviewers.



Interviewer's prejudices, stereotypes and attitudes

- Before the actual interview the interviewer is well advised to take note of their own prejudices, stereotypes and attitudes.
- The person conducting the interview should always take care not to victimise or moralise (This applies not only to prostitution).

- *Some of the stereotypes pertaining to the situation of female migrants include, among other negative comments:*
 - *"Anything is better for her than if she had stayed at home."*
 - *"She underwent the risk voluntarily."*
 - *"What was she expecting if she doesn't speak Czech?!"*
 - *"She also violated the law so she can't expect the law to protect her."*
 - *"She shouldn't have been so naïve, it's her fault."*
 - *"She knew it would be hard work so she shouldn't complain about it now."*
 - *"Female foreigners are used to hard work."*
 - *"She at least got some money, so she should be happy with it; at home she wouldn't have earned that much anyway."*
 - *"She could have left anytime, after all..."*
 - *"She could have called the police; if she hasn't done that, it probably wasn't so bad."*

- *Questions leading to a secondary victimization should not be posed:*
 - *"Why didn't you run away earlier?"*
 - *"Why didn't you get more information beforehand?"*
 - *"Why didn't you learn the language first?"*
 - *"How could you have believed that?"*
 - *"Why didn't you insist on a contract?"*
 - *"Why did you sign it?"*
 - *"Why did you give him your documents?"*
 - *"Why didn't you refuse to do what they asked?"*
 - *"Why did you go with them?"*

Preparation for the interview

- If you suspect human trafficking or work exploitation occurred, conditions for the interview must be prepared:
 - provide a safe environment for both the female client and the helping worker (preferably an office);
 - provide sufficient time (usually an hour and a half);
 - interpreting (If possible) to the interviewer must choose an interpreter his organization has previous experience with, consider safety risks and familiarize the interpreter with the topic of the interview beforehand;
 - provide information concerning avenues of help as well as basic information about the legal framework regarding human trafficking;
 - have fluids and/or food on hand, as well as leaflets with contact details for helping organizations.

The interview

- The person conducting the interview should always:
 - introduce themselves and their role within the organization/institution;
 - while explaining the purpose of the interview and informing the individual that the interview will include questions regarding the evolution of the situation preceding the meeting. The interviewer should also point out that some questions might be difficult or unpleasant to answer and the individual has the right to refuse to answer them;
 - explain that the more information the client gives, the wider the opportunity to search out solutions to;
 - be sure breaks for fluids or to use the restrooms etc. are available throughout the interview;
 - explain what will happen with the individual's personal data and information; the information obtained should always be held confidential;
 - stress that if question is not understood, to the individual may ask for clarification at any time;
 - inform the client at the end of the interview that they will get the most detailed information about the available options of support. The client could be also informed



of how to proceed in case she decides to cooperate with those authorities active in criminal proceedings;

- offer opportunities for questions before, after and during the interview;
 - at the completion of the interview all agreements should be summarized and further processes should be agreed upon;
 - if needed support cannot be provided by the organisation, they refer the individual to other organisations if available.
- The basic question areas for an interview with a potentially trafficked woman are:
 - opening the interview with an explanation of the circumstances;
 - observation of the individual's psychosomatic state;
 - what has occurred and what is expected;
 - provide for needs of potentially trafficked individuals ;
 - what is possible from the supporting organisation;
 - substantive agreements, if any.

Health Consequences of Human Trafficking

The impacts of human trafficking on victims are both physical and psychological.

- The most frequent physical manifestations include:
 - headaches and weariness or insomnia, backache, impaired digestion, memory problems and potentially sexually transmitted diseases.
- Psychological manifestations may take any of the following forms:
 - depression manifestations such as indifference, hopelessness, loneliness, sadness and suicidal thoughts;
 - states of anxiety such as fear, nervousness, inner trembling, fright, restlessness, panic attacks, etc.;
 - manifestations of hostility may include unfounded tendencies toward aggression to the surrounding world toward people, objects; tendencies to argue, intensified irritation and outbursts of anger;
 - post-traumatic stress disorders such as flashbacks, nightmares, sudden emotional and bodily manifestations related to flashbacks, insomnia, problems with concentration, etc.

- The psychosomatic manifestations that may be observed in trafficked individuals can include:
 - the victim has an acute illness or injury;
 - the individual is in a state of crisis – inner imbalances caused by critical life events, failure of defence mechanisms, normal reactions to an abnormal situation (phases of the crisis: shock, denial, anger and aggression, depression, acceptance);
 - bodily reactions include, tension, pain, insensitivity in various parts of the body, reduction of physiological processes, disruptions of breathing and the perception of a bodily schema;
 - the victim may in an acute traumatic phase where acute reactions to stress appear as either (type A – increased activity, or type B – freezing, apathy);
 - individuals may show symptoms of post-traumatic stress disorder – apathy, alienation to people, sleep disorders, repetition of the trauma in memories and dreams (flashbacks), lack of concentration, feelings of guilt, etc.;
 - they may suffer from a secondary victimization such as harm caused as a result of reactions of formal authorities or an informal social environment;
 - some victims are convinced they suffer from a contagious disease;
 - she may be convinced that she *is or is not* pregnant.



Contacts in the Czech Republic

The issue of trafficking and exploitation

- **LA STRADA ČR, o.p.s. (LA STRADA CZECH REPUBLIC)**

www.strada.cz

Offers social services for people who were deceived and/or forced to perform jobs or provide services, including prostitution, and by that work only others profited, including those threatened by physical or psychological violence, whose personal documents were taken away, movements were controlled, etc. The services are provided to anyone over the age of 18 regardless of gender, nationality or status of residency.

Free line LS / counselling and the first contact with La Strada

8 000 77777 (free of charge when called from the Czech Republic)

Wed 12:00 - 20:00 – Czech, English, Bulgarian, Russian, Romanian/Republic of Moldova

+420 222 71 71 71

Mon 10:00 – 16:00 – Czech, Russian, Romanian/Republic of Moldova

Tue 10:00 – 16:00 – Czech, English, Bulgarian

Thu 10:00 – 16:00 – Czech, English, Bulgarian

- **DIAKONIE ČCE - Praha (Středisko celostátních programů a služeb) (Diaconia of the Evangelical Church of Czech Brethren – Prague (Centre for state-wide programmes and services))**

www.diakonie.cz

Offers social services for individuals who were deceived and/or forced to perform jobs or provide services, and out of whose work only others people, who were threatened by physical or psychological violence, whose personal documents were taken away, whose movement was controlled, etc. The services are provided to Czech as well as foreign nationals.

The head of asylum housing and the field crisis assistance – tel.: 739 244 889,
petra.krupickova@diakonie.cz

Cultural mediator – tel.: 739 244 787, barbora.krucka@diakonie.cz

Social worker – tel.: 731 605 857, Christo.bjalkovski@diakonie.cz

- **ARCIDIECZNÍ CHARITA PRAHA (ARCHDIOCESE OF PRAGUE)**

Territorial scope: the capital city of Prague, Central Bohemia Region (Středočeský kraj), Ústí nad Labem Region

www.praha.charita.cz

Magdala Project

This project deals with issues of domestic violence and human trafficking.

Tel.: 251 552 790

E-mail: magdala@praha.charita.cz

Poradna pro migranty a uprchlíky (Advisory Centre for Migrants and Refugees)

Pernerova 20, 180 00 Praha 8

Tel.: +420 224 813 418, fax: +420 224 813 413

E-mail: uprchlici@charita-adopce.cz, www.charita-adopce.cz

Monday and Thursday: 10:00 – 16:00

Labour law and immigration issues

Also mentioned:

- **Centrum pro integraci cizinců, CIC (Centre for the Integration of Foreigners)**

Headquarters Prague: Kubelíkova 55, 130 00 Praha 3

Telephonic social counselling: +420 222 360 452, labour counselling: (+420) 702 150 630; Czech language for foreigners and other educational activities: +420 222 360 834

CIC can be contacted by interested persons from all over the Czech Republic. Social counselling is offered in the CIC office in Prague or in the form of field counselling in places of residence or the buildings of state authorities. Counselling is unavailable in the following regions: Moravian-Silesian Region (Moravskoslezský kraj), Olomouc Region (Olomoucký kraj), Zlín Region (Zlínský kraj) and South Moravian Region (Jihomoravský kraj). E-mail: info@cicpraha.org, www.cicpraha.org.

- **Organizace pro pomoc uprchlíkům (Organization for Aid to Refugees)**

Headquarters Prague: Kovářská 4, 190 00 Praha 9, Libeň

Social services department: Tel. +420 730 158 779, 730 158 781



Legal department (on Tuesdays and Thursdays, only by appointment): Tel. +420 730 158 779, 730 158 781

e-mail: opu@opu.cz, www.opu.cz

- **Poradna pro občanství, občanská a lidská práva (Advisory Centre for Citizenship, Civil and Human Rights)**

Ječná 7, Praha 2 – Nové Město, 120 00

Tel: +420 270 003 280

The advisory centre provides legal counselling in the area of alien law and law for migrants working in the Czech Republic.

E-mail: poradna@iol.cz, poradna@poradna-prava.cz, www.poradna-prava.cz

- **Sdružení pro integraci a migraci (Association for Integration and Migration)**

Baranova 33, 130 00 Praha 3

Tel.: +420 224 224 379, fax: +420 224 239 455; GSM: +420 603 547 450 (legal department), 605 253 994 (social services department)

The organization provides free social and legal counselling to both EU nationals and to persons from third countries. E-mail: poradna@refug.cz, www.migrace.com

- **Centres to support the integration of foreigners (non-EU only)**

Integrační centrum Praha o.p.s. (Integration Centre Prague, o.p.s.)

Contact info: www.icpraha.com

Žitná 1574/51, 110 00, Praha 1

tel.: +420 252 543 846

- **Jihomoravské regionální centrum na podporu integrace cizinců (The South Moravian Regional Centre to Support the Integration of Foreigners)**

Contact info: www.cizincijmk.cz

Mezírka 1 (3 poschodí), 602 00 Brno

tel.: +420 533 433 540

- **Centrum na podporu integrace státních příslušníků třetích zemí v Ústeckém kraji (Support Centre for the Integration of Foreigners in the Ústecký Region)**

Contact info: www.centrumcizincu.cz

Velká Hradební 33, 400 21 Ústí nad Labem

tel.: +420 475 216 536

- **Integrační centrum pro cizince v Královéhradeckém kraji** (Centre for Foreigners Hradec Králové)

Contact info: www.cizincihradec.cz

Šafaříkova 666/9, 500 02 Hradec Králové

tel.: +420 492 604 940

Email: poradna.cizinci@hk.caritas.cz



Contacts in Austria

- **LEFÖ-IBF Intervention Centre for trafficked Women**

Address: Lederergasse 35/12-13, 1080 Vienna

Telephone: +43.1.796 92 98, Fax: +43.1.796 92 98-21, E-Mail: ibf@lefoe.at, www.lefoe.at

Office hours: Mon, Tue, Fri: 9:00 a.m. – 2:00 p.m., Thurs: 2:00 p.m. – 7:00 p.m.

LEFÖ-IBF offers accommodation in emergency flats with assistance and cultural mediation in native languages, 24-hour availability for the affected women, assisted living in transition apartments, psychosocial, psychological, social, health and life counselling, psychotherapy, guaranteed medical attendance and healthcare, advisory and intervention concerning residence and work permits, accompaniment to interrogations by the police, accompaniment through psychosocial and legal procedures, counselling in administrative detention if trafficking in women is suspected, arrangement (upon request) of German courses and other training and integration services, support in searching for apartments and jobs and/or preparations for returning to their homelands in cooperation with organizations in their countries of origin.

- **MEN-VIA Intervention Centre for trafficked Men**

Address: Kundratstraße 3, 1100 Vienna

Telephone: +43 (0) 699 17482186, **E-Mail:** kfj.via@wienkav.at, www.men-center.at/via

Office hours: Mon- Fri: 9:00 a.m. – 5:00 p.m.

- **Drehscheibe- Youth crisis centre for unaccompanied minor trafficked persons of the City of Vienna**

Ruckergasse 40/1, 1120 Vienna

Tel: +43 (0)1 4000-90982

Fax: +43 (0)1 4000 99-90980

Email: drehscheibe@ma11.wien.gv.at

- **UNDOK- Drop-In Centre for Undocumented Workers**

Address: ÖGB (Catamaran), Johann-Böhm-Platz 1, 1020 Vienna

Telephone: +43.1.53444 -39040, E-Mail: office@undok.at, www.undok.at

Office hours: Mon: 9:00 a.m.-12:00 a.m., Wed: 3:00 p.m.-6:00p.m.

Contacts in Germany

- **Ban Ying - Coordination and Counselling Centre against Human Trafficking**

Address: Anklamer Strasse 38, 10115 Berlin

Telephone: +49 (0) 30 4406373 or +49 (0) 30 4406374

Email: info@ban-ying.de

Web: www.ban-ying.de

- **Agisra - Köln - Information and counselling centre for female migrants and refugees**

Address: Martin Straße 20a, 50667 Cologne

Telephone: +49 (0) 221 124019 or +49 (0) 2211390392

Email: info@agisra.org

Web: www.agisra.org

- **IN VIA - Counselling centre for trafficked women**

Address: Große Hamburger Straße 18, 10115 Berlin

Telephone: +49 (0) 30 66633 487 or +49 (0) 177 7386276

Email: moe@invia-berlin.de

Web: www.invia-berlin.de

- **KUB - Contact and Consultation Centre for Refugees and Migrants in Berlin-Kreuzberg**

Address: Oranienstraße 159, 10969 Berlin

Telephone: +49 (0) 30 614 94 00 or +49 (0) 30 614 94 04 or +49 (0) 30 531 42 119

Email: kontakt@kub-berlin.org

Web: www.kub-berlin.org





Migrant Women and Human Trafficking

Handbook for Professionals

2016

