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ROOTS

**NEW WAYS AND APPROACHES
TO PROTECT FEMALE VICTIMS OF TRAFFICKING
ITALY - ROMANIA - BULGARIA**

REPORT BY THE WORK GROUPS

**EUROPEAN PROGRAMME:
PREVENTION OF AND FIGHT AGAINST CRIME 2007**

A 2 year project (2009 – 2010) to explore new ways and approaches
to protect female victims of trafficking through the implementation of effective actions

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The project Roots

This report is the result of three expert group meetings on the prevention of women trafficking in the framework of the project Roots.

Roots is funded by the European Commission - European Programme Prevention and fight against crime – and is undertaken by the Association Diakonia Onlus, together with CoGe.S, Animus Association Foundation, Center of Women's Studies and Policies, Pro Women Foundation, Asociatia Femeilor din Romania, Euro-Mediterranean Network for Youth Trafficking Prevention (EMNYTP) – Thessaloniki, during the period 2009 – 2010.

The aim of the project is to contribute to improving the fight against the trafficking of human beings through a deep understanding of the phenomenon of forced prostitution, laying special emphasis on the victims needs.

It aims to analyse new approaches and methods to protect women who are victims of trafficking through effective interventions. Its goal is to offer assistance to these women in order to allow them to voluntarily return to their country of origin.

The working groups

The participants

The groups were formed by experts and operators from the partners' organizations. All meetings were also attended by local guest organizations concerned with the prevention of and fight against the trafficking of human beings.

The issues

The project aspires to address the psychological, social and legal re-integration of victims, considering all aspects related to their protection with a view to avoiding their re-criminalisation.

The issues tackled by the experts on the prevention of women trafficking concerned three main themes:

1. the legal aspects related to the return process;
2. the social and occupational re-integration of women victims of trafficking in their countries of origin;
3. the best approaches to reaching victims and involving them in a protection programme.

The working group on legal aspects relating to the repatriation process investigated the legal background of the return of victims of trafficking, identifying the main problems that can arise during the reintegration process.

The main goal of the working group on the social and occupational re-integration of victims was to identify, promote and develop a comprehensive action-oriented methodology for sustainable social and occupational reintegration of Romanian and Bulgarian trafficked women voluntarily choosing to return to their country of origin.

The third working group analysed the procedures for contacting victims of trafficking for the first time and involving them in a protection programme, with a view to building a trusting relationship between them and the NGOs. It analysed many open discussions on different issues, such as the benefits of outreach work, cooperation with other institutions, the Roma situation, the role of those who introduce girls to traffic.

The working groups met in Vicenza on 6th – 7th April, 2009, in Bucharest on 23rd-24th June, 2009, in Sofia on 28th-29th September, 2009 and in Vicenza, 1st-2nd February, 2010.

The methodological approach

The methodology has been designed on the basis of:

- a selection of good practices emerging from existing projects and programmes implemented at international and national levels;
- an analysis of the crucial questions and issues related to the reintegration process identified by relevant organizations and NGOs working in the field;
- an assessment of the needs, ideas, personal skills and expectations of trafficked women (from an empowerment perspective, i.e. based on the active involvement of the individual woman);
- an analysis of the difficulties faced by specialized structures and government institutions in targeting the specific needs of women.

The report

This report is meant to provide useful information and suggestions to operators who work with women victims of trafficking. The report focuses on issues concerning women who have already been trafficked who decide to enter a protection programme and return to their countries of origin, Bulgaria and Romania.

It collects information about the steps and procedures to implement in protection programmes, but also the experiences and recommendations of Italian, Bulgarian and Romanian experts and operators engaged in the fight against women trafficking.

It is a tool for NGOs, voluntary associations, international organizations that operate to protect and assist victims of trafficking in Italy, Bulgaria and Romania, and policy makers.



REINTEGRATION OF VICTIMS OF TRAFFICKING: LEGAL ASPECTS

Introduction

This chapter is dedicated to legal aspects related to the repatriation of trafficked people, with reference to the three countries involved in the “ROOTS” project: Italy, Romania and Bulgaria.

The chapter illustrates the legal framework in the three countries, focused on sources of the law, the legal definition of ‘victim’, the rights of victims as specified by legislation, assistance, and witness protection programmes. It also offers a panorama of the implementation of programmes envisaged by national laws, and the institutional background.

It is meant to be read by legal counsellors working in these fields, and by all social workers (even without any specific legal competence), who are looking for a simple introduction to technical issues.

All relevant legal documentation mentioned in this Chapter, as well as useful documents can be found on the project website www.rootsproject.eu.

The Legal Background

Italy, Bulgaria and Romania have very update, specific legislation on the prevention of and fight against the traffic of human beings. As far Bulgaria and Romania are concerned, there are still difficulties for its applications. Below is a brief analysis of the actual legal background in the three countries.

Italy

The Italian setting can be summarized as follows:

Sources of law. The condition of victim of trafficking in Italy is mostly governed by:

- Law 228/2003 (Measures against the trafficking of people), with special reference to articles 12 and 13.
- Legislative Decree 286/98, with special reference to art. 18.

Definition of victim. The definition of victim of trafficking can be derived from the provisions of art. 13 of Italian law no. 228/2003, which grants special integration programmes to victims of the crimes punished under Penal Code articles 600 (reduction to slavery) and 601 (which punishes any act of trafficking of a person reduced to slavery or for the purpose of sexual or labour exploitation or forced begging).

The victim appears to be the person against whom the crime is committed (the man/woman reduced to slavery, exploited or trafficked for sexual, labour, or begging purposes).

The nationality of the victim is irrelevant. Both Italian and foreign victims can benefit from the assistance and integration programme.

Rights of the victim of trafficking should she/he prefer to stay in Italy. If the victim is an EU citizen, she/he is granted all the rights provided for by article 18 of Legislative Decree no. 286/98 to non-UE citizens, as stated by art. 18, paragraph 6 bis. According to art. 18 L.D. 286/98, if, during a police investigation or criminal proceeding for any of the crimes punished under art. 3 of law 20/02/1958 no. 75 (exploitation of prostitution) or art. 380 of the Code of Criminal Procedure, or during an operation run by local social services, there are found to be situations of violence or severe exploitation of a foreigner and a real danger for his/her safety, due to his/her desire to escape from the control of the perpetrator(s) of the crime, or to declarations she/he has given during the proceeding, she/he is granted a residence permit.

The article applies to a wide range of victims of crimes, including victims of trafficking (for sexual or labour purposes).

The permit is issued by the local chief of police (the questore, who is a local representative of the Ministry of the Interior) in agreement with the local public prosecutor, who must issue a positive recommendation.

The residence permit is issued specifically to help the victim:

- end the violence,
- break any contact with the criminal organisation and
- follow a special integration programme.

The residence permit, which is also granted to European citizens, lasts 6 months long and can be renewed for one year or more, partly depending on the length of the trial against the criminal organisation.

As far as local practice is concerned, a resident permit will not be issued if the victim does not wish to cooperate with the Police (giving information, the names etc. of the exploiters).

The Ministry of the Interior issued a very far-seeing circular letter dated 28/05/2007 as a reminder that the local police headquarters should grant protection to the victims of trafficking even if these latter do not wish to cooperate with the Police. The circular letter states that when a person is proven to be a victim of one of the abovementioned crimes and is in danger in connection with his/her desire to end any relations with the exploiters, she/he should be granted a permit of stay under art 18 L.D. 286/98.

Once the victim is provided with a residence permit, she/he can apply for residency, an identity card, a social health card (in order to get free health care services), can study and can get a regular job. She/he is obliged to follow a special programme, under the assistance and supervision of the social services or (more frequently) of an NGO.

Programmes are devoted to ensuring the social reintegration of victims and granting them vocational training, work and study experiences, as well as psychological assistance.

If the victim wishes to stop the programme, her/his residence permit will be revoked and he/she will lose all the rights granted to victims of trafficking.

If the integration path ends successfully, with a consolidated employment situation, non-EU victims can receive a residence permit for occupational purposes in accordance with art. 27 of Italian decree law 394/99. Once he/she is given such a residence permit, he/she will no longer be monitored and will begin a new life.

Once their integration path has ended, EU victims gain the right of residency for between 3 months and 5 years, if they are workers or self employed or have sufficient resources for themselves and their family not to become a burden on the social assistance system of Italy during the period of residence and have comprehensive sickness insurance cover in Italy.



Romania

The Romanian setting can be summarized as follows:

Sources of law. Prevention and fight against the trafficking of human beings is governed by:

- The Convention for the Protection of Human Rights and Fundamental Freedoms;
- The Romanian Constitution;
- The Romanian Penal Code;
- Law no. 678/2001 (concerning the prevention of and fight against human trafficking).

Definition of victim. Although a special law was issued on this topic, there is no legal definition of “victim”. The Romanian Criminal Procedure Code refers only to the “injured party” of a crime, namely the person who has suffered physical, moral or material harm from the crime itself. The word “victim,” on the other hand, has a broader meaning (which is not legally defined), including the relatives of the person who was actually injured. The **act of trafficking** is governed by the law, which punishes anyone who transports, transfers or accommodates a person, by threat, violence or other forms of coercion, abduction, fraud or deception, abuse of authority...with a view to exploiting him or her. Labour exploitation, sexual exploitation and exploitation for organ-trading purposes are punished by the law.

Rights of the victim. Romanian law states that victims of human trade should be given legal, physical and social assistance. The law ensures protection of the victim’s privacy and identity. They can get temporary, free accommodation in “Assistance and Protection Centres” run by NGOs. Accommodation cannot be longer than 10 days (which can be extended up to 3 months); while accommodated, victims are provided with food and psychological and medical assistance. They are given information and counselling by social workers. They can also be allocated a house, under a priority category. They can go through social and reintegration programmes, which are implemented by Associations, Foundations and NGOs. Public funds for these programmes are provided both by the State and Local Authorities. In the event of a trial, they are granted free legal assistance. Financial compensation for damages caused by the crime is paid directly by the State.

Assistance to Romanian victims living abroad. Romanian victims living abroad are granted special assistance by Diplomatic and Consular Authorities, which can inform them of their rights and help them to return home. If needed, identity documents or passports are issued in a very reasonable time. Repatriation Programmes have already been implemented by the Romanian Authorities with the cooperation of Foreign Countries and local NGOs.

Witness Protection Programmes. If victims cooperate with the Police and are in danger because of what they know about the trafficking they were involved in, they can go through a “Witness Protection Programme”. Family members of the victim can be granted the same protection. They can change their identity, be housed in a shelter (even for longer than 3 months), be heard by the Court under a different identity (their voice can be modified by electronic devices, examinations can be video recorded and their face can be obscured). Protection is granted both when information is given during a trial and outside a trial.

Bulgaria

The Bulgarian setting can be summarized as follows.

Sources of law. The prevention of and fight against the trafficking of human beings is governed by:

- Council of Europe Convention on Action against Human Trafficking (ratified 17.03.2007);
- United Nations Convention against Transnational Organized Crime (signed 13.12.2000, ratified 5.12.2001);
- Protocol to Prevent, Suppress and Punish Trafficking in persons, especially women and children (signed 13.12.2000, ratified 05.12.2001);
- ILO Convention on Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ratified 28.07.2000);
- Bulgarian Penal Code – Section IX, Trafficking in Human Beings (last amended 29/07/2002);
- Combating Trafficking in Human Beings Act (07.05.2003);
- Crime Victim Assistance and Financial Compensation Act (into force 01.01.2007);
- Witness Protection Act (into force 23.11.2004);
- Legal Aid Act (into force 01.01.2006).

National authorities, action plans, strategies and national coordination mechanisms: Bulgaria has implemented national programmes for preventing and fighting trafficking in Human Beings. Below is a list of the major projects and authorities involved:

National Commission on Combating Trafficking in Human Beings was founded in 2004 to determine and administer the implementation of the national policy and strategy in the area of combating trafficking in human beings. The Commission is established with the Council of Ministers of Republic of Bulgaria to organise and co-ordinate the co-operation between the relevant agencies and organisations for implementation of the Combating Trafficking in Human Beings Act.

- National Programme for the Prevention of Traffic in Human Beings and the Protection of Victims: The programme has been developed on annual basis since 2005;
- Coordination Mechanism for Referral, Care and Protection of Repatriated Bulgarian UAM and Children;
- Transnational Referral Mechanism for victims of trafficking. The TRM has been developed since 2007. Its main target is to establish a comprehensive transnational victim support system and a form of institutionalized cooperation on transnational cases (among 10 countries from South Eastern Europe);
- National Commission on Fighting Traffic in Human Beings. This was founded in 2004 to ensure that programmes to protect victims are implemented by both national and local authorities.
- National Council for Assistance and Compensation to victims of crime. This was founded to grant pecuniary compensation to the victims of crime. Compensation will be paid by the State.
- Council on Witness Protection
- National Referral Mechanism¹ is still in progress. The NRM is designed to formalize co-operation among government agencies and non-governmental groups dealing with trafficked persons.

Definition of “victim”. Art. 159 (a) of The Bulgarian Criminal Code states that *“an individual who recruits, transports, hides or admits individuals or groups of people in view of using them for sexual activities, forceful labour, dispossession of bodily organs or holding them in forceful subjection, regardless of their consent, shall be punished by deprivation of liberty of 1 to 8 years and a fine of up to BGN 8.0000”*. Thus the law punishes all sorts of exploitation, for sexual, labour and organ-trafficking purposes. Pursuant to § 1. item. 5. of the Combating Trafficking in



Human Beings Act “victim” is any person who has become a subject of trafficking in human beings. Pursuant item 1 of the same provision „trafficking in human beings” means the recruitment, transportation, transfer, concealment or acceptance of human beings, regardless of their own will, by means of coercion, abduction, deprivation of liberty, fraud, abuse of power, abuse of a state of dependence, or by means of giving, receiving or promising benefits to obtain the consent of a person who has control over another person, when it is carried out for the purpose of exploitation.”

Rights of the victim. The “Combating Trafficking in Human Beings Act” (07.05.2003) defines the roles and targets of all State Authorities involved in fighting the traffic of human beings, measures for protection of victims especially women and children. Victims are granted accommodation in special centres, usually run by NGOs, where they can get physical, psychological and medical assistance. They can be accommodated for up to 10 days by their personal request which period may be extended by another 30 days based on a proposal by the Local Commissions, the pre-trial proceedings authorities or the court, as requested by the sheltered individual. The “Crime Victim Assistance and Financial Compensation Act” provides that the forms of assistance are: medical emergency care according to the procedures established by the Health Act, psychological counselling, free legal assistance to the victims. The financial compensation is a cash amount of between 250 and 5000 leva. The compensation covers, jointly or separately, pecuniary damages directly caused by a crime and consisting in: medical expenses, except for expenses covered by the budget of the National Health Insurance Fund, lost income, legal fees and litigation costs, lost support to dependents, funeral expenses, other pecuniary damages. Financial compensation shall be provided upon entry into force of: a guilty verdict, including in cases tried in the defendant’s absence, a prosecutorial or court instrument by which criminal proceedings are discontinued, a prosecutorial or court instrument by which criminal proceedings are dismissed on the grounds of failure to identify the perpetrator of the crime.

Assistance to Bulgarian victims living abroad. Bulgarian victims living abroad are given special assistance by Diplomatic and Consular Authorities, which can inform them of their rights and help them return home. Where needed, identity documents or passports are issued in a very reasonable time. Repatriation Programmes have already been implemented by Bulgarian NGOs in cooperation with the Bulgarian and foreign state authorities and the international NGOs. For example, the NADJA CENTRE² worked on supporting victims returning from France. Trafficked persons returning to Bulgaria are referred to IOM Sofia. ANIMUS and the Bulgarian Border Police have signed cooperation agreement for assistance of victims who return to Bulgaria. ANIMUS provides training seminars in order to help the police to identify the victims of trafficking.

Witness Protection Programmes. The Witness Protection Act refers to both the victims and witnesses and their families. The law provides a large numbers of facilities aimed at protecting the witness, including protection during court proceedings, change of identity, resettlement in a different part of Bulgaria and, in extreme cases, in a third country. If they cooperate with the police, victims can be allocated long-term accommodation and employment facilities.

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1. The National Referral Mechanism was presented officially in Sofia on the 25 of November 2010.
 2. Cooperation agreements signed by Center Nadja for assisting the repatriation of the human trafficking victims and training of the police:
 1. General Agreement on Implementation of Emergency Acceptance Program for Bulgarian Victims of Trafficking between the International Migration Service (France)and Center Nadja;
 - 2.Cooperation agreement between National Police Service Directorate, Bulgaria and Center Nadja, 1999;
 - 3.Cooperation agreement between the International Organisation for Migration, Sofia and Center Nadja, 2001;
 - 4.Cooperation agreement between the National Service Border Police, Ministry of the Interior of Bulgaria and Center Nadja, 2002;
 - 5.Cooperation agreement between the Academy of the Ministry of the Interior of Bulgaria and Center Nadja, 2002;
 - 6.Cooperation agreement between Caritas Bulgaria and Center Nadja, 2005;
 - 7.Memorandum of Understanding between the Ministry of the Interior and Center Nadja, 2006.

The actual application of the law

Italy

The Italian legal system on the protection of victims of trafficking works well.

Special programmes are currently implemented by the Ministry for Equal Opportunities (with the cooperation of public institutions and NGOs) under both art. 13 of Law 228/2003 and art. 18 of Legislative Decree 286/98.

European and non-European victims of trafficking can concretely benefit from all the rights granted by the abovementioned laws.

To date, the Ministry has published 10 calls (from 2000 to 2009) to co-fund projects under art. 18 and 5 calls to co-fund projects under art. 13 (from 2006 to 2009). Hundred of projects have thus been implemented throughout Italy, with the cooperation of various Regions, Provinces, Municipalities and NGOs (49 projects under art. 13 and 533 projects under art. 18).

A special secretarial service has been created by the Ministry to coordinate the public authorities and NGOs involved in the projects, giving information on how to create and present a project and helping them in all the subsequent phases.

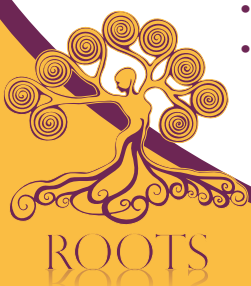
Up to 2008, about 54,559 European and non-European victims got in touch with the projects and were given emergency physical and psychological care; 13,517 victims followed a reintegration programme; 6,435 of them have found a job thanks to the projects.

Romania

Since 2006 Romania has adopted the **National Plan for Action in order to implement the National Strategy** against the trafficking of human beings. The Plan will continue until 2010. It has also adopted the **National Standards**, a set of rules and standards to evaluate services granted to the victims.

The **National Plan** determines the specific duties to be performed by public and police authorities in the process of reintegrating victims but also provides specific tasks for NGOs, such as:

- Creating and developing the national centralized system of data records regarding human trafficking;
- Periodic research and evaluation into the characteristics, dimensions and evolution of the human trafficking phenomenon;
- Improvements in coordination of the national anti-trafficking system by periodically organizing meetings to coordinate, analyze and evaluate the activities held by the institutions responsible for preventing and combating human trafficking and providing assistance to victims;
- Consolidating the role of ANITP (the National Agency Against Human Trafficking) as national coordinator of activities against human trafficking, by concluding and implementing cooperation protocols between ANITP and institutional and organizational partners in the country and abroad;
- Improving the coordination in the field of victim assistance;
- Informing the population and building awareness of the risks associated with human trafficking and strengthening the ability to defend oneself against the threats of this phenomenon;
- Reducing vulnerability of risk groups;
- Implementing programmes to reduce the vulnerability of risk groups internally and among the Romanian communities abroad;



- Improving activities to prevent human trafficking;
- Protection, assistance and social reintegration of victims, by creating a national integrated system of identification of and reference to human trafficking victims, by improving the assistance and protection of human trafficking victims, of community support of victims (providing accommodation, food and clothing, medical and psychological assistance, legal counselling, access to education and professional training, and job mediation);
- Making the free telephone service TelVerde operational at ANITP;
- Educational and professional reintegration of human trafficking victims;
- Increasing the participation of victims/witnesses in the investigation and prosecution of human trafficking;
- Developing the cooperation of victims/witnesses in the legal process;
- Developing cooperation between the member states and specialised institutions of the European Union in the field of preventing and combating human trafficking;
- Giving necessary assistance to the victims;
- Informing and transferring experience and good practices in this field, at bilateral and multilateral level;
- Participating in activities and programmes held by the institutions of the European Union in order to prevent and combat human trafficking, as well as guarantee assistance to victims.

The **National Agency Against Human Trafficking** (ANITP) is subordinated to the General Inspectorate of the Romanian Police and coordinates, evaluates and monitors the implementation of policies relating to trafficked people. It consists of 15 Regional centres, which cover the entire territory of the Country.

The National Agency Regional Centres are the first places where victims can be identified and then referred to an NGO. At the moment, in Romania other projects are being run by NGOs on the reintegration of trafficked women. All these programmes grant the victims accommodation and legal, medical, psychological and educational facilities, in order to help them reintegrate.

The majority of the implemented projects are aimed at preventing trafficking (through educational and information campaigns). Just a few projects are aimed at reintegrating victims.

The Romanian State has signed private conventions with NGOs in order to implement reintegration programmes. Occupational reintegration is usually the result of informal contacts between the NGOs and some firms, which agree to give the victims a job.

Bulgaria

Just a few projects relating to the legal aspects of the reintegration of victims have been implemented by the Bulgarian authorities and NGOs. This is due to the fact that the national legislation on trafficking is quite recent.

The most significant ones are:

- “Reducing the number of Romanian and Bulgarian victims trafficked into Spain and Italy”, coordinator the Romanian National Agency on Combating Trafficking in Persons and partners the Bulgarian National Commission on Combating Trafficking in Human Beings, the Department for Rights and Equal Opportunities, Italy, Direccion General de la Policia y de la Guardia Civil, Spain, United Kingdom Human Trafficking Center (2007 – 2010);
- “Popularizing the Opportunities for Legal Protection of Victims of Human Trafficking and Domestic Violence and Improving the Quality and Effectiveness of the Social Services”, implemented by



- Caritas Russe in partnership with Center Nadja, Russe (2009);
- “National Network for Prevention of Violence against Children and Families in Risk - Pilot Model”, implemented by the Center “Open Door”, Pleven (2009);
 - Conference on “ Legislative and Institutional Aspects and Good Practices in Combating Trafficking in Human Beings in Bulgaria”, coordinator IGA Fund, Pazardjik, project: “ Civil Society – Competent Partner for the Public Policies Implementation”, financed through the Administrative Capacity Operative Program - BG051PO002/07/2.3-01 (2008);
 - 2. Report “Combating Trafficking in Human Beings– Problems and Perspectives”. The report has been elaborated as a result of the ARIADNE network project (2007 – 2008), the Bulgarian country report was elaborated by Bulgarian Gender Research Foundation;
 - Monitoring report: “Violence against Women. Does the government care in Bulgaria?”- published by OSI, Budapest in English. The Country report for Bulgaria was elaborated by Center of Women Studies and Policies Foundation(2007).

As far as the application of witness protection is concerned, in 2008, only 7 people were admitted to the programme. They were not detained or fined, or otherwise penalized for unlawful acts they may have committed as a direct result of trafficking³.

As for the implementation of assistance facilities, in 2008, the Varna local Government provided some property and the National Commission allocated \$ 13.000 to restore a shelter for victims of trafficking in Varna. The shelter was opened in April 2009, and can host 8 people. Six victims were accommodated in the shelter in⁴ 2009.

In Bulgaria there is currently a very wide gap between the legal provisions and their application in practice, especially with reference to legal aid. In particular, victims cannot obtain support for legal aid, because they are required to show proof of very low income. This can only be proved by certifying that they receive social support. Unfortunately, the Social Support Law does not allow people without a “registered address” to receive social support. Hence the victims of trafficking, who are not registered, become excluded from free legal aid.

Reference documents

The following documents can be found on the project website www.rootsproject.eu:

- Extract from Italian Legislative Decree 286/1998 – art. 18 (Italian Language version)
- Extract from Italian Law 228/2003 – art. 12 and 13 (Italian Language version)
- Romanian law 678/2001 on Prevention and Combat of Trafficking in Human Beings (English Language version)
- Romanian National Plan (Romanian Language Version)
- Romanian ANITP Regional Centres
- Romanian Law 682/2002 on Witness Protection
- Romanian Law 211/2004 on Protection of Victims of Crimes
- Bulgarian “Combating Trafficking in Human Beings Act” (English Language version)
- Bulgarian “Crime victim assistance and Financial compensation Act” (English Language version)
- Bulgarian “Law of protection of persons threatened in connection with criminal procedures” (English Language version)
- Bulgarian Act on legal aid: <http://www.nbpp.government.bg/reg/lawsphp?lang=en&page=49&root=laws>

3. 9 th and 10 th USAID Annual Reports on Human Trafficking

4. Ibid.



SOCIAL AND OCCUPATIONAL REINTEGRATION OF TRAFFICKED WOMEN

Introduction

This chapter contains a brief introductory part addressing the subject of reintegration and related problems from a wider perspective⁵ and the analysis of a number of relevant issues related to repatriation and reintegration of women victims of trafficking from Italy to Bulgaria and Romania.

Reintegration: trying to define a complex phenomenon

Reintegration is one of the most complex components of any programme of assistance and protection for victims of trafficking. It mostly refers to the process of recovery and economic and social inclusion following a trafficking experience. The main aim of the reintegration process is to provide for a victim's safe, dignified and sustainable reinsertion into society and a normalized life: in one word, a "normal" life in safety.

Reintegration is a process which is mostly composed of 3 different phases: repatriation, reception and reintegration of victims of trafficking in their countries of origin. Accordingly, when we talk about reintegration we should think about a diverse package of services which are provided in each single phase of the entire process: from shelter assistance or other accommodation, medical and psychological care, social and legal counselling, to reintegration grants, school reinsertion, and vocational training. Some services will be provided by the primary organization facilitating the victim's reintegration, usually in the country of destination. However, many services are likely to be carried out and administered in the victim's place of residence by other NGOs and governmental partners.

Thus, reintegration is a process which is not only *time consuming and expensive*, since it starts from the first contact with the victim by the receiving organization and continues through the whole reintegration process, but also *complex*, since it requires substantial support in the long term in order to ensure that victims are able to become truly independent.

Finally, the term "re-integration", which implies a return to the community/environment of origin, also suggests that the individual was integrated in society *prior* to being trafficked. But this is not always the case. As many individual stories suggest, trafficked persons have often experienced exclusion and/or marginalization in their communities and countries of origin. So there could be many obstacles to their successful reintegration: obstacles which can be related to their personal experience and situation or to the broader socio-economic context.

Consequently, the successful reintegration of victims of trafficking depends on a wide range of factors and situations, including the person's individual profile, the environment into which she is to reintegrate, and the different support mechanisms for reintegration existing in the countries of origin.

5. This part is based on the review of a number of key publications produced at European and international level in this field: see in particular CALIBER, US National Institute of Justice, Needs Assessment for Service Providers and Trafficking Victims, NIJ, 2003; IOM, Reintegration Assistance for Victims of Trafficking, IOM, October 2006; IOM, The IOM Handbook on Direct Assistance for Victims of Trafficking, IOM, 2007; Surtees, R., Nexus Institute to Combat Human Trafficking, Re/integration of trafficked persons: how can our work be more effective, Issues paper #1, King Baudouin Foundation, December 2008; Talens, C., Landman, C., Good practices on (re)integration of victims of trafficking in human beings in the six European countries, BLinN, Novib/Humanitas, Change-Anti Trafficking Programme, OXFAM GB, November 2003.

Managing the reintegration process and related problems

Managing a reintegration process often means managing a wide range of trafficking experiences and traumas (stress, irritation, anxiety, anger, feelings of shame, depression, sadness, need to be continuously reassured) as well as the root causes of trafficking, i.e. the social and economic situations that led women to migrate. When the factors that led to trafficking in the first place have not been resolved, there is a considerably high risk of repeated trafficking or of the person returning to the environment of exploitation. In this regard, it should be considered that in some situations, going back home involves reintegration into an environment which may have been socially, emotionally or economically unsatisfactory or, in many cases, stressful, unhealthy or even dangerous. Hence, the reintegration environment, which is mostly composed of the *family* and the *community*, is crucial.

In most cases a stable *family* setting plays a vital role in reintegration but in other cases it is not easy to determine whether the conditions for sustainable reintegration do exist in the family. Moreover, in many situations it is neither possible nor advisable to try to re-establish family relations or, in others, the trafficking victim does not have a family to return to. Finally, many victims of trafficking have been cut off from their families over long periods of time: consequently their family situation at home may have changed drastically.

The *community* is also an important aspect of the reintegration environment but it is true that many communities do not welcome trafficked persons. Communities may be a source of discrimination or stigma for women with a past experience of prostitution and trafficking and this may have a direct impact on their reintegration (finding a job or setting up a small business). Although stigma, blame and discrimination may be time bound and disappear after a while, *integration in a new community* may be a wise alternative in some cases.

Moreover, talking about reintegration also means facing a number of structural problems related to the social, cultural, economic and political situation. But while reintegration services, which are often small-scale, NGO-run and have limited resources, are able to address some needs, they cannot address the more systemic obstacles which may impede reintegration. Hence the need to adopt an approach aimed at *prioritizing* some needs, while aware of the fact that obstacles could arise and actually impede a full reintegration process.

Overall, one of the main obstacles is the *lack of state assistance and social services* in countries of origin which means lack of social security, inadequate medical care, no affordable housing, limited education and training opportunities. Problems which may amplify victims' vulnerability and the risk of being exploited and re-trafficked.

Moreover, especially in certain countries, no long-term assistance is foreseen for victims of trafficking, since most services and projects are aimed at providing emergency assistance and short-term services, without any support for longer reintegration activities.

In particular, *job placements* for former victims of trafficking remain a problem since government-run employment agencies in most South-Eastern European countries are unable to provide appropriate job placements, with job placement relying heavily on personal connections. Moreover, many trafficked women have low education levels, few professional skills and little work experience; in other cases salaries are not adequate to meet the needs of the beneficiaries and working conditions may be problematic, particularly when life abroad has given a taste of affluence which they cannot achieve in their home country.



Consequently, it is essential, in designing repatriation and reintegration programmes, to provide the victim with a realistic picture of the available options and possibilities and not to give rise to unrealistic expectations.

Social and occupational reintegration of victims of trafficking in human beings: the experience in Bulgaria and Romania

Institutional situation and main actors

In both countries, updated **legislation** on the trafficking of people coherent with European and international standards, was issued during the early 2000s (see Chapter 1 for further details). Likewise, both in Bulgaria and in Romania, governmental **Commissions and other bodies** operating at local and national level were created in the mid-2000s for the purpose of preventing and combating women trafficking.

In **Bulgaria** a National Commission to Combat Trafficking in Persons (NCCTP), affiliated with the Council of Ministers, has been set up as the main policy-making and coordinating body. The aim of the Commission is to ensure that programmes, such as temporary shelters and centres for protection and assistance, are implemented at both national and local level. Five local commissions, created in 2007, have currently been established in Varna, Burgas, Sliven and Pazardzik. In addition, it is planned to set up 4 more local commissions in regions at risk – namely Dobrich, Blagoevgrad, Veliko Turnovo and Vidin.

In **Romania** the National Agency against Trafficking in Persons (NAATP) was set up in 2005. The purpose of the Agency is to coordinate, evaluate and monitor, at national level, the implementation of policies in the field of trafficking in persons, as well as in the field of protection and assistance provided to victims. The Agency cooperates with governmental and non-governmental organizations within the country and abroad, as well as with inter-governmental organizations, with a view to raising public awareness on the phenomenon and its consequences. The Agency has several local offices in the cities of Arad, Botosani, Galati, Iasi, Mehedinti and Satu Mare.

It was, however, stressed that these institutions/bodies do not function properly since most of their initiatives are not adequately translated into action, both because of limited available funds and because **governments chiefly rely on NGOs** to implement most of the activities in this field. Consequently, some problems have been identified:

- projects are usually short-term because of the lack of financial support and this does not ensure proper continuity to the projects themselves;
- staff cannot be properly trained.

In **Bulgaria**, social integration services are still mostly provided by NGOs. In this respect, in 2007, the NCCTP addressed 21 NGOs all over the country in order to identify their expertise in terms of countering trafficking in human beings. Out of the 21 NGOs contacted, 14 NGOs stated that they participated in assisting victims of trafficking in at least one of the following 3 stages: 1. discovering them when the victims are still abroad (contacting their families, communicating with embassies and international organizations); 2. crisis intervention after their immediate return to Bulgaria; and 3. assistance in the long-term reintegration of survivors of violence. Eight organizations declared that they offered either a shelter or crisis

centre for victims. According to article 9 of the Combating Trafficking in Human Beings (CTHB) Act, victims are granted accommodation in special shelters, which shall be set up by the municipalities, individuals and legal entities licensed to provide social services (cooperation with the police is not necessary). The victim can be accommodated for up to 10 days, which can be prolonged for up to 30 days on the request of a local commission, the pre-trial procedure bodies, or the Court. IOM previously ran 7 shelters for trafficked women but they are now closed. However, according to the NGOs participating in the Roots project, the time frame for which these can host trafficked women ranges from a few days to 3 months. The shelters provide civilized living and personal hygiene conditions, food, medications, free emergency health-care, free psychological assistance and support in contacting the victim's relatives. The majority of the facilities allocated to the victims of trafficking are provided by NGOs, to whom the victims are referred, even by the police. NGO crisis units exist in Sofia (Animus), Pleven (Open Door), Varna (SOS Families in Risk), Silistra (Ekaterina Karavelova), Plovdiv (Social services centre) and Stara Zagora (Samaritans Association). The only operative NGO shelter is in Varna. "Mother and baby" units, which are community-based social services, are also available in 10 municipalities in Bulgaria, with a maximum capacity of 8 women per unit. It is a state-delegated activity and is free of charge. The Unit provides accommodation for up to 6 months and multidisciplinary support of pregnant women and mothers of children up to 3 years of age who are at risk of abandoning their children (psychological support, medical care for the mother and baby, consultation and information, motivation and teaching of good parental skills).

Women from all over the country can be hosted at these shelters but the number of protected houses is not sufficient, and their location does not cover the southern part of the country, which is a big disadvantage for the people from this region. Most organizations provide opportunities for psychological counselling and develop prevention programmes, but less provide safe transportation, assistance in issuing documents and in finding a job or pre-qualifications – especially with regard to applications for accommodation and compensation.

In **Romania**, there are two types of shelters: government-run and NGO assistance for middle to long-term stay shelters that offer reintegration services. Currently Law 678 encourages Romania to have 10 temporary shelters for victims to turn to. In addition to staying in the shelters, victims need to cooperate with the authorities; otherwise the shelters will not receive funding, according to the Romanian partners. There are many problems associated with shelters in Romania such as a lack of funding, lack of rehabilitation services, and lack of longer-term programmes. Victims of trafficking can receive temporary accommodation in regional Centres for Protection and Assistance, operating under the authority of local administrations in Timis, Alba Iulia, Bacau, Brasov, Bucuresti, Constanta, Craiova, Cluj Napoca, Galati, Iasi, Oradea, Pitesti Ploiesti, Suceava, Targu – Mures. The duration of the victims' stay in these Centres does not normally exceed 10 days. It can, however, be extended, upon judicial request, for up to 3 months or for the duration of the criminal proceedings. The Centres provide facilities for housing, personal hygiene, food, psychological and medical assistance. Moreover, county employment agencies are responsible for developing special short-term vocational and job training programmes for the victims in the shelters. Very often, however, victims are directly referred to NGOs, which provide accommodation, and psychological and medical assistance to the victims and help them find a job and follow a reintegration path.

Especially in Romania, there is a **lack of cooperation** not only among government bodies and NGOs, but also within NGOs themselves.



The services

Both in Romania and Bulgaria besides **ad-hoc services** expressly targeting trafficking victims, there are also those who provide assistance to victims of violence, particularly domestic violence. However, in some cases, it was stressed that the **definition of the term “victim”** is not very clear, although it is often used. In Romania, for example, the government provides assistance to victims as witnesses of crime (i.e. women testifying or collaborating within a criminal proceeding) and not as victims per se (see Chapter 1 for the definition of victim in the Bulgarian and Romanian criminal codes).

Another crucial issue is the **lack of financial resources** aimed at providing **long-term reintegration** to the victims of trafficking.

In **Bulgaria**, although temporary shelters and care services are provided to women, the time frame available for their use is not sufficient given the total lack of other resources in many cases. Once back in Bulgaria, victims often do not have families or cannot rely on strong connections. Professionals providing psychological support to victims of trafficking conclude that overcoming the trauma is a deep process and should therefore be carried out for a long period in order for women to recover and be able to change the destructive models in which they were functioning. This is why the government is recommended to make it possible to stay in shelters for a longer period and to provide longer treatment for women.

The reintegration plan

In designing a **reintegration plan** there is the need to be **realistic** and **practical** in planning what can be really achieved during the reintegration process, given not only the woman’s profile and skills, but also a number of **structural problems** related to the socio-economic situation of the country, region, city or village to which the woman wishes to return.

IOM and other organizations involved in reintegration programmes usually screen trafficked women in order to ascertain their intentions and motivations *prior to their return* to the country of origin. After working out a case profile, a **reintegration strategy** tailored to suit the woman’s needs is developed accordingly.

A comprehensive **reintegration plan** can be developed on the basis of individual (victim-related) and situational (related to the specific socio-economic situation and reintegration assistance infrastructure in the country of origin) assessments. In this regard, it is important that the receiving organization helps the victims to set realistic goals related not only to personal skills and qualifications, but also to the opportunities available in the country, region and place of residence in which reintegration will take place.

One of the main problems that trafficked women envisage when they return to their home country is related to the lack of **work experience and qualifications**. In **Bulgaria**, when the referral mechanism was discussed in 2007, the Social Assistance Agency made its recommendations for adjustments to it. In the National Plans it was stated that educational and vocational courses as well as measures and projects providing employment opportunities for victims of trafficking will be established on a permanent basis by the Ministry of Education, the Ministry of Labour and Social Policy (MLSP) and the mayors of the respective municipalities. The National Employment Agency offers services to unemployed persons without

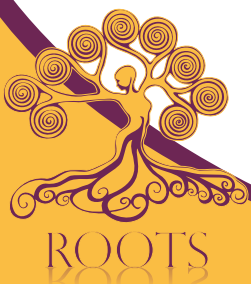
direct or indirect discrimination, privileges or restrictions based on nationality, sex, sexual orientation, age, etc. It provides job seekers with services such as: mediation, professional guidance, qualification and motivation training, etc. However, these are general provisions and do not support victims of trafficking more than any ordinary citizen of Bulgaria who is registered as unemployed.

It is important to provide an in-depth **personal and situational assessment** before drawing up a reintegration plan and to adopt an approach aimed at **prioritizing** some needs. In **Bulgaria**, ANIMUS has developed a very detailed chart aimed at recording a number of relevant data on the client which might be useful in designing her actual profile and designing ad-hoc interventions (the document is available on the project website). Similarly in Romania, the NGO Reaching Out has developed a contract for the provision of social services to victims of trafficking (also available on the project website). In **Romania** NAATP has developed **a project to set up national standards for specialized victim assistance services**: a set of norms on which basis protection of and assistance to victims shall be carried out as a complex and ongoing process accommodated to the needs and characteristics of each individual victim.

As far as monitoring of the reintegration path is concerned, regular contacts should be maintained with victims for both security and monitoring purposes to ensure their effective reintegration. Monitoring of the reintegration process is indispensable in providing a verifiable indicator of the success of the reintegration programme. Similarly, the organization should continuously review, evaluate and, where necessary, adjust its reintegration assistance and related procedures. Good practices in the field of reintegration programmes of trafficking victims underline that some basic criteria should be met, such as:

- sustainability in the long term;
- accessibility to all victims of trafficking;
- taking a gender perspective and an empowerment strategy as a point of departure;
- taking human rights standards as a basis, particularly access to basic social services;
- having a positive collaboration between government and non-governmental organizations;
- showing respect **for diversity** resulting in tailor-made support.

It is important to adopt a **motivational approach** in designing a reintegration plan aimed at facilitating the re-emergence of woman's **initial motivations**. In this regard, it is essential to facilitate the full **re-elaboration of women's past experience**, partly in terms of the changes that the exploitation experience has imposed on their life and expectations.



CRUCIAL PHASES OF A REINTEGRATION PROCESS

By sharing social and legal information, it has been possible to single out some of the crucial phases of a reintegration process (this was the first step in drawing up a reintegration protocol).

Initial phase: this is the crucial phase when the woman decides to quit prostitution and to look for help. During this phase a number of problems may emerge: psychological problems (i.e. how to manage the trafficking experience and traumas), security problems, financial needs, availability of shelters, relationships with institutions and law enforcements, relationships with the family, etc. Overall, participants stressed the need to tailor a reintegration strategy based on the woman's needs.

Mid-term phase (after the emergency) and

Longer term reintegration support: during these phases a more comprehensive reintegration plan should be developed and it is important for women to be supported in setting up realistic goals related not only to personal skills and qualifications, but also to the opportunities available in the country, region and place of residence in which reintegration will take place.

Monitoring of reintegration,

Evaluation: the NGO and/or other institutions involved in the reintegration programme should continuously review, evaluate and, where necessary, adjust their reintegration assistance and related procedures. In this regard, it was stressed that there was a need to elaborate various types of evaluation (i.e. victim evaluation, self evaluation, external evaluation, etc.) to be implemented throughout the entire duration of the reintegration plan.

Information and awareness raising campaign

Finally, particularly in Romania, it emerged a **scarce level of information and awareness raising campaigns** not only on the phenomenon of trafficking of women for sexual exploitation but also on issues related to women's rights and self-dignity.

Although NGOs in many destination countries try to provide information on reintegration assistance, several surveys carried out with victims of trafficking have revealed that most victims were not acquainted with any aid associations in their countries of origin that could help them if they decided to return. Thus participants strongly urged the need to develop **networks among NGOs** operating both in the countries of origin and in the countries of destination of trafficked victims.

BULGARIA

NGOs and private organizations providing assistance to victims of trafficking in human beings

Animus Association Foundation
Sofia
National Hot Line 08001 86 76
Phone: +3592 9835205
E-mail: animus@animusassociation.org

Center for social services,
Plovdiv
Phone : +35932 658 150
Fax: +35932 658 163
E-mail: ksu_decaisemeistva@abv.bg

Open Door
Pleven
Phone/Fax: +35964 846 713
E-mail: opendoor_centre@hotmail.com

Association Samaritans
Stara Zagora
Phone : +35942/64 11 11
Fax: +35942/681 646
E-mail: 641111@samaritans.bg

SOS Families in Risk,
Varna
Hot Line +35952 609 677
Phone: +35952 613 830
Fax: +35952 601 427
E-mail: sos@ssi.bg sfda@mail.orbiPhone.bg
Woman alliance "Ekaterina Karavelova"
Silistra
Phone/Fax: +35 086 820 487
E-mail: ceta@mail.bg



ROMANIA

Institutions providing assistance to victims of trafficking in human beings

Arad County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax: + 40 257 210 055; + 40 257 253 721

E-mail: dgpdcар@arad.ro

Botosani County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax: +40 231 537 993; + 40 231 511 047

E-mail: dgaspcbt@yahoo.com

Galati County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax: + 40 236 311 086, + 40 236 311 087;
+40 236 479 476

E-mail: dgaspc_gl@yahoo.com

Iasi County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax +40 232 477 731; + 40 232 279 654

E-mail: dasiasi@iasi.rdsmail.ro

Mehedinti County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax: + 40 252 324 460; + 40 252 328 658

E-mail: dgaspcmehedinti@yahoo.com

Satu Mare County Council - Centre for assistance and protection of the victims of trafficking in persons

Phone / Fax: + 40 261 768 077; + 40 361 811 514

E-mail: djpc@cjsm.ro

The National Authority for the Protection of Children's Rights

Bucharest

Phone / Fax: +40 21 310.07.89; +40 21 312.74.74

E-mail: office@anpca.ro

Centre for assistance and protection of the victims of trafficking in persons – Recas

Timisoara

Phone / Fax: + 40 256 282 320; + 40 256 215 659

E-mail: office@generatietanara.ro

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Centre for assistance and protection of the victims of trafficking in persons – Recas
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E-mail: office@generatietanara.ro

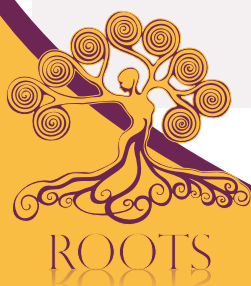
ROMANIA
NGOs and private organizations providing assistance to victims of trafficking in human beings

Association for developing alternative practices for reintegration and education (ADPARE)
Bucharest
Phone / Fax: + 40 21 253 29 04
E-mail: adpare@adpare.eu
Website: www.adpare.ro

Ecumenical Association of Churches in Romania
Bucharest
Phone: + 40 21 212 48 68 Fax: + 40 21 210 72 55
E-mail: aidrom@gmail.com
Website: www.aidrom.ro

Betania Association
Bacau
Phone / Fax: + 40 234 206 016; + 40 234 586 002
E-mail: office@asociatiabetania.ro

Conexiuni Deva Foundation
Deva
Phone / Fax: + 40 254 232 120; + 40 254 230 359
E-mail: angalital@yahoo.com
Website: www.fundatiaconexiuni.ro



Mitropolia Banatului
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+ 40 356 801 673
E-mail: mitropoliabanatului@yahoo.com

Reaching out
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Phone / Fax: +40 248 290 686
E-mail: reachingoutrom@yahoo.com

Ratiu Center for Democracies
Turda
Phone / Fax: +40 0264 317 555
Website: www.ratiudemocracycenter.org

Save the Children Romania
Branches in Bucharest and in 14 counties
Phone / Fax: +40 21 314 40 50; +40 21 312 44 86
E-mail: gabriela.alexandrescu@salvaticopiii.ro
Website: www.salvaticopiii.ro

The Foundation for Children "Sfantul Sava"
Buzau
Phone / Fax: +40 238 71 40 00
"Lumina" Foundation
Braila
Phone / Fax: +40 239 613 928
E-mail: cabbr@braila.net

"Louis Pasteur" Romania-France National Mutual
Association
Braila
Phone / Fax: +40 239 612074; +40 239 631730
E-mail: adavadeanu@yahoo.com

"Louis Pasteur" Romania-France National Mutual
Association
Craiova
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E-mail: mirelaghi@yahoo.com

Caritas Association
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E-mail: caritas@mailbox.ro

ARTEMIS Association of the Women against Violence
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Phone / Fax: +40 264 592 689
Contact person: Eva Bodrogi

ARTEMIS Association of the Women against Violence
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Phone / Fax: +40 262 250 770
E-mail: artemisbm@rivulus.ro

Alternative Sociale Association
Cuza-Vodza
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E-mail: office@alternativesociale.ro
Website: www.alternativesociale.ro

Liga femeilor gorjane
Târgu-Jiu
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Sinergii Association – Medias
Phone / Fax: +40 269 838 602
E-mail: sinergii@birotec.ro

CHAPTER 3

PROTOCOL FOR THE REINTEGRATION OF WOMEN VICTIMS OF TRAFFICKING IN THE COUNTRY OF ORIGIN

Introduction

The aim of the Protocol for the repatriation and reintegration of women victims of trafficking in the country of origin and its Visual Map is to provide some practical guidelines for managing the voluntary repatriation of women victims of trafficking from Italy and their social and occupational reintegration in Bulgaria and Romania.

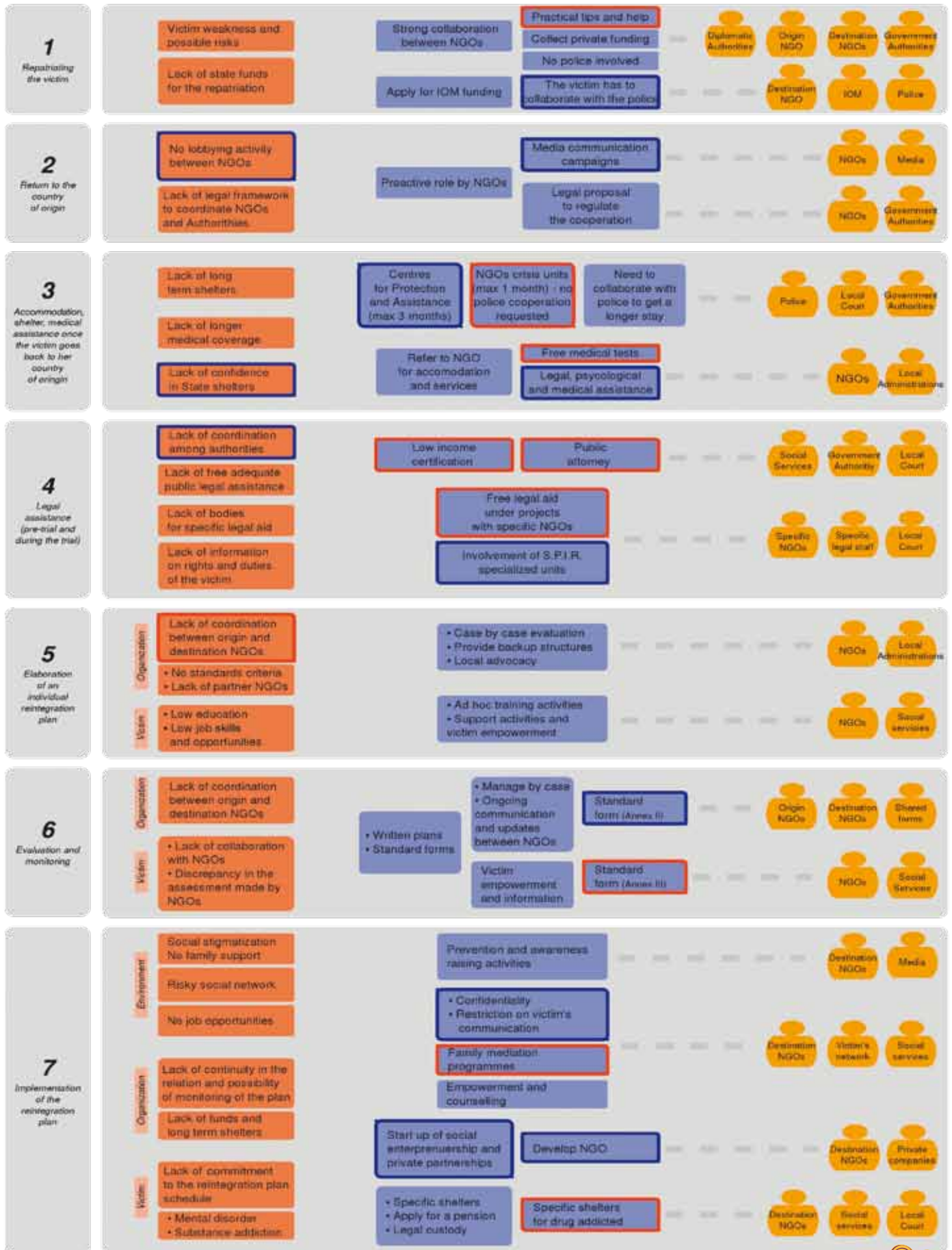
Seven basic crucial steps have been identified to accompany women through this difficult phase in their lives. The protocol was therefore drawn up bearing carefully in mind the actual situation occurring in the countries concerned, in terms of legislation and available services, facilities and best practices. The actors involved in each individual step have also been identified and the main problems and possible ways to overcome them have been determined.

The first column of the Protocol briefly indicates the main steps, followed by various columns respectively indicating the actors involved or to be involved in management of that step, the main problems that can emerge, the solutions that can be adopted and, finally, where necessary, additional information and or insights into the legal tools available.

The Visual Map summarises the information contained in the Protocol in a one-page scheme: main steps (first boxes), related problems (light red boxes), possible solutions (light blue boxes), tools available and, finally, actors involved (yellow figures). The country's peculiarities (in terms of both problems and solutions) are appropriately addressed using two different coloured frames: red for the Bulgarian context and blue for the Romanian one.

The Visual Map provides an analytical framework to solve problems related to reintegration. The structure is the following:





The Protocol

STEP 1. Repatriating the victim

Help her to go back to her country of origin in full respect of her rights (human, civil, social).

ACTORS

- General: NGOs, IOs (IOM), Police, Consular and Diplomatic authorities
- Romania: Romanian National Agency against Human Trafficking;
- Bulgaria: National Commission on Combating Trafficking in Human Beings (NCCTHB)
- Italy: NGOs, Social Services, law enforcement agencies, IOM

	Problem	Solution	Legal tools / Additional info
GENERAL	<ul style="list-style-type: none"> • the victim does not have any money to buy a ticket; • there is a high risk of the victim falling back into trafficking networks when she is returning home; • the victim finds it hard to believe in, accept and commit to the possibility of changing her life. 	<ul style="list-style-type: none"> • NGOs or IOs such as IOM can pay for her ticket; • NGO in the destination country should liaise with the NGO in the country of origin; • the process of mutual cooperation between NGOs in both countries should give utmost priority to women's safety. 	

	Problem	Solution	Legal tools / Additional info
ITALY	<ul style="list-style-type: none"> • lack of contact between the receiving NGO in Italy and NGOs operating in the victim's country of origin; 	<ul style="list-style-type: none"> • NGOs may refer to IOM and ask for its voluntary assisted repatriation programme to be applied (IOM Rome EC Return, programme called P.A.R.T.I.R.); 	<ul style="list-style-type: none"> • IOM, in cooperation with the Ministry of the Interior, has launched a programme called NIRVA, Italian Networking for Voluntarily Assisted Repatriation, composed of various partners all over the country, which provide support to migrants who wish to be repatriated: see http://www.retenirva.it/componenti.asp

	Problem	Solution	Legal tools / Additional info
BULGARIA	<ul style="list-style-type: none"> • lack of institutionalized funding for safe return; • victims very often do not want to go back to Bulgaria; they do not feel safe and have no supporting environment at home; • victims fear they will be stigmatized and prevented from starting their new life without being labelled; • the process of repatriating victims to Bulgaria since it has become an EU member state has not been sufficiently analyzed. 	<ul style="list-style-type: none"> • try to promote cooperation between the NGOs in Italy and in Bulgaria and provide information on practical experiences in order to benefit the development of the Bulgarian National Referral Mechanism (NRM); • develop simple tips for victims, based on very practical information on how to return safely and empowering them to make informed decisions; 	<ul style="list-style-type: none"> • for further details see article 7 and articles 15-18 of the Combating Trafficking in Human Beings Act (which can be found on the project website www.rootsproject.eu) on the responsibilities of the Commission and Diplomatic and Consular authorities in relation to the protection and support of victims.

	Problem	Solution	Legal tools / Additional info
ROMANIA	<ul style="list-style-type: none"> governmental agencies do not have funds for repatriation and do not provide basic assistance for victims; if IOM is used as a repatriation agency, according to a protocol in force, IOM should contact the Ministry of Administration and the Interior; if the woman does not cooperate with the Romanian judicial authorities, she is not assisted and returns to her home/family; problems related to privacy, safety and the respect of victims' human rights; 	<ul style="list-style-type: none"> Try to promote strong cooperation between NGOs operating in Italy and Romania without involving the police and Consular authorities; try to explain to the victim that it is essential to cooperate with the police and if she does not cooperate she will be unable to benefit from some legal rights; refusal to cooperate is also against the law. 	<ul style="list-style-type: none"> for further information see articles 27-31 of Law 678/2001 on the Prevention of Trafficking of Human Beings (which can be found on the project website www.rootsproject.eu) on protection and assistance granted to the victim by the Romanian diplomatic authorities and the Romanian border checkpoints.

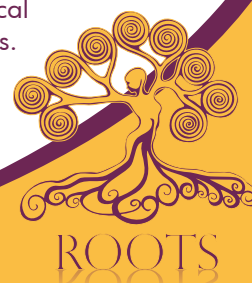
STEP 2. Return to the native country

ACTORS

- NGOs, IOM, Romanian National Agency against Human Trafficking;

	Problem	Solution	Legal tools / Additional info
GENERAL	<ul style="list-style-type: none"> lack of state funds; 		

	Problem	Solution	Legal tools / Additional info
BULGARIA	<ul style="list-style-type: none"> National Referral Mechanism is still under development. 	<ul style="list-style-type: none"> Allocation of special and sustainable state funding for the reintegration of victims; cooperation between Italian and Bulgarian NGOs for the elaboration of standardized transferable rules and practical models for interaction between Italian and Bulgarian NGOs; direct contacts between members of the inter-institutional working group to build the NRM in Bulgaria could promote immediate reactions to problems arising in relation to victim repatriation and reintegration. 	<ul style="list-style-type: none"> All activities concerning trafficking of human beings shall be coordinated by the National Commission to Combat Illegal Trafficking in Human Beings, as stated in articles 4-8 of the Combating Trafficking in Human Beings Act (which can be found on the project website www.rootsproject.eu), which cooperates with both Local Commissions and NGOs.



	Problem	Solution	Legal tools / Additional info
ROMANIA	<ul style="list-style-type: none"> • lack of lobbying activities between NGOs and State agencies; 	<ul style="list-style-type: none"> • information and awareness raising campaigns on the law concerning victims and their rights; • legal proposals to regulate co-operation between the authorities and NGOs. 	<ul style="list-style-type: none"> • All activities concerning trafficking of human beings shall be coordinated by the National Agency Against Human Trafficking (Ministry of Administration and Interior), which cooperates with both governmental organizations and NGOs. For further details see Government decision no. 1584/2005 regarding the establishment, organisation and operation of the abovementioned National Agency (http://anitp.mai.gov.ro/ro/)

STEP 3. Accommodation, shelter, medical assistance once the victim is in the native country

ACTORS

- BULGARIA: NGOs, State agencies (1 State shelter), Child protection services, State Unit “Mother and Baby” – shelters;
- ROMANIA: NGOs, Centres for Protection and Assistance (shelters).

	Problem	Solution	Legal tools / Additional info
BULGARIA	<ul style="list-style-type: none"> • no long term shelters, only crisis units for a maximum of 1 month; • no minimum set of standards for the provision of these services; • no medical coverage, only emergency care is free; 	<ul style="list-style-type: none"> • NGOs that operate crisis units for women victims of trafficking in Bulgaria could share information amongst themselves about available places and the possibility of accommodating victims; • victims who have lived abroad for over 183 days per year with or without interrupted rights could be integrated into the health insurance system through a single payment of health insurance for the previous 12 months; • use the opportunities for free tests and treatment for STI and HIV/AIDS, provided by the NGOs and the state financed programme. 	<ul style="list-style-type: none"> • For further details see article 9 of the Combating Trafficking in Human Beings Act (which can be found on the project website www.rootsproject.eu) on accommodation facilities granted to victims, and art. 25 of the CTHB Act on special facilities for persons wishing to co-operate in the investigation.



	Problem	Solution	Legal tools / Additional info
ROMANIA	<ul style="list-style-type: none"> • lack of NGOs dealing with shelters and long-term assistance; • no funds from State authorities; • lack of papers, complicating the issue of medical certification; • lack of trust in state-run shelters. 	<ul style="list-style-type: none"> • refer all the victims to the NGOs. 	<ul style="list-style-type: none"> • For further details see articles 32-35 of law no. 678/2001 (which can be found on the project website www.rootsproject.eu) on accommodation in regional Centres for Protection and Assistance and the development of special short-term vocational and job training programmes by county employment agencies for victims in shelters.

STEP 4. Legal assistance (a. pre-trial; b. during the trial)

ACTORS

- Law enforcement bodies, NGOs

	Problem	Solution	Legal tools / Additional info
BULGARIA	<ul style="list-style-type: none"> • at the pre-trial, legal support is free only if the victim can prove through certification, issued by the Director of the Social Assistance Directorate, that she has a low income; • during the trial, legal support is obligatorily provided to suspects, the accused or those charged with a crime – traffickers and exploiters. If the victim is not a party, but only a witness, in the trial, her interests may not be protected through the free legal support system; • the specialized institutions in charge of providing legal assistance in trials and pre-trials lack visibility; • legal aid for the pre-trial is applied for from the National Bureau for Legal Aid and it takes a long time to be approved and provided; • lack of adequate training for lawyers (they work pro bono and receive a very small amount of money for their services); • a few NGOs provide legal assistance, but only in Sofia. 	<ul style="list-style-type: none"> • the Bulgarian Gender Research Foundation and the Bulgarian Helsinki Committee provide free legal aid under projects, usually funded by international donors, but only in Sofia; • to establish free legal services provided by NGOs in other towns in Bulgaria; • to develop cooperation between NGOs who provide legal assistance by drawing on their experience to find solutions and intervention strategies; 	<ul style="list-style-type: none"> • for further information on legal assistance see art. 23(2) of the Legal Support Act which can be found in Chapter 1, Section 5 “Annexes” of this report.

	Problem	Solution	Legal tools / Additional info
ROMANIA	<ul style="list-style-type: none"> • lack of specific bodies providing legal assistance to victims; • lack of adequate information on the legal effects of women's statements; • lack of coordination among authorities in providing adequate protection to victims. 	<ul style="list-style-type: none"> • specialized units, such as S.P.I.R, must be involved in the protection of victims. 	<ul style="list-style-type: none"> • For more details on free legal assistance and witness protection programmes see Law no. 211/2004 and Law no. 682/2002 (which can be found on the project website www.rootsproject.eu).

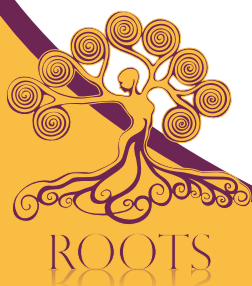
STEP 5. Drawing up an individual reintegration plan

(Family assessment, Accommodation, Medical/psychological care, Job/education placement, social/community reintegration)

ACTORS

- NGOs, Governmental social services (Bulgaria), employment agencies (Bulgaria)

	Problem	Solution	Legal tools / Additional info
GENERAL	<ul style="list-style-type: none"> • lack of ad hoc approach in the evaluation of women's profile; • lack of job opportunities; • low level of skills and education of women victims; • money management problems among women victims; • lack of partner NGOs in different parts of the country; 	<ul style="list-style-type: none"> • evaluate on a case by case basis and provide psychological support; • ensure employment in private companies; • implement ad hoc training activities and educational courses; • support women in administering their own budget; • develop capacity to provide back up structures for ongoing support to women (by local NGOs) and advocate for resources in small towns; • develop skills to help women explore their options so that they can make decisions in their own time and at their own pace, while benefiting from professional guidance. 	



	Problem	Solution	Legal tools / Additional info
BULGARIA	<ul style="list-style-type: none"> • lack of adequate communication and coordination between NGOs operating in the 2 countries concerned (destination and origin); • lack of data on the successfulness of the legal/witness protection of the victims during the administrative and criminal procedures. 		

	Problem	Solution	Legal tools / Additional info
ROMANIA	<ul style="list-style-type: none"> • rigid education system/lack of opportunities in the education system; 		



STEP 6. Evaluation and Monitoring:

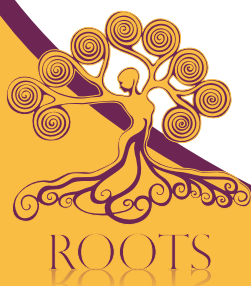
Evaluation: aims at assessing how effectively the agreed goals have been achieved;

Monitoring: is related to the observation of each individual single phase along the reintegration path.

ACTORS

- NGOs, victims, State stakeholders, social services, specialized private companies

	Problem	Solution	Legal tools / Additional info
GENERAL	<ul style="list-style-type: none"> • low level of participation and cooperation on the part of victims; • lack of and/or fragile criteria for monitoring and evaluating reintegration plan; • lack of communication between the NGOs operating in the 2 countries (destination and origin); • discrepancies between assessment of the victim's story in Italy and assessment in the country of origin; 	<ul style="list-style-type: none"> • need to develop written plans with the woman; • need to enhance compliance with agreements signed with the NGO; • need to involve the victim in the self-evaluation from an empowerment perspective; • provision of in-depth, adequate information to the victims on the contents/goals of the reintegration plan; • establish direct contacts between the people responsible for managing the individual case in the two countries (destination and origin); • sustain on-going, regular communications between the 2 NGOs aimed at strengthening their level of mutual trust; • exchange and update the information shared between the 2 NGOs; • use the same income forms for NGOs operating in the 2 countries; • develop a system to monitor the services provided; • find a context for the experience gained, placing it in a defined time, project and institutional framework. Contextualization allows to better focus on what functions and is successful and on any weak points. 	<ul style="list-style-type: none"> • ANIMUS provided its grid aimed at recording relevant data on the victim and design more focused interventions (see project website) • REACHING OUT provided the legal agreement for the provision of social services to victims (see project website).



STEP 7. Implementation of the reintegration plan

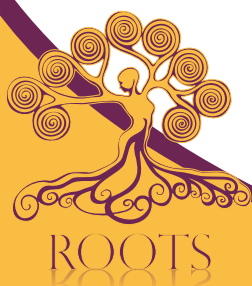
ACTORS

- NGOs, private companies, health services, aid agencies, social services, employment agencies

	Problem	Solution	Legal tools / Additional info
GENERAL	<ul style="list-style-type: none"> • Lack of long-term shelters; • lack of humanitarian aid; • lack of continuity in the relationships with social workers; • lack of commitment by the woman; • lack of legislation on job placement; • lack of opportunities granted by employment agencies; • lack of realistic job opportunities on the market; • discrimination and stigmatization toward victims of trafficking; • contacts still existing with the trafficking environment; • lack of possibilities to monitor the implementation of the reintegration plan after the emergency; • lack of support from the family and risky social environment; • lack of education in the family; some victims suffer from a combination of difficult problems as addictions, HIV/AIDS, mental disorders. <p><u>In case of women with mental disorders:</u></p> <ul style="list-style-type: none"> • lack of a stable income; • they are denied the right to justice since they cannot testify; • need for custody/tutorial support; • inability of the family to support them; <p><u>In case of women with substance abuse:</u></p> <ul style="list-style-type: none"> • the woman cannot be accommodated; 		

Problem	Solution	Legal tools / Additional info
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">BULGARIA</p>	<ul style="list-style-type: none"> empowerment sessions aimed at reducing risks and related behaviours; adoption of shared standards and indicators for monitoring the plan; implementation of mediation programmes addressed to the family; implementation of education programmes, counselling; <p><u>In women with substance abuse:</u></p> <ul style="list-style-type: none"> in Bulgaria the woman may be accommodated in a specialized shelter for the addicted (not victims of trafficking); 	

Problem	Solution	Legal tools / Additional info
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">ROMANIA</p>	<ul style="list-style-type: none"> churches and other groups, IOs, private companies may provide some additional funds; implement self-sustainability programmes run by NGOs; establish contacts directly with private employers; develop NGO-run businesses in the form of social enterprises in order to solve the problem of lack of continuity; implement prevention and awareness raising activities aimed at preventing stigmatization; enhance confidentiality in the provision of information concerning the woman; controlled and reduced communication by phone; <p><u>In women with mental disorders:</u></p> <ul style="list-style-type: none"> apply for a pension (although it is a very small amount); try to collect information through the support of other victims who know the case; go to court and prove that the person lacks discernment (although in Romania it is an extremely long process); 	



ROMANIA

Problem	Solution	Legal tools / Additional info
	<ul style="list-style-type: none"> • use the results of the monitoring and evaluation process to better understand barriers to implementation of the reintegration plan and to refine existing services. <p><u>In women with mental disorders:</u></p> <ul style="list-style-type: none"> • in Romania they can be accommodated in a shelter for victims of trafficking; 	



TIPS

WHILE YOU ARE IN ITALY

Tip 1

How can I understand that I am in danger?

If

- you have no legal documents
- you are under the control of another person who forces you to live isolated, to work or to prostitute against your will;
- your money is under the control of another person or another person keeps you in debt bondage because of financial obligations;
- you are unable to move freely or leave your partner and you are threatened that you or your family will be violated;
- you are beaten or disciplined by punishment;
- you are told that you will be imprisoned or deported if you contact the authorities;

you are probably in danger and need help.

WHILE YOU ARE IN ITALY

Tip 2

Who can I contact for help?

In Italy, you can call:

the National Help-Line 800 290 290: they speak your language!
NGOs;
Social services (Servizi Sociali, Assistenti Sociali, ULSS, ASL);
Police Department.

You can contact your country's Diplomatic and Consular Authorities in Italy if you wish to return to your home country:

BULGARIA

AMBASCIATA DI BULGARIA

Via P.P. Rubens, 21
00197 ROMA
Tel: 06/3224640-3-5-8
Fax: 06/3226122
e-mail: embassy@bulemb.it

CONSOLATO GENERALE DI BULGARIA A MILANO

Via Bonaventura Cavalieri, 4
20121 Milano
Tel: 02/29060176 02/29012225
e-mail: consolatmilano@bulgaria.191.it

ROMANIA

AMBASCIATA DI ROMANIA IN ITALIA

Via Nicolo Tartaglia, 36, 00197 ROMA
Telefono: 0039.06.808.45.29
Fax: 0039.06.808.49.95
E-mail: amdiroma@roembit.org

CONSOLATO GENERALE DI ROMANIA A MILANO

Via Gignese, 2, 20148 MILANO
Telefono: 02.400 74 018
Fax: 02.400 74 023
E-mail: consulatmilano@gmx.net
Sito web: www.consulatmilano.com



WHILE YOU ARE IN ITALY

Tip 3

How can NGOs help me?

You can receive, **free of charge**

- safe accommodation,
- food,
- urgent medical care,
- legal advice on your rights as a victim (even your rights in the case of a criminal proceeding against your exploiters)
- job counselling,
- help to contact your family, if you wish to.

WHILE YOU ARE IN ITALY

Tip 4

Can I legally stay in Italy?

You are not usually permitted to stay in Italy for more than 3 months (unless you have a legal job or a legal income).

If you are in danger and you contact the Police, you will be asked to cooperate, in order to charge the exploiters. If you cooperate with the Police you are allowed to stay in Italy for an initial period of 6 months, which can be prolonged.

In this case, you can get the so-called “iscrizione anagrafica” (legal residence), an Italian Identity Card, a Social Health Card (for free medical care) and you are required to follow a special reintegration programme with an NGO, which usually lasts from 6 months to one year,. The programme usually includes (depending on your needs and specific circumstances) accommodation and food, psychological and medical care, vocational training, work experiences.

If the programme ends successfully (i.e. you follow all the steps of the reintegration path tailored for you) you can begin a completely new life in Italy.

If you decide not to cooperate with the Police, you might not be permitted to stay in Italy for more than 3 months.

WHILE YOU ARE IN ITALY

Tip 5

Am I eligible to receive any medical care in Italy if I am pregnant?

If you are granted the so-called “iscrizione anagrafica” (see Tip 4) you are eligible for completely free medical care - medical examinations and treatments in order to protect your pregnancy (abortion included).

If you do not cooperate with the Police and/or you are not registered as living in Italy you can get free medical care if you have your European Health Card (the so-called TEAM) with you. This is issued by your country of origin. If you do not have your TEAM with you, your rights differ according to Region (free pregnancy-related medical care is granted in the Piemonte, Tuscany, Lazio, Marche and Campania regions).

WHILE YOU ARE IN ITALY

Tip 6

Am I eligible to receive legal, social and any other kind of assistance in Italy if I am in danger and have a child?

While you are in Italy, your minor child, regardless of nationality, will be granted full rights (birth registration, medical examinations, vaccines, education), even if you are not registered as living in Italy.



WHILE YOU ARE IN ITALY**Tip 7**

Who can help me if I want to return to my home country?

If you wish to go back to your native country you can contact:

- your country's Diplomatic and Consular Authorities;
- the Police or the Social Services;
- NGOs (see Tip 2) or The International Organisation for Migration (IOM)

OIM Ufficio Regionale per il Mediterraneo
Via Nomentana, 62
00161 Roma
Italia
Tel:(+39)0644231428
Fax:(+39)064402533

They can help you return home, including paying your travel expenses, providing you with contacts to receive the services for which you are eligible through a local NGO in your home country.

WHILE YOU ARE IN ITALY**Tip 8**

What can I do if I do not have an ID or a passport to return home?

BULGARIA

You can contact your Diplomatic and Consular Authorities in Italy, which will issue a pass avant for your return and will inform the Bulgarian Police about it. The pass avant is a temporary passport, which is free of charge if you have certification, issued by the Italian authorities (Police or Social Services), that you have been forcibly deprived of your personal documents. Otherwise the pass avant costs 120 Euro.

ROMANIA

You can contact the Romanian Diplomatic and Consular Authorities, which can issue passports, equipollent documents or special travel documents within a reasonable period of time and without undue and unreasonable delay. If you contact them and explain your situation, your personal "data" will be collected and referred to the Romanian Police

ONCE YOU HAVE RETURNED HOME**Tip 9**

Who can I contact in Bulgaria / Romania?

BULGARIA

You can call the following national hot lines from Bulgaria or from abroad:
Animus Association 24-hours hotline – 00359 0 800 18 676;
IOM helpline: 00359 2 93 94 777.

They will provide you with practical information if you plan to go back to Bulgaria (or are already in Bulgaria and need help).
You can directly contact the NGOs (see Tip 11).

ROMANIA

You can refer to an NGO (for example, Reaching Out, Pro Women Association)

You can call a Regional Centre of the National Agency Against Human Trafficking (ANITP)



ONCE YOU HAVE RETURNED HOME**Tip 10**

How can they help me?

BULGARIA

You can get short-term accommodation and food (from 1 day to maximum 1 month), psychological counselling, free medical examinations, free tests for HIV/AIDS and sexually transmitted diseases and free emergency medical care.

You can also contact specialised NGOs to receive free testing for HIV/AIDS and sexually transmitted diseases and free treatment for syphilis and HIV/AIDS (e.g. HESED 00359 2 952 12 96; 00359 2 851 81 08; 00359 2 953 34 55).

You can also contact specialised NGOs to receive a free gynaecological examination (e.g. Centre for sexual health association, "Health without borders" 00359 2 952 33 99; 00359 2 952 02 88).

ROMANIA

You can get short-term accommodation and food in Centres for Protection and Assistance (from 1 to 10 days, which can be prolonged for up to 3 months). During accommodation, you are granted psychological and medical care.

NGOs (such as Reaching Out, Pro Women Foundation) implement long term reintegration programmes, which include: accommodation, food, psychological and medical care, legal counselling, vocational training, job experiences.

ONCE YOU HAVE RETURNED HOME**Tip 11**

Are there any special facilities in Bulgaria/Romania if I have a minor child?

BULGARIA

A number of Bulgarian NGOs implement reintegration programmes for women with minor children:

Animus Association Foundation
National Hot Line 08001 86 76
Tel: +3592 9835205
e-mail: animus@animusassociation.org

Open Door Pleven
tel/fax: +35964/ 846 713
e-mail: opendoor_centre@hotmail.com

SOS Families in Risk, Varna
Hot Line +35952 609 677
tel : +35952/ 613 830
fax: +35952/ 601 427
e-mail:sos@ssi.bg sfa@mail.orbitel.bg

Women's alliance "Ekaterina Karavelova", Silistra
tel/fax: 086/ 820 487
e-mail: ceta@mail.bg

Center for social services, Plovdiv
tel : +35932/ 658 150
fax: +35932/ 658 163
e-mail: ksu_decaisemeistva@abv.bg

Samaritans Association, Stara Zagora
tel : +35942/64 11 11
fax: +35942/681 646
e-mail: 641111@samaritans.bg



ROOTS

If the child is under 3 years of age, the child and mother can stay together in a “Mother and Baby” Unit – which is a state-funded shelter. The NGOs in the list above can assist you in the reintegration process including contacts with the municipal Child Protection Departments.

ROMANIA

(to be completed by the Romanian partners)

ONCE YOU HAVE RETURNED HOME

Tip 12

Can I get free legal aid and financial compensation in Bulgaria/Romania?

BULGARIA

You can get free legal aid only for preparing documents to file a case or to be represented in an administrative, civil or criminal case in court.

You can benefit from free legal aid if you have a low income and can prove it through a certificate, issued by the Director of the Social Assistance Directorate in your region (home town).

You can get financial compensation for the exploitation you have suffered, if you have reported the crime to the Police and the exploiter has been found guilty by the court.

ROMANIA

If you cooperate with the Police you can get free legal aid for both the pre-trial and trial phases.

At the end of the trial you can get financial compensation for the exploitation you have suffered.

ONCE YOU HAVE RETURNED HOME

Tip 13

Can I benefit from a witness protection programme?

BULGARIA

If you cooperate with the Police and agree to be a witness, you can benefit from a Witness Protection Programme. Consult a legal advisor to make a decision.

ROMANIA

If you cooperate with the Police and agree to be a witness at the trial, you can benefit from a witness protection programme, but only if you are in danger. You can change your identity, be accommodated in special shelters and be heard by the Court in protected hearings.



HOW TO GET IN TOUCH WITH VICTIMS OF TRAFFICKING AND INVOLVE THEM IN A PROTECTION PROGRAMME

Introduction

The following chapter sets out the procedures for getting in touch with victims of trafficking for the first time and involving them in a protection programme, in order to build a trusting relationship between them and the NGOs working in the field of assistance and support.

It considers different steps that describe the best practices to involve victims in initiatives for their protection. The target is always a trusting relationship and a good connection between victims and NGOs in order to optimize the first contact and give support during the protection programme.

The chapter also contains a questionnaire to assess the victim's progress in the reintegration programme.

First contact

The importance of the first meeting

The first meeting is the basis on which to build a future trusting relationship with victims of trafficking: if you manage to optimize this first contact, future communications will be easier for you and safer for her.

The first meeting is fundamental because you can introduce yourself and give useful information like help line numbers, the address of the organization and information on available medical care services. You can also give a kit to sex workers (brochures about sexually transmitted diseases, condoms, lubricants and needles). However, this depends on the victim's circumstances because at first contact you do not know exactly how free she is to take home written materials and whether it could cause problems with traffickers.

It is important to ask who the leader of the group is, in order to avoid placing victims at risk while talking to them.

First person to care for her

The first person is very important because it might be the first person to treat the victim as a human being, inquiring about her needs and being concerned about her well-being.

Whenever possible, the first person should be available for future contacts with the women, to establish a trusting, stable relationship. Unfortunately, however, identification is often carried out in one country or in one area of a country while the re-integration programme is carried out in another, making personal contact very difficult for victims.

The victims' decision should always be respected, as whether or not to call the first person (social worker) they met on the streets.

Don't judge them but listen to them

Not judging is a basic principle of social working. Sex workers feel they are judged by society because everyone separates them from the community. Therefore it is important for them to be treated as equals.

If you are prejudice in your approach to them in relation to their nationality, status and jobs, you cannot really listen to them. Sex workers are treated like objects and always experience stigma.

Treat them as peers

During the first contact it is very important to have an empathic attitude to make the girls feel accepted. In our experience, empathy means accepting them, listening to their stories, and supporting them in order to gain their trust in the future. Remember that victims of trafficking often experience a lack of self-esteem and self-appreciation and just need somebody to talk to.

During the first contact it is important to be nice and polite with the girl (for example, to start the conversation by saying 'hello' and asking her how she feels), to introduce yourself and leave the girl room to start talking, even if you do not know her mother tongue.

The best way to start real communication with a girl is to be aware of her mother-tongue. She will then really feel free to start talking as she will know exactly what you are saying. This is why we recommend the use of cultural mediators (see 4th guideline).

Supply phone numbers: a help line

A help line number is the easiest way for victims to keep in touch with you and seek help because they feel that there is always someone available for them.

If victims of trafficking cannot freely interact with you, the phone number is the only way to save their lives because they will find a safe moment to call. It allows them to decide when to call and find help. They may, for example call when their pimps are outside or when they are with clients.

Sexual education

Providing brochures on sexual education and diseases is a good strategy for starting a conversation with a trafficking victim, to show that you accept her and her job and that your services are available for her; so she can trust you. Sexual education is the most commonly used way to contact people during outreach work because it is a very neutral topic of conversation, which is why pimps are not afraid of you and accept your work.



Inform victims about their basic rights

During the first meeting you can inform victims about their rights in the country where they work. Remember that the first contact is usually of very short duration and you will be unable to give the girl all the information about her legal status, rights to education or to get a job and assistance in the programme, etc.

You cannot expect there to be real cooperation with victims at the first meeting but remember that you can give brief, clear information about different ways to protect themselves.

In a few cases, at first contact the victim may request a more detailed consultation about her rights and need to contact the anti-trafficking authorities. In this case you become the mediator between victims and the authorities.

Challenges for the staff involved

Working with victims of trafficking is hard because they sometimes reject you and your help.

If you have few contacts with them, it is normal to feel unsuccessful. Remember that the process of helping trafficked people takes time, both for you and for the victims. Staff may be challenged by the expectations of staff, girls, society and donors of funds. The most common challenge is to immediately rescue victims: forget it! It never happens at the first meeting!

If you work with victims of trafficking you need specific professional training and a tutor.

The individual plan

It is hard to make an individual plan at first contact on the streets but it is important to understand that each victim has her own history, which differs from one to another. This is why you have to accept and respect it. It is good to have an individual approach. Victims are the only ones who can make their own individual plan and decide when and which help is needed.

REASONS WHY VICTIMS COULD REFUSE OUR HELP

Our work experience teaches us that there are many individual, social and NGO-related factors why victims could refuse our help. E.g.:

- due to individual problems: the relationship between victim and pimp, her health status, a lack of help from the family;
- due to social issues: the presence of stigma, difficulties during the identification process and relationships with the police;
- due to factors related to NGOs: the opportunity for victims to go to a shelter, cooperation between NGOs and institutions, a lack of cooperation between NGOs and the police.

(For further information about these factors see Chapters 1 and 2)

This underlines the importance of giving victims of trafficking every opportunity and information and leaving them time to decide whether or not to accept help. The goal of the first contact period with victims is, indeed, to involve them in a protection and reintegration programme.

Individual plan of action

An individual intervention plan requires short-, medium- and long-term targets, established together with the assisted person; every stage requires different procedures and types of action.

Assessment of the victim's needs

This plan is drawn up after evaluating the case in all its complexity. Each identified item should be realistic and in accordance with beneficiary's needs. Step by step, this plan must be individualized in order to better respond to the specific needs of victims of trafficking. It is necessary to point out some aspects in the individual plan that can delay or cost failure; in such cases that special and specific victim's need has to be discussed between staff and victim.

The plan

Each part of the plan has to be agreed upon with victims because it is up to them to decide which step or need they wish to include in their individual protection programme. Education, health, family or social relationships are the most important areas to be evaluated.

Health issues involve both a detailed assessment and the assignment of human and material resources, in order to improve health conditions. One important aspect is to cooperate with a medical clinic so that victims of trafficking can be treated without being discriminated.

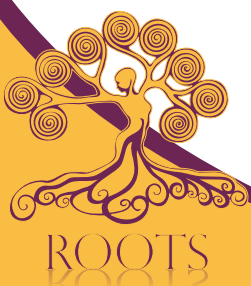
Education is another important area, which involves establishing how motivated the beneficiary is to continue her studies to gain the opportunity of a professional qualification or re-qualification. This may provide support towards gaining financial independence through the finding of a job.

Another difficulty in the individual plan could be restoring relationships with relatives. This is certainly more difficult in cases where the family was involved in selling victims to be trafficked.

Effective re-integration of the trafficked person into society depends on how involved the victim is in overcoming all the obstacles in the areas where she needs support.

One of the most common problems facing victims of trafficking is the lack of identity documents, which have been stolen or destroyed by the traffickers. This is why it is very important to work with the police and consulates in order to obtain the necessary documents. Victims may need legal advice and specific social assistance in contacting public institutions and administrations.

An individualized plan of intervention implies a very good relationship with the victim of trafficking and constant support during the process.



Re-assessment during implementation of the action plan

During the protection programme a delay in or the failure of all or some planned activities may occur. This entails re-organizing the plan according to the victim's new circumstances. For example, the victim might need to meet her relatives because one of them is ill, but there may be a very high risk of trafficking if she returns home. Hence staff should listen to the girls' needs and, together, find the best solution, such as inviting the relatives to the shelter or arranging a phone conversation with them.

The individual plan must be constantly adjusted, taking into account the beneficiary's needs, which can be reprioritized: this is an example of work-in-progress!

The ultimate goal of an individual plan is to enable victims to start a new independent life. The ex-victims will only keep in touch with staff if they wish to and if it is useful for their growth.

Evaluation and follow-up

The questionnaire

The following questionnaire will be given to the social worker in charge in order to follow up the specific case after 6 months of the start of the victim protection programme, with a view to assessing the progress of the victim in the reintegration programme.

The questionnaire has to be filled in after at least 6 months, depending on the case and structure of the organization (e.g. a shelter is organized differently from a crisis unit).

Remember that:

- an individual plan is a process and for this reason it is better to do a periodic evaluation;
- every organization can decide, according to their work plan, which is the best period.

The questionnaire is a tool to evaluate:

- the victims involvement and cooperation in the programme;
- their initiatives to respond to the tasks of the programme;
- their willingness to express their personal needs;
- their relationships with the staff;

The questionnaire uses closed questions with a graded scale; more information can be provided for a few questions.

QUESTIONNAIRE

Dear colleague, we would like to join you in understanding how far(victim's name) is involved in the protection programme, in order to work together to improve her individual plan.
Thanks for your help and patience!

PART A

Involvement of the victim and her cooperation in responding to the planned tasks

1) Is the girl following the internal rules of the shelter/organization?

Yes, all rules	Yes, the majority	No, only some rules	No, none of the rules
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2) How does she manage the internal rules?

Very well	Well	Badly	Very badly
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3) Does she follow the agreement plan written by her and you?

Yes, totally	Yes, partly	No, only a little	No, not at all
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4) Is she active in the process?

Yes, totally	Yes, partly	No, only a little	No, not at all
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PART B

Her initiatives within the programme and her willingness to talk about her personal needs

5) How often does she take personal initiatives?

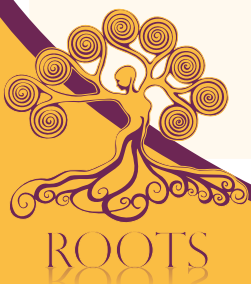
Always	Often	Sometimes	Never
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6) Does she take personal initiatives in accordance with the internal rules?

Always	Often	Sometimes	Never
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7) How does she react to the tasks you have assigned her?

Very well	Well	Badly	Very badly
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8) Please write something more about her reactions:

9) How does she respond to the discussion with you about her emotional needs during your individual social/psychological counselling?

Very well	Well	Badly	Very badly
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10) How far do you think she is in touch with her needs?

1 (totally)	2 (partly)	3 (very little)	4 (not at all)
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11) Is she able to express her needs?

Always	Often	Sometimes	Never
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PART C

Her relationship with the staff

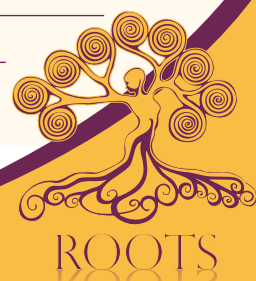
12) What kind of relationship does she have with the staff involved in her individual plan?

Very good	Good	Bad	Very bad
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13) Please write something more about her relationship with the staff and with you:

14) What weaknesses can you identify in her activities within the programme?

15) Which is the strongest point that you identify in her activities?



Cultural mediators: Contacting victims of trafficking using cultural mediators

As trafficking of human beings mostly ends in a country other than the native one, many trafficked women do not know the foreign language. The victim's story can only be heard through the words of a mediator. So the cultural mediator may be the first person to contact the victim and start talking with her.

The role of the cultural mediator is more than a translator or interpreter. Mediation is an integral process of knowing and accepting the other person, of helping him/her with respect to the cultural norms of the foreign society and of assisting him/her in fulfilling many official documents and procedures, especially within a reintegration programme.

The cultural mediator acts at different levels: at the individual level - in supporting victims' needs; at the organizational level - in improving the way society can help. The main idea of cultural mediation is to facilitate the relationship between different cultures and to give vulnerable groups of immigrants the needed opportunities for socialization and re-socialization.

Main characteristics of the cultural mediator as a contact person for trafficked people:

- Good knowledge of language and interpreting skills
- Good communication and consulting skills
- Conflict prevention and resolving skills
- Professional neutrality
- Good knowledge about basic human rights
- Well informed about available services, institutions and public regulations (health care system, police system, migration policy etc.)
- Good knowledge about the habits, customs and specifications of both cultures (e.g.: in some Roma families it is a tradition to sell daughters and in this case a cultural mediator is needed to explain this tradition and to facilitate the process of recovery).

The social worker

The social worker has a social mission, based on values and principles of social justice, dignity and uniqueness of the individual, integrity, empowerment, confidentiality and the importance of interpersonal relationships. The main characteristics are:

- Good communication and social and consulting skills
- Having an empathic attitude
- Ability to respect the time a victim needs to approach her and get close to her
- Always supportive of the victim, helping her to understand her desires about her new life plan



- Know the fundamental steps in developing a trusting relationship
- Treating the victim as a human being, without judgement or implicit disapproval about her life choices
- Knowledge of the culture of the victim, in order to avoid prejudices about nationality, status and job
- Ability to listen to them, treat them as peers and support them during the protection programme
- Being tolerant when they reject your help
- Using an individual approach
- Having good knowledge about basic human rights and social opportunities to help victims
- Keeping high professional standards and not becoming personally involved in the victim's stories in order to maintain the necessary professional distance





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