



## TRAFFICKING IN HUMAN BEINGS – A.C.T.E.S. NOW!

*A.C.T.E.S (Action et Concertation contre le Trafic et l'Esclavage Sexuel<sup>1</sup>) aimed to support women originating from Central and Eastern European Countries (CEEC) who had fallen victim to human traffickers and related criminal organisations. Based in Lyon, France, the project was structured around three objectives: gaining a better understanding of the phenomenon; accompanying the victim; and facilitating exchanges between organisations involved. The EQUAL partnership was highly innovative, as it combined the development of comprehensive support to victims with the establishment of new forms of cooperation and exchange between institutional actors and civil society associations. By setting up France's first Consultation body on human trafficking, A.C.T.E.S initiated a common reflection process on how to develop adequate support measures for the victims, and how to better fight trafficking of human beings.*

The trafficking and sexual exploitation of women from Central and Eastern Europe towards EU countries is a growing, and highly worrying, phenomenon. Due to its clandestine nature, it is difficult to estimate the scale of trafficking in human beings. The Council of Europe estimates that there are between 120,000 to 500,000 victims of trafficking currently staying in Europe and reckons that 78 percent of women victims of trafficking come from Central and Eastern European countries. In the area of Lyon alone, it is estimated that more than 30 percent of the women who are forced into prostitution come from this region. The causes are multiple and mainly stem from the economic, political and moral crises in these countries.

In France, the Interior Security Law of March 2003 introduced for the first time the criminal offence of "trafficking in human beings". This law also made it possible for victims who were willing to lodge a complaint against the traffickers and to cooperate with the investigation, to obtain a temporary residence permit, renewable for the time of the procedure. Since 2007, they have also been entitled to receive a temporary allowance. If the trafficker is successfully prosecuted, a ten year residence permit may be issued to the victim. However, these provisions place limitations on the protection offered to victims of trafficking in France. Furthermore, they are not always implemented as they should be. NGOs working in the field have noted that the duration and issuing of the temporary permits (from 3 to 6 months) is left to the discretion of the individual Prefectures, who do not apply the law in a coherent way. While the criminal proceedings are underway, the women find themselves in a particularly vulnerable and uncertain situation. Cases take on average two years to go to court or to be judged, and during this period victims usually only have a temporary residence permit and no source of income – the temporary allowance being extremely difficult to obtain in practice. Women who fail to co-operate have to return to their countries of origin. Nadine Camp from the human right association *Agir Ensemble pour les Droits de l'Homme* underlines the complexity of the situation: *"There is a lack of coherence in the policies adopted in France: the law allows these persons to stay in France, but on the other hand they are not given the means and resources to live here and integrate into French society."*

So far, there have been no satisfactory answers to this problem, and few adequate responses to the victims' needs in terms of prevention, protection, assistance, guidance and vocational integration. The partners of A.C.T.E.S. realised that it was time to act and to work together as a multidisciplinary and international network to improve the efficiency of the fight against this form of "modern slavery". The association *Agir Ensemble pour les Droits de l'Homme* took the lead in setting up a Development Partnership which focused on providing complete and personalised assistance to victims of trafficking. The support process offered by the EQUAL Partnership included the essential social services provided by *Amicale du Nid*, combined with the legal assistance offered by the Lyon Bar Association, language training provided by *ALPES* and finally

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<sup>1</sup> Action and Co-operation against Trafficking in Human Beings and Sexual Slavery

vocational integration through the involvement of the professional rehabilitation enterprise *Envie Rhône*.

## UNDERSTANDING THE PHENOMENON TO DEVELOP ADEQUATE RESPONSES

Trafficking is mostly discussed in relation to debates on prostitution, even though there are a number of fundamental differences. Data on the phenomenon is unfortunately very scarce and the indicators used to measure the phenomenon in terms of root causes, contributing factors and trends are insufficient. Gaining a better understanding of the phenomenon of trafficking seemed indispensable helping the partners to tackle the problem more effectively. Partners need to know information on the methods applied by the trafficking networks, the access routes used to get the victims into the country, and victims' difficulties, personal histories and expectations.

Thanks to their direct contact with the victims, *Amicale du Nid* was able to conduct, in collaboration with the association *Economie et Humanisme*, a study amongst 25 women victims of human trafficking originating from Central and Eastern European countries. The research gave the EQUAL partnership much better insights in the factors triggering initial departure, traffickers' control over the victims in the network and how the victims could best benefit from available support. Women do not become involved in trafficking by accident: it is often the result of a combination of difficult personal histories and a "chance" encounter. The study demonstrated that traffickers most often go through an intermediary. This person first seeks to gain the trust of the victim and subsequently tricks her into believing that there are interesting and profitable job opportunities abroad (for example, as a waitress or shop assistant). Sometimes victims are told that they can earn much money as prostitutes, under very good and safe conditions. *"I was young, chasing after something like the American dream (...), I told myself that I was going to find a way to get through it (...), I really wanted to change"* says Stella, Romanian, who was 17 years old at the time of her departure. In addition to merely gathering information, the study, based on face-to-face interviews, finally gave a voice to anonymous victims, allowing them to express their distress, their needs, their experiences and their struggle to break free from a cycle of dependence, aggravated by financial and administrative hurdles.

The study also helped to identify prevention measures in the countries of origin that could reduce future recruitment. For example, raising awareness about traffickers' recruitment methods and about the reality of life in Western Europe helps to make their potential prey less vulnerable. Addressing the problem of police corruption and improving the judicial protection of victims is also essential, albeit more difficult to achieve. The results of the study have been largely disseminated, in France during the final conference organised by the EQUAL partnership but also to many associations working in the countries of origins, where there is a high demand for information on human trafficking.

The EQUAL partners did not limit themselves to examining the situation in France. They organised study visits in Romania, Moldova, Bulgaria and Ukraine to identify the local systems in place for the protection of victims and got in touch with associations working in those countries. The first tangible result of these visits was the publication of booklets on trafficking in human beings for the purpose of sexual exploitation in these four countries, presenting the available data, the legislation in place, the programs of assistance to victims and the NGOs working in this field. The visits also allowed the partners to get a better understanding of the challenges of repatriation to the countries of origin. Indeed a number of factors – stigmatisation of women who have worked as "prostitutes", threats to the family, retaliation from the traffickers – explain why the vast majority of victims do not wish to return. Moreover, the study revealed serious issues of police corruption and lack of victim protection, leading to the phenomenon of "re-trafficking": in Bulgaria it is estimated that 50 to 70% of victims of trafficking fall into the hands of traffickers again after their return in Bulgaria.<sup>2</sup>

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<sup>2</sup> « La traite des femmes a des fins d'exploitation sexuelle – Le cas de la Bulgarie », A.C.T.E.S., September 2006 - estimation based on information collected by NGOs and police services in Bulgaria.

## ACCOMPANYING THE VICTIMS ON THE LONG ROAD TO REHABILITATION

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The main objective of the EQUAL partnership was to help victims retrieve their dignity and give them the opportunity to integrate into the new society. Thanks to the complementary nature and activities of the project partners, A.C.T.E.S. was able to offer a comprehensive range of support services to 39 beneficiaries, including reception and accommodation, language training, legal and medical support and access to employment.

At the centre of this individualised support process, *Amicale du Nid*, an association supporting persons involved in prostitution, was in charge of identifying, receiving, and accommodating the women. They also referred them towards other relevant project partners, according to their needs and expectations.

The majority of victims first required basic assistance including medical care and psychological intervention. Suffering from feelings of alienation, anxiety and a constant feeling of persecution, they needed secure accommodation in which they could rehabilitate safely. In addition to housing and medical help, *Amicale du Nid* provided support for administrative procedures and legal assistance in cooperation with the Bar Association, which set up a *permanence juridique* on the association's premises. In France, even for victims who lodge a complaint against their traffickers or contribute to the police inquiry, the situation is far from easy. They encounter great difficulties in obtaining residence permits, which are often issued with a substantial delay and with a very limited time span (usually 3 months), thus requiring continuous renewals. A beneficiary recounts her positive experience with *Amicale du Nid*: *"The social workers assisted me in all administrative procedures at the Prefecture, the meetings with the lawyer, going to the tribunal, the hospital, ensuring that I could learn French, searching for a job, going to the embassy, accomplishing all the required procedures in Ukraine and with my financial and psychological concerns. Finally I found a real job that I am still doing today. I obtained a residence permit to stay in France. (...) Today I am not assisted by Amicale du Nid anymore. I started over again and I have become independent."*

The cooperation between *Amicale du Nid* and the Bar Association of Lyon was invaluable as it filled an important gap in the support process of the victims. This close collaboration allowed the two organisations to create a real partnership that could be continued to ensure appropriate legal counselling for victims in the future. *"Now we know the right interlocutors to whom our beneficiaries can talk to"*, explains Pascale Marcellin, Director of *Amicale du Nid*.

Learning French also proved to be essential for the beneficiaries of the EQUAL partnership. It meant a first and important step towards their integration into society, which was essential if they were to find a job whilst at the same time providing the stability of a regular activity. Public funds for French language courses are only available for persons who have at least a one-year residence permit, which is usually not the case for victims of human trafficking. The participation of *ALPES* (Association Lyonnaise de Promotion et d'Education Sociale), an organisation providing language training and promoting social and vocational integration of disadvantaged people, allowed the Development Partnership to overcome this barrier and to provide training to twenty-one beneficiaries. *ALPES* not only provided language training in French – including both group lessons and individual sessions– they also offered vocational orientation sessions. Rolande Pascual, in charge of the training at *ALPES* explains: *"The group sessions proved extremely beneficial, allowing the beneficiaries to build social relations with their classmates and to be part of 'normality' again"*. The success of the training also came from the flexibility and freedom that was left to the beneficiaries to develop their own "learning path". *"The personalised support gave our participants the necessary tools to work on their own professional project, and to reflect on what they wanted to do – whether it be training, getting a job or going back to studying."*

Another very valuable aspect of their participation was the role *ALPES* played as mediator between the women and institutions such as public employment services, which were totally new to them. Working was essential for the women, as it constituted their only possibility of becoming more independent and of permanently escaping the traffickers' net. However, finding temporary employment while having to constantly renew their very short temporary residence permit, was close to impossible. Even for women coming from Bulgaria and Romania, obtaining a work

contract with an employer in France is very difficult, due to the restrictions in place concerning the access of citizens from the New Member States.

A.C.T.E.S. partners all worked together to adapt the vocational integration support to the beneficiaries' needs and to overcome administrative obstacles in relation to their integration. In particular, *Envie Rhône* offered employment opportunities to a few beneficiaries. This social enterprise provides employment in the field of household appliances, which are collected, repaired and resold at low prices to people with low incomes. Specialised in helping marginalised persons to enter the labour market, the EQUAL partnership fitted perfectly in the organisation's overall mission.

From the eight women who were referred to *Envie-Rhône*, four were oriented and supported in their job search, and four obtained a work placement with the company itself.<sup>3</sup> This experience was a unique opportunity for the women to familiarise themselves with the labour market in France, to be integrated in a team and to develop relations with their co-workers. *"These women are confronted with psychological barriers which make their vocational integration much more difficult, in particular in relation to their image and the fear of being judged by others"* explains Valérie Mestries from *Envie Rhône*. However, their efforts were finally rewarded when they obtained a certificate at the end of their training period, in recognition of what they had achieved and the skills they had acquired.

At the end of their work experience with *Envie Rhône*, the biggest obstacle remained the administrative procedures necessary to find employment with another company. Without a long-term residency permit, most employers instantly rejected their job applications. Despite these persisting difficulties, Valérie Mestries emphasises the added value of the project: *"The EQUAL partnership was a very enriching experience for us. We discovered a target group about whom we knew very little, and had to explore the range of difficulties and administrative procedures that these women have to deal with nearly every day. After EQUAL we will try to continue our fruitful collaboration with Amicale du Nid to facilitate the vocational integration of their beneficiaries"*.

For *Amicale du Nid*, in fact, being a partner in A.C.T.E.S enabled them to create new, strong and hopefully lasting relations with organisations that could help their beneficiaries to further integrate. However, *"Despite all our efforts, the major administrative obstacles remain and we are eventually facing a deadlock because the necessary permits are not issued"* concludes Pascale Marcellin, Director of *Amicale du Nid*.

## **CREATING AN EXCHANGE NETWORK OF EXPERIENCES AND INFORMATION TO STRENGTHEN THE FIGHT AGAINST HUMAN TRAFFICKING**

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A.C.T.E.S realised from the very start that in order to combat human trafficking more efficiently, there was a real need for better communication channels and cooperation mechanisms between the various stakeholders active in the field.

The creation of a consultation body or, to give it its full title, the "Observatory for women from Eastern Europe, victims of human trafficking in the Rhone-Alpes region" was a highly innovative initiative, as it was the first structure to bring together representatives of the police, the judiciary, the city of Lyon, the social services departments, the National Employment Agency, the National Office for the Repression of Trafficking of Human Beings (OCRTEH), lawyers and civil society associations. Meeting in plenary sessions twice in 2006 and once in 2007, participants were able to share their experiences, difficulties and concerns. They also exchanged information on the cooperation mechanisms of European stakeholders which already existed to tackle a problem which is transnational by nature. The discussions led to the creation of two working groups: one specialised in the vocational integration of victims ("Plateforme insertion"), and the other focussed on the legal aspects of trafficking ("Comité technique sur la qualification juridique de la traite").

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<sup>3</sup> The rest of the beneficiaries could not be referred to *Envie Rhône* for various reasons, including their administrative status not allowing them to work, and the need to focus on language training, or childcare issues.

For the first time, representatives of institutions and associations worked together to find the best solutions for the problems identified. *“Participants were very motivated, showing that this type of forum was responding to a real demand”*.

A close partnership was developed with ANPE, the National Employment Agency, to help solve the problems identified by the working group on vocational integration. ANPE and ASSEDIC, the Unemployment Office, jointly decided to develop a guide on the rights of persons in possession of a temporary residence permit, in relation to their registration with the employment and welfare services. This guide will be meant both for associations working in the field and for the staff of ANPE and ASSEDIC, so that they too would be more aware of beneficiaries' rights.

The Observatory facilitated dialogue and consultation, bringing together actors that would not usually speak to each other, and thus created the conditions for future actions by institutional stakeholders. *“It provided food for thought, and brought all the actors concerned around the same table. Now it remains to be seen which institutional actors will actually take on board the results of the discussions and continue what they started.”* explains Nadine Camp. A joint discussion between the stakeholders involved in the fight against trafficking, in particular police forces and magistrates, was initiated to improve the application of the legal instruments in place.

A.C.T.E.S also provided an international focus, through the creation of an “East/West Network” to strengthen the collaboration between associations working in France and in the victims' countries of origin. The network was created following study visits to associations in Bulgaria, Moldova, Romania and Ukraine: *“It was important to go and see what was happening there, to meet the associations with whom we could envisage a partnership, especially in the context of possible prevention measures”* explains Nadine Camp. The network should also facilitate the repatriation and reintegration of those who wish to go back – a very small minority – or provide assistance with the procedures that they have to complete in their home country if they wish to stay in France – in particular in relation to identity documents.

Several important difficulties remain in these countries, in particular the absence of funding or concrete state support to fight human trafficking and to help the victims. As Nadine Camp underlines, *“although legislation has been put in place, traffickers will continue to operate as long as financial support and political will are missing”*. *Agir Ensemble pour les Droits de l'Homme* hopes to continue the collaboration with these associations in third countries in the future. *“We have come up with a lot of ideas and there are many avenues to explore; now the future will tell us if things actually take shape”*. Today, for instance, *Agir Ensemble pour les Droits de l'Homme* supports the Ukrainian association *AVENIR* which launched a prevention programme in the Jitomir region. For the victims who are already in France, the real challenge remains to accelerate administrative and judicial procedures which will improve their chances of finding employment and starting a new life.

## CONTACT

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A.C.T.E.S. – Action et Concertation contre le Trafic et l'Esclavage Sexuel  
Nadine Camp  
Agir Ensemble pour les Droits de l'Homme  
16 avenue Berthelot  
69007 Lyon, France  
Tel: +33 4 37 37 10 11  
E-mail: [n.camp@aedh.org](mailto:n.camp@aedh.org)  
Website: [www.aedh.org](http://www.aedh.org)