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# EVALUATION OF THE EFFECTIVENESS OF MEASURES FOR THE INTEGRATION OF TRAFFICKED PERSONS

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International Organization for Migration (IOM)

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FOSTER AND IMPROVE INTEGRATION OF  
TRAFFICKED PERSONS (FIIT PROJECT)

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# EVALUATION OF THE EFFECTIVENESS OF MEASURES FOR THE INTEGRATION OF TRAFFICKED PERSONS

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**Pr Joanne Van Selm**

Report prepared for the International Organization for Migration



International Organization for Migration (IOM)

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The methodology of this research has been established by IOM Rome and IOM Paris in coordination with the IOM Regional Office in Brussels. Desk and field research was carried out in each participating country – Belgium, France, Hungary, Italy and the United Kingdom – by IOM officers (Agnès Tillinac, Novita Amadei, Bálint Dora, Teresa Albano and Chiara Gnoli) with the support of project partners: Payoke, ALC, the Hungarian Baptist Aid, the University of Rome La Sapienza, and Migrant Helpline.

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# LIST OF ACRONYMS

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ECRE	European Council on Refugees and Exiles
EC	European Commission
EEA	European Economic Area
EU	European Union
FIIT	Foster and Improve Integration of Trafficked persons
GRETA	Group of Experts on Action against Trafficking in Huma Beings
IOM	International Organization for Migration
ICMPD	International Centre for Migration Policy Development
NGO	Non-governmental organization
VoT(s)	Victim(s) of trafficking
TCN	Third Country National
UK	United Kingdom
UN	United Nations
UNGIFT	United Nations Global Initiative to Fight Human Trafficking
US	United States





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# INTRODUCTION

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The aim of the ‘Foster and Improve Integration of Trafficked Persons’ (FIIT) project is to enhance the long-term integration of victims of trafficking (VoTs) by identifying, sharing and transferring good practices. These practices can be found in the legal, economic and psychosocial aspects of integration. The project as a whole has also sought to strengthen and enhance professional networks of national and European practitioners working with VoTs. One of the concrete objectives of this project is the undertaking of a study, through desk research and interviews, to draw out effective practices on longer-term integration for third-country national VoTs.

## THE CORE RESEARCH QUESTION

What efforts are being undertaken to integrate trafficked persons in EU Member States, and how could these approaches be improved? In responding to this question it is necessary to investigate the strengths and weaknesses of legal and policy frameworks in facilitating the process of integration for victims of trafficking. Five case countries (Belgium, France, Hungary, Italy and the United Kingdom) have been assessed for the purposes of this project, and it is also useful to enquire as to whether any of these countries offer specific examples of effective measures for the integration of victims. As the research for this project has benefitted from some interviews with victims of trafficking, we can also qualitatively address those measures which victims themselves consider satisfactory.

## RATIONALE FOR THE STUDY

The underlying motive for conducting this project is the perception that victims of trafficking are in an “asymmetrical” situation with regards to the starting

point on deciding to remain and integrate into what has become their destination society. That is, their first contact with the destination society is distorted due to their experience of exploitation which unbalances the process of integration. While there has been widespread research into the integration processes of migrants more generally, there has been little empirical research on the integration of trafficked persons, and, in particular, no conclusions based on discussions or interviews with trafficked persons themselves. However, IOM has previously published a comparative study assessing residence options for trafficked persons, which included interviews with NGOs, service providers and the counter-trafficking focal points within international organizations (IOM, 2010). The FIIT project sought to interview people who had been trafficked and learn from them, as well as from service providers and policymakers, about current integration approaches and how they could be improved.

An underlying element in policymaking on trafficking generally is the understanding that many former victims of trafficking are either deported to their country of origin, or will choose to return to it, rather than remaining in the destination country once they have been liberated (See Rieger; Haynes). This thinking seems in itself to be based on the assumption that the victims were not willing participants in their (irregular) migration, but were trafficked almost as commodities, like guns or drugs. As such, the victims are viewed, once identified, primarily as witnesses to a crime, and any attention to their protection is, in principle, devoted to the short-term: a period of reflection on their situation and a decision as to whether they will assist authorities with prosecution. Beyond this, the working assumption seems to be that return and reintegration in the country of origin is the most likely or preferred scenario.<sup>1</sup> However, these assumptions are not based on facts or data: there is little or no knowledge of how many former victims of trafficking wish to return home, nor of how many do so. Furthermore, there is little information on the future of those who remain in their destination country, potentially with a status that bears little relation to their past and with limited assistance related specifically to their experiences. Rieger, for example, contrasts estimates of up to 50,000 victims of trafficking entering the US annually and only 228 T visas being issued to victims under the Victims of Trafficking and Violence Protection Act (2000) in 2005.

The project has focused specifically on third-country nationals – on non-EU

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1. Haynes, for example, points critically to this as an element of 'victim protection' in the 2003 Task Force of the Stability Pact – see her citation of "The Task Force on Trafficking in Human Beings, Special Coordinator for the Stability Pact of South Eastern Europe, at <http://www.stabilitypact.org/trafficking.htm#four> (last visited July 1, 2003)".

citizens in EU member states. This makes the project distinct from many others that have been conducted on trafficking and reintegration in recent years, as they have often focused on reintegration in the country of origin, or taken a combined approach to integration of trafficked persons in both the destination and the origin countries. However, some of the information that has emerged, particularly in the case of Hungary, but also in other case countries, relates to the specific position of EU nationals trafficked within the EU. With reference to status in particular, the differing situations of EU citizens and third-country nationals will be drawn out, but with the third-country nationals as the focal point of the current project.

## METHODOLOGY

The project has focused on five case countries: Belgium, France, Hungary, Italy and the United Kingdom. A major reason for the selection of these countries was the willingness of the national authorities to participate in this project and in the assessment of integration for victims of trafficking in the first instance, although there are also other factors which allow this selection to represent various facets of the trafficking in persons issue as will be elaborated below.

For each country a matrix was drawn up of existing legislation, the number and type of residence permits issued over the period 2004-2011, as well as information on gender and form of exploitation where available; integration services for third-country nationals and for EU victims of trafficking were also briefly set out in matrix form for comparative purposes. The matrices resulted largely from desk research (see annex 2: synthetic matrix).

Interviews were subsequently carried out by the national expert teams, consisting of IOM and national NGOs active in dealing with victims of trafficking in each of the case countries. The interviewees were policy makers, practitioners and victims of trafficking. A total of 31 interviews were carried out with service providers over the five countries; 19 policy makers were interviewed and a total of 62 victims of trafficking were interviewed. The teams were only able to meet the objective of interviewing more than 20 victims of trafficking in France, where 23 interviews were conducted. In comparison there were 13 interviews in Italy, 11 in Belgium, 9 in Hungary and 6 in the United Kingdom. In the case of Hungary, the majority of interviewees (seven of them) were Hungarian nationals, highlighting the position of Hungary as a country of origin and return of trafficked persons. In the case of the United Kingdom, it proved difficult to contact people who had gone beyond the 45 day reflection period. In some cases

there is simply no further contact with service providers; in other cases there is a reluctance, on ethical grounds, to use contact information for research purposes, in part because there are so many requests for information for research purposes. Of the six victims with whom contact was made, four were EU citizens. To some extent this reflects the situation of trafficking in human beings within the EU, particularly from Romania and Bulgaria. In the case of policymakers across the case countries there are many stakeholders involved in different elements of the fight against trafficking in human beings, and specific roles in the process of reintegration of victims, in particular, are not clearly defined. It was therefore often difficult to identify the specific agencies and officials charged with integration policy and programmes for victims of trafficking.

A country report was compiled for each case country, reflecting the information gathered in each case. For the final report, some additional desk analysis of the issues relating to trafficking and integration respectively has been drawn out and added to a comparative overview of the information compiled specifically for this project in the case countries. Layered over the core question of which integration efforts are being made and how they can be improved is therefore an analysis of how broader thinking on the integration of immigrants can be applied to victims of trafficking, including where approaches need to be adapted or narrowed for this group, or precisely broadened in order to expand inclusivity.

The findings of the FIIT study are set, in this report, in the context of existing research on trafficking and integration, in order to see both how these findings fit within and add to the larger picture.

## CAVEATS

As noted above, the research teams were unable to interview as many victims of trafficking as had been planned for in the project design. As such, the information from the interviews is useful, but not as broad or comparable as had been intended. One of the project objectives was to assess integration, and the potential for improvements in programmes aimed at fostering integration, from the point of view of the victims of trafficking. Those individuals who were interviewed also seem to have been hesitant or diffident in expressing their opinions: in some cases this may have been related to the fact that employees of the NGOs with which they regularly interact were conducting the interviews – while that afforded a sense of security in terms of the identity of the interlocutor, it may have discouraged constructively critical comments.

In their study assessing the extent of different types of human trafficking (for prostitution, other labour exploitation, organ transplants, begging) and the categories of involvement (victim, perpetrator), ICMPD notes that “previous comparative case studies did not reflect upon the fact that statistical data **at hand** do not lead to unambiguous results but would allow for a variety of different interpretations. Furthermore, these studies did not always address the heterogeneity of data they have used and did not account for the underlying definitions and subcategories of the data in a transparent way.” (ICMPD, 2010: 9). This FIIT study report acknowledges that the information presented below is qualitative rather than quantitative, and that comparisons are based on personal accounts of experiences as well as relevant policy approaches in the five member states.

## OUTLINE OF THE REPORT

The first section of this report will briefly define and explain the key concepts and practices relating to trafficking and integration, and consider the framework and existing knowledge and analyse their linkage. The second section will detail the findings of the five country studies, presented in a comparative format. The third and final section will present some conclusions based on the empirical material gathered for this study (section two) set against the background of existing legal and policy frameworks and both academic and policy analysis (section one) and offer recommendations emerging from the FIIT project.



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## CORE CONCEPTS: TRAFFICKING AND INTEGRATION

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In order to investigate the possibilities to foster and improve the integration of trafficked persons there are two core concepts that need to be considered: trafficking and integration. Trafficking in human beings has been a major focus of attention internationally for some two decades, with criminologists and migration specialists having a strong interest in these activities. Integration is a core element of discussions on migration and citizenship. Where trafficking and questions of integration become linked in policy terms, the focus to date has largely been on the role of status and residence permits in permitting victims to remain and identify and testify against those criminally responsible for their exploitation. In terms of the academic literature and documentation produced by practitioners working with VoTs, there have been some studies on health issues and on integrating the labour market.

However, there has been relatively little attention paid to the medium to long-term prospects of victims who remain in the destination country. There can be several reasons for this: the pool of victims of trafficking who are identified and are subsequently willing to cooperate with authorities seems to be relatively small compared to the estimates of actual trafficking. As noted above, some policymakers might assume that many return to their country of origin, particularly if it is also assumed that they were not willing and active participants in migration choices: however, this is not necessarily the outcome. Where the notion that they might remain is entertained, victims of trafficking may be considered simply to be a category like others among the larger pool of immigrants, particularly once the period of their cooperation in criminal proceedings has reached an end. Perhaps the major point is that little is known about the choices made by victims of trafficking, their underlying motives in making those choices, or indeed how

their integration in a host society proceeds. One can, however, hypothesise that victims of trafficking have their own very particular needs with regards to integration. Much as the needs of a highly-skilled and educated business person in integrating in a destination society will be very different from those of a refugee displaced by conflict, or escaping human rights abuses, so victims of trafficking will surely have their own specific needs and confront specific barriers on their path to successful integration.

This section of the report will first deal with ‘trafficking’ and ‘integration’ as distinct concepts in quite general terms, and then bring the two together in a background discussion of existing knowledge and ways of thinking related to the integration of victims of trafficking.

## TRAFFICKING

EU Member States are among the 154 parties to the UN Palermo Protocol. Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol) supplementing the United Nations Convention against Transnational Organized Crime (2000) defines Trafficking in Persons as:

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

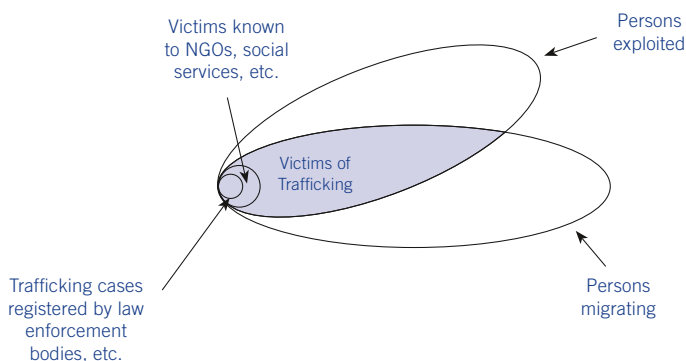
UN statistics from 2010 suggested that 79 per cent of victims of human trafficking were subject to sexual exploitation, 18 per cent to forced labour, and three per cent to other forms of exploitation. Sixty-six per cent of victims were women, 13 per cent were girls, 12 per cent were men and nine per cent were



boys. The European Union's 2012 Strategy towards the Eradication of Trafficking in Human Beings indicates that EU experience with human trafficking reflects these UN statistics. Most Member States reporting to the European Commission in 2011 revealed that most victims come from within the EU, mainly Romania, Bulgaria, Poland and Hungary. Victims from non-EU countries are primarily from Nigeria, Vietnam, Ukraine, Russia and China. IOM's Annual Report on Trafficking for 2011 noted victims of trafficking to the European Economic Area as coming primarily from Brazil, Bulgaria, China, India, Nigeria, Moldova, Pakistan, Romania, Russia and Ukraine. Some countries also report a disproportionate representation of Roma among victims of trafficking: as the Roma populations of European states are also frequently stateless, their situation is one of particular vulnerability.

The scope of the phenomenon, in terms of statistics, remains a matter of estimation. That the scope is significant seems to be a widespread conclusion: some estimate that only five per cent of victims are identified as such, and very few of them are spotted when crossing a border (Mattar and Van Slyke, 2010: 199). ICMPD has noted that in spite of efforts to improve and harmonise data collection, there remains little systematic knowledge on the scope of trafficking in human beings in the European Union and in individual Member States (ICMPD, 2010: 9). Tyldum and Brunovskis, meanwhile, have demonstrated the difficulties both in establishing the criteria for determining victims of trafficking, and in making accurate counts among people who by definition belong to 'hidden populations' due to their various activities including the nature of their crimes, black market employment and clandestine border crossings (2005). A diagram, based on rough estimations of the possible proportions of overlapping populations demonstrates graphically the difficulties in accurately collecting data on human trafficking (Tyldum and Brunovskis, 2005: 23). In conducting country research for the FIIT project, partners in France noted that authorities signal no knowledge of the actual extent of the trafficking phenomenon, and tend towards describing former victims on the basis of their nationality or particular social aspects, or simply on the basis of their vulnerability. Partners in Italy highlight survey results indicating that in spite of fourteen years of experience in victim-protection legislation, and although social workers and law enforcement officers have been sensitized to the range of victims over this time, the risk of stereotyping still hold sway. A Nigerian woman in her early twenties is more likely to be perceived –when not yet identified - as a victim of trafficking (and thus subject to scrutiny in verifying or denying that perception) than a Moroccan teenage male, a 60-year old Bulgarian man or a Somali woman in her early thirties.

FIGURE 1:  
 TARGETING VICTIMS OF TRAFFICKING:  
 SUBPOPULATIONS AND POPULATIONS WHERE VICTIMS  
 OF TRAFFICKING CONSTITUTE SUBPOPULATIONS  
 (relative sizes of populations are hypothetical and likely to vary between regions)



*Figure from Tyldum and Brunovskis (2005) p. 23*

The governmental and intergovernmental focus is very much on combatting trafficking: preventing trafficking from happening and prosecuting the perpetrators when it is discovered. Prevention and prosecution are two of the 4Ps in the international strategy against trafficking, alongside protection for victims and partnership between actors. There are three central aims of the 4P approach: capacity building, direct victim assistance and raising awareness of the trafficking issue. Partnership is an overarching element in this strategy, as actors have discovered that their work on prevention, prosecution and protection cannot be done single-handedly, and that it requires a range of national, international and non-governmental organizations to achieve success (UNGIFT). This FIIT study has focused on protection and in particular the efforts to take protection beyond the provision of an official status for identified victims of trafficking and into longer-term integration measures. Partnership, in the form of enhanced professional networks and the sharing of information is also an overarching element of the FIIT project.

Many destination states around the world are undertaking efforts to highlight the need to combat human trafficking. Prominent among these is the United

States of America whose Department of State's annual *Trafficking in Persons Report* raises awareness, charts developments in all countries (sending, transit, receiving or a combination of these three) and ranks countries on their activities to combat this crime (DoS annual). In the European Union efforts have been undertaken at the level of the European Commission to gather information and expertise through the Together Against Human Trafficking initiative and the appointment of an EU anti-trafficking coordinator.<sup>2</sup> In addition, the Council of Europe has established the Group of Experts on Action against Trafficking in Human Beings (GRETA) which consists of between ten and fifteen members (with nationality and gender balance), all experts in human rights. GRETA is responsible for monitoring the implementation of the Council of Europe's Convention on Action against Trafficking in Human Beings (Council of Europe 2005 and website), and produces both general and country reports.

The academic focus on trafficking, like the policy focus, has largely been on two aspects: the criminal nature of this phenomenon and its link with immigration. From the 'criminal' angle, modern human trafficking is equated with slavery, and noted to be the third most profitable criminal enterprise behind drugs and guns (Bales and Soodalter, 2009: 3; see also Coen, 2011). This approach puts the focus largely on prostitution, but also on exploitation more broadly. In terms of criminality and immigration, the irregular crossing of a border is a focus for research on trafficking, although many argue that exploitation, rather than a border crossing, is the key defining feature of trafficking, meaning that a citizen can be trafficked within the borders of their country of nationality. As Geddes puts it, irregular migrants are portrayed as both "threats to... territorial, organisational and conceptual borders but also as the helpless victims of ruthless traffickers and smugglers." Where victims are concerned, the major focus has been on violations of their human rights (see for example, Gallagher, 2013). The integration of victims of trafficking, taking the migration focus beyond immigration and including the reintegration of citizens trafficked within their own country, or returned there after exploitation abroad, has received some attention in recent years, as will be discussed below.

The major barrier in dealing with trafficking is the same whether considered from the data, criminology, immigration, human rights or integration perspective, and thus relating to prevention, prosecution and protection: it is the identification of victims (see for example Mattar and Van Slyke, 2010). Only through their identification as victims of trafficking can people be assisted, guided towards

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2. See the website <http://ec.europa.eu/anti-trafficking/>

physical and psychological assistance and support, and can they avoid being treated by law enforcement authorities as either ‘simply’ irregular migrants or as criminals (GRETA, 2012). In preventing and prosecuting the crime of trafficking, identifying the victims is the key. Once people who have been trafficked are identified, if they are willing to participate in prosecution as witnesses to the crime perpetrated against them, they inevitably continue residence in the destination state for some period of time, potentially for the long-term. This means there will be some level of integration: how deeply or smoothly that integration goes, from the point of view of the victim of trafficking and the community and country in which they live, may be influenced by the policies towards them and services made available to them.

The FIIT project addresses integration-focused projects, programmes and policies for people who have been trafficked into one of the five EU Member States where research was conducted.

## INTEGRATION

Integration is perhaps one of the most discussed challenges in immigrant-receiving countries, yet it lacks a meaningful common definition. Robinson (1998: 118) described integration as ‘a chaotic concept: a word used by many but understood differently by most’. Integration is controversial in many ways, but also a prominent policy goal of EU Member States (see for example Ager and Strang, 2008). Past models or approaches have varied from an expectation of assimilation according to which all changes are expected to come from the immigrants, to multiculturalism where limited adaptation by any party is anticipated but broad mutual acceptance and coexistence are the underlying principles. However, generally speaking, it could be said that at this point that academics, NGO practitioners and policymakers conceive integration as a two-way process, with adaptation expected on the part of both the immigrant and the receiving community. The balance of that two-way process remains the subject of much debate.

As a two-way process the actors are the individual migrant on the one hand, and the society of the destination state, as a whole or broken down into communities

and individuals, on the other. The major changes in modes of behaviour and thinking might be found on the side of the migrant, but the community as a whole must also adapt to newcomers in order to make integration effective.

One definition of integration for refugees that is widely cited, including by the relatively few authors who have focused on the integration of trafficked persons, is that provided by the European Council on Refugees and Exiles (ECRE) in 2002:

ECRE considers integration to be a process of change that is:

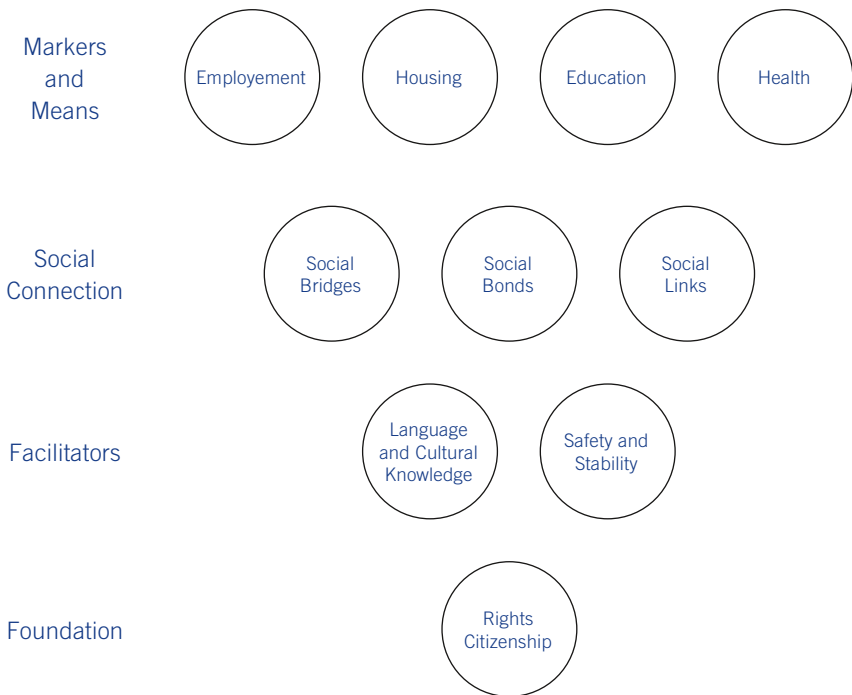
- a) *Dynamic and two-way*: it places demands on both receiving societies and the individuals and/or communities concerned. From a refugee perspective, integration requires a preparedness to adapt to the lifestyle of the host society without having to lose one's own cultural identity. From the point of view of the host society, it requires a willingness to adapt public institutions to changes in the population profile, accept refugees as part of the national community, and take action to facilitate access to resources and decision-making processes.
- b) *Long-term*: from a psychological perspective, it often starts at the time of arrival in the country of final destination and is concluded when a refugee becomes an *active* member of that society from a legal, social, economic, educational and cultural perspective.
- c) *Multi-dimensional*: it relates both to the conditions for and actual participation in all aspects of the economic, social, cultural, civil and political life of the country of durable asylum as well as to refugees' own perceptions of acceptance by and membership in the host society.

The European Union's *Common Basic Principles on Integration* (2004a) succinctly echoes this approach in the first principle: "Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of EU countries."

Ager and Strang in their seminal 2008 article conceptualise integration

generally, as well as specifically in terms of refugees who are the focus of their work, in a framework consisting of ten core domains. These domains can be grouped: the ‘foundation’ is rights and citizenship; there are two ‘facilitators’, namely language and cultural knowledge, and safety and stability. Three sets of ‘social connections’ form the next layer in the approach: social bridges, social bonds and social links. Four markers and means of achieving these outcomes are employment, housing, education and health

FIGURE 2:



Source: Ager and Strang (2008)

However, the starting point of reflection and literature on integration is generally after immigration has both taken place and been accepted (except in some situations such a family formation or reunion for which policy in some EU states, such as the Netherlands, involves efforts to embark on integration facilitators

such as language skills prior to visa issuance and arrival) (See Groenendijk 2011). Yet as Geddes (2005) has pointed out, “effective ‘integration’ of immigrant newcomers is founded on attempts to exercise controls at air and sea ports of entry with a link between controls and integration.” It is expected that those people who do not or should not pass effective border controls will not be in a position to integrate, because they will not have the right to remain. For people who have been trafficked, whose entry and residence may be irregular until their identification as victims of traffickers, a shift in thinking is therefore required.

In the case of people who have been victims of human traffickers, it could be suggested that the two-way process of integration, starting from the moment of their arrival, is unequal and prejudiced. Interviewees for the FIIT project in the United Kingdom seemed to view their integration as starting from the moment that they were identified as victims of trafficking, and not during the period of their exploitation. Victims of trafficking generally experience their first encounters with the destination society during the period prior to their identification, whether with individuals involved in the trafficking or exploitation, or with outsiders who cannot or do not assist victims in changing their situation. These encounters are likely to be negative experiences. Once victims are identified and start the process of leaving their experiences behind, many or most are dependent on their willingness to participate in criminal proceedings against those who perpetrated their movement and exploitation in order to remain legally in the country of destination. They are probably among the most dependent of immigrants, particularly in the first phase which involves their shift from victim to witness. As will be seen below, in Ager and Strang’s terms, those who have been trafficked into and exploited within EU societies set out on the path to integration (if there is to be one) with very limited rights, dependent on the criminal prosecution of those who abused them for their official status; their sense of safety and stability is likely to be fragile; their social connections initially non-existent and potentially tarnished with multiple forms of discrimination. While they may be offered shelter, independent housing is unlikely, at least in the first instance. Furthermore, health care – both physical and mental – as well as education and employment can be distant.

In addition, former victims of trafficking may be perceived as tainted by the criminality related to their experience long after their status as a *victim* of crime (and not as a perpetrator) has been established. This haunting air of criminality that hangs around the trafficking victim might come from the idea that the victim has in some way given their consent to the exploitation, even if that ‘acceptance’ is based on survival instincts for the individual or a desire to

protect family members. It might also in part come from the immigration angle: if the victim ‘wins’ the right to stay and integrate in the destination country, perhaps they somehow used the ‘opportunity’ of being trafficked, including exploitation, to achieve a migration outcome. The price of the ticket to an EU Member State would seem high in this scenario.

What is clear, for the purposes of this study, is that no elements of the integration process can take place as a result of individual initiative alone. Governments are responsible for status and rights, as in large part for safety. Access to what Ager and Strang refer to as ‘facilitators’ and ‘markers’ depends both on government policy and funding, and on the availability of services, often via NGO providers which, in the EU, most often receive government funding for their programmes. Such funding, and thus access to services, has been cut in the wake of the economic crisis, making the path to integration somewhat more difficult for all immigrants (Collett 2011), including those who have been trafficked and then agreed to participate in prosecution.

## BRINGING TOGETHER TRAFFICKING AND INTEGRATION

The ability of migrants to integrate (or to be integrated) in their destination society is influenced by many factors, including the initial stages of the relationship between the individual and the state and its communities (see for example Frideres 2002). For victims of trafficking this means that both the period during which they are exploited and abused and their first contacts with authorities are likely to set the context from which integration over time would emerge. Surtees (2008: 9) has noted that “(re)integration refers to the process of recovery and economic and social inclusion following a trafficking experience.” She also points to the complex process of (re)integration, which is “impacted by a range of personal factors as well as the broader social, cultural and economic framework.”

Setting the groundwork for the comparison of cases below, it is therefore useful to consider both the norms and standards set out in European instruments



relating to the status and reception of victims of trafficking, and the existing academic and NGO literature linking trafficking and integration.

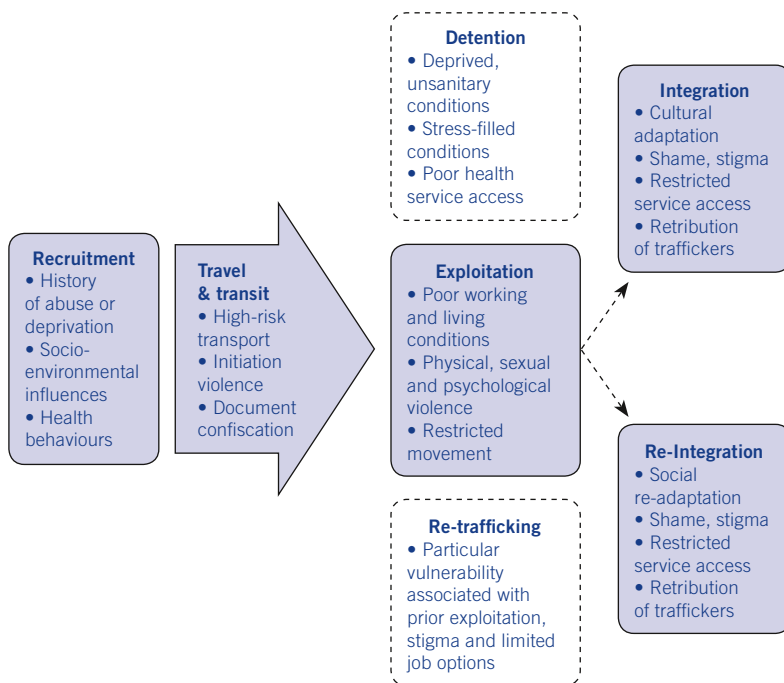
In the European Union, the minimum standards for residence permits issued to victims of trafficking (or smuggling) who cooperate with the competent authorities are set out in the 2004/81/EC directive on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (European Council 2004). This directive applies only to third-country nationals who have reached the age of majority and been subject to trafficking or smuggling (article 3). Many of the provisions depend on existing national law, or allow leeway for variations in terms of timing. The directive establishes that there should be a reflection period of a length to be determined by national authorities which allows the victims to leave the influence of the perpetrators of the crimes against them while considering whether or not they want to cooperate with authorities (article 6). During the reflection period victims should be provided with “standards of living capable of ensuring their subsistence and access to emergency medical treatment.” Member States “shall attend to the special needs of the most vulnerable, including, where appropriate and if provided by national law, psychological assistance” (Article 7). Whether or not legal aid is granted depends also on the existing provisions of national law.

Only a handful of studies have been conducted on the integration of trafficked persons, and these have generally focused on specific aspects (such as health) or single-destination country experiences, or have generalised between integration in the destination country and reintegration in the country of origin. Other studies, such as Brunovskis (2012) have looked at the balance between prosecution of the crimes involved in trafficking and protection of the victims/witnesses, including access to rehabilitation measures for the latter.

Zimmerman et al (2011) have presented the following conceptualization of the stages of trafficking. Integration in this model is characterized by the need for cultural adaptation, the sense of shame and stigma, restricted access to services and the fear and actual possibility of retribution by the traffickers. Reintegration in the country of origin is portrayed with the same features. One could posit that in the case of integration, the need to be involved as a witness in criminal proceedings adds a dimension, at least in the early stages of integration, which is not necessarily found in the reintegration scenario.

FIGURE 3:

## CONCEPTUAL MODEL - STAGES IN THE TRAFFICKING PROCESS



Source: Zimmermann et al. 2011.

Surtees (2008: 11) emphasises inclusion, whether integration or reintegration is taking place. She notes five factors: settlement in a safe and secure environment; access to a reasonable standard of living; mental and physical well-being; opportunities for personal, social and economic development, and access to social and emotional support. While these factors might be common to all immigrant integration, the emphasis might vary and they are central to the (re)integration of victims of trafficking, and form together the basis for the empowerment of these people. The obstacles to success are myriad, and are as personal and systemic as the factors that could lead to success: Surtees (2008: 15) points in particular to the management of experiences, and to the negative emotions of stress, anger, sadness or depression, shame and particularly fear which form the basis of the integration experience for trafficked

persons. While pointing to the difficulties for people who return to their country of origin, and possibly to a family and community from which they had been isolated even before their trafficking and migration experience, Surtees (2008: 21) notes that “how ...integration takes place for foreign nationals is, arguably, even more complicated and less understood.” Integration services are costly, time-consuming and intensive. They need to address dependency, and not only develop independence and confidence in their inclusion in society but also start out from a situation of listening to and giving agency to the trafficked people they serve.

The relative dearth of programmes and services facilitating both recovery and integration of victims of trafficking in destination countries has been noted worldwide. The *Palermo Protocol* recommends action for the physical, psychological and social recovery of victims, which would be found through housing, counselling, medical and psychological assistance as well as through educational and employment opportunities (Oxman-Martinez et al, 2005:17). In Canada, recommendations have been made to increase programmes for health and social services in particular (ibid.). Some of these programmes are in place in the EU Member States featured in the present study, and these programmes will be detailed in the next section.



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# COMPARISON OF FIIT COUNTRY CASE STUDIES

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Case studies from five countries form the basis of the FIIT project: Belgium, France, Hungary, Italy and the United Kingdom. A primary motive behind the selection of these countries was the willingness of authorities to participate in this study. However, the five cases also offer points of contrast indicating the range of situations found in different EU Member States. Belgium, France, Italy and the United Kingdom have all been active over several years: indeed Belgium and Italy are among the first countries to have developed approaches towards human trafficking (and have thus been included in several studies as forerunners of emergent practice see, for example, Brunovskis 2012). Those four EU Member States fully comply with anti-trafficking agreements and measures, and while Hungary is still not in full compliance, according to the US Department of State's *Trafficking in Persons Report* of 2012,<sup>3</sup> the government is making significant efforts to improve in this area.

Belgium and Hungary are both characterised by the annual US Department of State's *Trafficking in Persons Report* as source, transit and destination countries for victims of trafficking; France and Italy are characterized as transit and destination countries and the United Kingdom as a destination country only. As source countries Belgium and Hungary also experience the reintegration of nationals who have been trafficked internally. Bearing in mind the difficulties

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3. The US Department of State's annual *Trafficking in Persons (TIP) Report* is the principle diplomatic tool for engagement of countries worldwide in the fight against human trafficking. The TIP report evaluates countries on their efforts to combat trafficking in human beings, and places them in tiers. As such it is a widely read, used and valued document.

related to the reintegration process of these victims who remain in their own country, one can assume that for those trafficked abroad, the integration process in the destination country must be even more complex.

The country reports were created by national experts, pairing IOM with NGO partners. An initial matrix of relevant legislation was drawn up to give a broad factual overview (see annex 2). Interviews were conducted with policy makers and practitioners as well as with victims of trafficking who agreed to speak with NGO staff about their integration experiences. The number of interviews with individuals who were comfortable sharing their experiences was too small to be representative in any country, however they provide qualitative information for future thinking on these issues. The interviews followed a similar format (see annex 1: questionnaire). Individual experiences reported in the interviews will be included in the overview below.

Five issues emerged from the country reports as key to integration for victims of human trafficking, where efforts are already being undertaken and where improvements could be sought. These issues are:

1. The fundamental question of status;
2. Addressing the facilitating issue for integration of safety and security through psycho-social assistance for the specific needs of people who have experienced the exploitation of trafficking;
3. Shelter;
4. Employment;
5. Access to social benefits.

A sixth issue is the different approaches to or perceptions of safety, security, cultural connections, social connections and ultimately access to housing, employment, health and education services between EU citizens and third-country nationals. Although the focus of this project is very much on third-country nationals, the majority of trafficking involves EU citizens. This means that thinking about integration for trafficking victims involves thinking about three different sub-groups: national VoTs, EU VoTs and third-country national VoTs. In some respects, being a national or an EU citizen brings more fundamental rights, but shifts the focus away from the experience of trafficking, which can be detrimental to some aspects of integration. Viewed from the other side, third-country nationals, once identified as victims of trafficking, access

programmes and entitlements directly related to the exploitation they have suffered, and their path to social integration might be smoother than that of EU citizens. Exploring the contrast is therefore useful in analysing the integration of third-country nationals who are victims of trafficking in human beings.

The empirical findings of the research for this project, grouped according to the six themes mentioned above, will be presented below, followed by an analysis drawing on relevant literature, including the evidence provided by various other studies.

## STATUS: THE LEGAL BASIS TO REMAIN AND INTEGRATE

Internationally in the effort to combat the crime of trafficking in human beings much attention has been paid to granting the victims at least a temporary status, enabling them to legally remain in the destination country in order to testify against the perpetrators of their exploitation. Indeed, immigration status, or at least the reasoning behind the granting of status is (often) linked to the victim's role as a witness prepared to testify in criminal proceedings. For EU Member States, not only national law, but also EU directives (2004/81/EC and 2011/36/EC) and, for some, the Council of Europe's *Convention against Trafficking in Human Beings* provide the framework for action regarding issues such as status, which in turn offer the basis for not only presence but also integration opportunities in the destination country.

In practice, a status linked to the role of victim as a witness means that the crime and the victims need to be identified – either the trafficked person needs to come forward individually or via an intermediary such as an NGO, to make their situation known to investigative authorities or police, immigration or other judicial branches in order to determine that a criminal situation is in progress.

This sub-section of the report will set out the legal basis for the granting of residence permits in the five member states assessed as part of the FIIT project. The countries (United Kingdom, France, Belgium, Hungary and Italy)

will then be considered individually, with a description of issues relating to status, starting from the provisions for a reflection period, as well as a presentation of the relevant agencies, provisions and practice. Some reflections from FIIT study interviews will be offered, before a summary of findings on the issue of status.

## EU LEGAL BASIS

As noted above, the EU directive 2004/81/EC sets out the standards for EU Member States to grant residence permits to victims of trafficking. Of the five Member States considered here, all but Italy have transposed this directive into national law: in the case of Italy, its 1998 and 2003 laws meant that it was already in full compliance with the directive and thus had no need to transpose it (see also ICMPD 2010). All five countries have specific legislation regarding victims of trafficking, and also have provisions for victims of trafficking to access legal status under refugee law. Two of the five countries do not offer access to status under other international protection categories i.e. subsidiary protection (the United Kingdom and France) but do offer, on a case-by-case basis, residence permits for humanitarian reasons under national policy and legislation.

## UNITED KINGDOM

In the United Kingdom, victims of trafficking can be granted 12 months leave to remain (or residence permit) at the request of the police (after an initial period of reflection). In the period 1 April 2009 to 31 March 2011 48 people were granted leave in this way, thanks to their participation in criminal investigations or proceedings. Over the same two-year period mentioned above, 162 individuals were granted asylum (92 cases), humanitarian protection (eleven cases) or discretionary leave. The balance in the United Kingdom is thus towards victims of trafficking achieving protection through the asylum channel more than as witnesses and participants in criminal proceedings. Indeed, victims of trafficking are not required to assist in police investigations or prosecutions in the United Kingdom in order to demonstrate their status as victims, although doing so leads to the grant of discretionary leave to remain for twelve months (UKBA 2010). One case that illustrates the use of asylum law in this area was a 2007 Asylum and Immigration Tribunal ruling on SB, a Moldovan victim of human trafficking which found that “in the context of Moldovan society, a woman who has been trafficked for the purposes of sexual exploitation is a member of a particular social group... “former victims of trafficking for sexual exploitation”, and this



particular individual, who had given evidence in the case against the person responsible for her sexual exploitation, would not be sufficiently protected from him and his associates in Moldova (Asylum and Immigration Tribunal, 2008).

Two bodies are competent to identify individuals as victims of trafficking in the United Kingdom, the UK Human Trafficking Centre (UKHTC) which is part of the Serious Organized Crimes Agency (SOCA) and the UK Border Agency (UKBA). A further 16 NGOs or other organizations (police, local authorities, and their children's services), for example, the Poppy Project, Migrant Helpline, and the Salvation Army among others, can refer suspected victims to the National Referral Mechanism (NRM), which is run by the UKHTC. Potential adult victims must consent to this referral (children do not need to – they are automatically eligible): without consent they will be ineligible for support and assistance, as well as status. If the NRM decides to make a 'reasonable grounds' decision on the individual, then they are offered a 45-day reflection period, during which time safe accommodation and other needs-based services are offered. In 2012, 384 out of the 1,186 persons referred to the NRM received a positive 'reasonable grounds' decision. Once a 'conclusive decision' has been made, that they are a victim and are assisting in criminal proceedings, a twelve-month leave to remain in the United Kingdom is granted. This can be renewed for up to five years. Conversion to long-term residence status is dependent on the discretion of the competent authority.

## FRANCE

France offers a 30-day reflection period during which the person identified as potentially being a victim of trafficking cannot be removed from the country: however, during that period they do not have an official residence permit, but rather a document guaranteeing non-expulsion. Following that period, if the victim submits a complaint and agrees to testify, a six-monthly renewable temporary residence permit will be issued, linked to the process of prosecution and to the role of the victim as a witness. Over the period 2008-2010 312 victims were granted status. The victim is expected to cut all ties with the perpetrator, and to continue working with authorities until all prosecutions have been completed. When a prosecution has been successfully completed, the victim is eligible for a long-term residence permit valid for ten years, with the continued condition of the severance of connections with the exploitative environment which led to the prosecution and eligibility for residence as a victim of human trafficking. If the victim is protected under refugee legislation, which is possible when they can prove that they are threatened by the traffickers in their country of origin,

and collaborate with authorities in the destination country, then a long-term residence status is granted after five years.

## BELGIUM

In the case of Belgium the reflection period is 45 days, a time that is intended to be one of rest and tranquillity, with entitlements to social protection, and access to the services and facilities of a specialized reception centre. If the victim decides to remain and participate in prosecution proceedings, the victim is entitled to a three-month registration certificate (renewable once) and, following that, to a six-monthly provisional victim status. This status can be renewed as long as the legal action is pending. Conversion to a long-term residence status is dependent on the progress of the trafficking case.

Belgian statistics on the granting of residence permits have been kept since 2006. In the period 2006-2011 922 residence permits were granted under specific legislation for victims of trafficking: 479 were granted to women and 443 to men. 267 cases were related to sexual exploitation, 495 to labour exploitation and 160 to other forms of exploitation. No permits were granted to victims of trafficking under refugee or protection legislation (or none are recorded as such).

Belgium introduced initiatives to assist victims of trafficking in 1993, with a 1995 law introducing the legal basis for prosecution in cases involving the smuggling of human beings, and subsequent laws have strengthened the fight against trafficking and smuggling. A 2005 law transposed EU and UN agreements, and made a clear distinction between smuggling and trafficking. In 2004 an Interdepartmental Coordination Unit for the Fight Against Trafficking and Smuggling in Human Beings was established, chaired by the Ministry of Justice and bringing together the Centre for Equal Opportunities, the Immigration Office of the Ministry of Interior, the Federal Police, the Ministry of Social Security, the Ministry of Employment, Labour and Social Dialogue and the Ministry of Foreign Affairs.

Most victims of human trafficking are identified by the police and border inspection services, using a list of indicators of trafficking in human beings and smuggling. However, the identification system is viewed by many as being the weakest part of Belgium's system: a National Action Plan issued in December 2012 is anticipated to strengthen the role of health professionals in particular in identifying victims. This National Action Plan also aims to strengthen assistance to victims by creating a uniform format for information to be collected by

the centres, with an eye to assisting individuals as well as developing greater knowledge on general needs.

## HUNGARY

Whereas Belgium relied on specific anti-trafficking statuses for victims, Hungary may have issued residence permits to victims on the basis of refugee and international protection legislation. However no screening of asylum-seekers is done, therefore it is impossible to tell how many of those who received some form of international protection were at the same time victims of trafficking. While law enforcement authorities do bring forward anti-trafficking cases, they have difficulty proving the offences, and rely more on other convictions relating to earning money from illegal immigration or smuggling. Victims remain open to intimidation, and are often found to still be (emotionally) dependent on traffickers, and for these reasons they often withdraw their testimony.<sup>4</sup> In Hungary the reflection period lasts for 30 days, after which six-monthly residence permits are issued for as long as is necessary for the judicial procedures. Conversion to long-term residence is then on a case-by-case basis. Although this legislation exists, no one has yet benefited from it.

## ITALY

Italy does not formally offer a reflection period. However, in practice there is a special fund for primary assistance services lasting for an initial three months, which effectively allows a reflection period. At the end of the three months, a residence permit can be issued for social protection. Such resident permits are valid for six months, and can be converted to long-term residence if the individual takes up employment or undertakes a course of further study.

In Italy, under legislation passed in 1998, the first status granted is a short-term residence permit specific to victims of trafficking, which is issued regardless of their cooperation with the authorities.

A two-way protection approach applies: VoTs can be identified as such by

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*4. Most of the victims of trafficking found in Hungary are reported to be Hungarian nationals. As this project is focusing on third-country nationals the situation of Hungarians trafficked internally (or returned from other countries but still in a position of exploitation) is not covered in this report. Their vulnerabilities in terms of social deprivation, poverty, limited education, domestic violence etc. qualify them for certain social provisions in Hungary regardless of whether or not they have been trafficked or exploited.*

selected NGOs specialised in this field and by public social services, which is known as the “social path”, or by law enforcement authorities if they agree to cooperate in prosecution, which is known as the “judicial path”.

Between 2004 and 2011 some 500 to 600 such residence permits were issued annually. A decline was observed in 2006 and 2007 due to Romania and Bulgaria entering the EU: only third-country nationals are eligible for residence permits as victims of trafficking.

Until 2009 permits for victims of trafficking were granted by Italy only in cases of sexual exploitation, and only to women: in 2007 the law was extended to apply also to forced labour and related violence, forms of exploitation which drew men into the remit of these residence permits.

In Italy the legislation has emerged from a context influenced by issues of protection for members of the mafia “turned informant”. It is thought that this might have contributed to the perception of the victims of trafficking as not ‘fully’ a victim – as if somehow one would consent to exploitation, and if one did (perhaps to protect one’s family, or just to stay alive) that would mean the exploitation were somehow less grave, and that the exploited would also be a criminal.

However, it is also possible in Italy that people who have been victims of trafficking are in fact granted a temporary residence permit on international (subsidiary) protection grounds, through the asylum system. That status lasts for three years, and is based on their trafficking experience being considered as a form of gender-based violence.

Italian authorities have noted an increase in the number of people who apply for asylum, most likely following the instructions of traffickers (or smugglers if they have not yet fallen prey to actual trafficking networks) and are then trafficked on from Italy to other EU member states. These people are then being returned to Italy on the basis of the Dublin regulation rules pertaining to their asylum claim. While the individual might be referred to as a VoT by the Member State returning them to Italy under the Dublin Regulation due to their asylum application, they will only be eligible for VoT status and support in Italy if selected Italian NGOs refer them to the authorities as a potential victim (through the “social path”) or s/he cooperates with the authorities.

## REFLECTIONS FROM FIIT STUDY INTERVIEWS

Interviewees in some countries, for example Belgium, seemed unconcerned by issues relating to their status as such: they were there and receiving assistance, building a new life. In France, however, interviewees were very much aware of their status and of the need for correct papers in order to be able to access certain services. In the United Kingdom all but two interviewees were EU citizens, and in Hungary all were Hungarian nationals, meaning the status issues as such were irrelevant. In Italy a gender split was noticed in terms of the focus on status (and on employment) with male victims of trafficking being more concerned about establishing their long-term status, not only through their identification as trafficked persons, but also by accessing employment.

## SUMMARY OF FINDINGS ON STATUS

In sum: the five EU Member States considered in the FIIT project offer different approaches to granting status to victims of trafficking. All effectively offer a period of reflection, although in the case of Hungary this has yet to be actually applied, and in Italy it is a *de facto* approach which is not formalised in law. The period of reflection is a key stage in addressing the issues of safety and security and in setting the groundwork for optimal integration if the individual remains in the destination country as will be discussed in the next sub-section.

The United Kingdom uses both legislation targeting victims of trafficking and the asylum system to protect people who have been trafficked and cannot return. The balance of statistics available shows greater use of refugee and other humanitarian statuses for victims of trafficking than actual victim status.

Residence permits for victims of trafficking are initially short-term and linked to criminal proceedings in the four out of the five countries that use those permits. The UK case seems to indicate flexibility in recognizing that even if prosecution has succeeded, residence based on identification as a victim of trafficking may not offer sufficient stability, and so refugee legislation is also engaged. In the United Kingdom, Belgium, France and Italy long-term residence is possible.

While status might be granted to victims, particularly in Belgium, France, Italy and the United Kingdom, this alone does not mean integration will ensue. The question remains: which aspects appropriate to successful integration become accessible through the status as a victim of trafficking, and is there any room for improvement in the path towards integration?

## SAFETY AND SECURITY: INITIAL PSYCHO-SOCIAL ASSISTANCE AND NEEDS

Issues relating to personal safety and security, as well as recovery from stress and other psychological trauma and physical health needs are among the first to be addressed when victims of trafficking are identified. These needs are addressed through the initial reflection period, in situations where it is applied. Indeed, the purpose of the reflection period, as explained in the Council of Europe *Convention against Trafficking in Human Beings* of 2005 is in part to allow the victim a period of time for recovery, beyond the influence of the trafficker (Article 13(1)). As such, it is a first step in attaining safety and security, as well as a time of decision-making, and for authorities to formally identify the victim.

In this subsection the findings from the five case countries will be set out in turn, incorporating interviews with both practitioners and VoTs.

In **Belgium** there are three specialised residential centres, available to the individual victims for up to six months: alternatively they can go to private accommodation, in which case they will be offered 'mobile support' by the staff of the centre. The centres also manage unidentified protected shelters where there is particular concern due to direct threats to the victims and/or to other residents due to the presence of a victim in one of the shelters. In other words, there is a direct response to the specific and basic security and safety needs of victims, and security measures, medical and psychological support are available from the time of reflection period.

The provision of full and detailed information during the reflection period is considered, in Belgium, to be an essential element in allowing the victim to make an informed decision, and thus to ensure his or her safety. Interviewees, former victims of trafficking in Belgium were very positive about how staff were 'there' for them – some indicated this meant always having someone available for them, for advice, support and so on, and about feeling safe in the specialised shelter in the early days; others indicated that the support was present, but the actual staff were sometimes not available when the victim felt they really needed to talk.

One interviewee worried that the perpetrator remained free, and so the victim was concerned about needing to 'watch his back'. Another interviewee in Belgium suggested it would have been more appropriate to have psychological assistance in the victim's language, to be able to fully explain and reflect on experiences – and that having a psychologist who knows the victim's language will also usually mean a cultural affinity and understanding. (Indeed, one interviewee in France indicated that his psychological assistant had spoken his language [not French] and that that helped enormously in achieving the help and sense of safety).

In the **United Kingdom** during the 45-day reflection period, victims are officially granted safe accommodation, medical assistance, psychosocial help, legal advice and other needs-based support. One interviewee related how scared she had been in the beginning, and how service providers helped her to relax and feel safe, and provided for her immediate medical needs, thereby improving her confidence and gaining her trust.

One victim interviewed in France commented on how having to stay in a temporary shelter, with rules insisting the residents remain indoors for their own safety, made her feel locked up – so in spite of feeling free from the experiences of exploitation there was still a sense of being trapped.

The sense of safety and security must go beyond the immediate physical location of a shelter, and beyond the presence of caring and comforting service providers. In France, temporary resident permits issued to trafficking victims are marked as 'private and family life', a measure of protection/security disguising the reason for the permission to remain. In principle police protection is provided in France, specifically if there is a perceived danger during criminal prosecution procedure, although in practice this provision has never been applied.

**Italy** also makes no mention on the special residence permit of the fact that the beneficiary is a victim of trafficking in order to avoid stigmatization. Not all victims receive special residence permits however: some are granted refugee or other international protection statuses which means that they comply with the criteria of the 1951 Geneva Convention on the protection of refugees. In these cases, where the asylum system is used, there is some concern that the status and situation might be abused. Humanitarian protection does not provide the same level of protection and safety to victims, and there are reports in Italy of women being granted a protection status and subsequently being trafficked to other European countries and sexually exploited there.

In Italy, two interviewees referred to a period during which they were held in an administrative detention centre for irregular migrants as authorities had initially failed to identify them as victims of trafficking: this period of detention added to their suffering in an unnecessary way, they said. Nonetheless, all interviewees in Italy noted their high level of appreciation for the dedication of the caregivers assigned to their cases.

In the case of **Hungary**, victims are often nationals, returning to the country, or having been trafficked within it. There are two shelters which can house victims, to provide safety. It is intended to be calm, reassuring and safe – and to provide such basic necessities as food to the victim. Two or three days after admission the physical and psychological condition of the victim is assessed, and appropriate treatment organized and started as necessary. Many refuse psychiatric help, even if they are severely traumatized.

**In summary**, addressing initial psycho-social needs and offering assistance in this area creates the sense of safety and security for VoTs. Failure to identify victims, holding them in detention for irregular immigration compounds suffering. Rules and regulations which appear tantamount to detention or ‘locking up’, even if those rules are in place for the victims’ own safety, can also convey a sense of continued suffering, unless well-explained (possibly in the victims’ own languages) and well thought through. Having round-the-clock psycho-social workers, meaning victims know they have someone to turn to with every concern, and simply to talk to when necessary (and someone to talk to who is trained in the specific counselling necessary to help the individuals move on from their trafficking experience) is appreciated and useful in readying the individuals to transition from their trauma to a longer-term and productive role in the destination society.

## SHELTER

The type of shelter offered is, as seen above, often linked to the sense of safety in the first instance. Over time, the accommodation for victims of trafficking becomes as much part of their integration process as part of their security framework. The five EU Member States studied here have varying approaches to



accommodation for VoTs at different points in the process. France and Belgium, for example, employ a specialized approach dedicated to victims of trafficking, whereas the United Kingdom includes VoTs in the mainstream accommodation system.

In **France**, temporary shelter is available both with the temporary residence permit and prior to the granting of status. However, not all victims are considered in need of it. As noted above, one victim commented on the sense of suffocation, of living with strict rules about where one can go, and how that negatively impacted the new-found sense of freedom, even if it was understandable from a safety perspective.

Interviewees in **Belgium** complained about rules and noise in the three specialised centres, but otherwise were positive about having a place in the first days of assistance: a place that gave time and space for rest while feeling safe. Personal space in the form of a private room was also appreciated. Belgium also offers assistance in finding housing once status is longer-term.

There are two government-funded shelters in **Hungary** for up to twelve victims of trafficking which provide secure, safe accommodation, as well as social services. Victims can stay as long as necessary, with some staying as long as a year. The shelters can provide the permanent address needed to access other services.

In the **United Kingdom** during the 45-day reflection period, victims are officially granted safe accommodation. This can take the form of a shelter, centre or private residence, operated by one of the sixteen NGOs that are recognized as reliable by UKHTC and UKBA. All of these forms of accommodation are exclusively dedicated to VoTs and offer 24-hour support. The victims are assigned the most suitable location according to their personal situation and needs, and dependent on geographical location and availability. The interviewees for this project who had made use of accommodation provided by the system felt it was safe, independent, relaxing and homely. Other victims find their own accommodation, or are given assistance in doing so: in the case of two of the UK interviewees, their accommodation at the time of the interviews was provided by their employers.

Older female victims of trafficking in **Italy** were generally critical of the quality of shelters, and particularly of the rules governing behaviour in the shelters and of overcrowding.

**In summary**, the shelter offered to victims of trafficking is their first home following a period of their lives marked by heightened tensions and emotions. Safety is important, but victims of trafficking in more than one country complained of situations including overcrowding, noise, and rules, including those concerning going out of the shelter. Recently-identified victims of trafficking are transitioning from a life of exploitation to a life of freedom: how each individual handles that transition can vary, and one person's freedoms can, these interviews suggest, represent another person's constraint.

## EMPLOYMENT

Former victims of trafficking interviewed for the FIIT project focused very much on opportunities for employment and on language acquisition (both for employment purposes and for general integration) as the keys to their long-term success in integrating and feeling fully at home in their destination country.

The ability to apply for and find work depends on a number of factors: legal status, and whether the status the former victim has permits employment; qualifications and experience, and whether these are recognized; the availability of employment opportunities; the desire to match one's aspirations to the reality of what is available.

In **Belgium** people who have been trafficked can obtain a work permit during the three-month registration period, as well as in the six-month provisional victim status period, and beyond.

In **Italy** the temporary, special residence permit can be converted to a longer-term residence permit (on average two-year and renewable as long as the situation of employment or study persists) specifically for employment or study reasons, for example when an employment contract is signed for a salaried employee or when all the conditions for self-employment are fulfilled. If a person is unemployed then their residence permit is valid for only one year, being prolonged on the basis of the person's situation 'in search of employment'.

Under the **French** system, access to employment depends on the type of

residence permit. While a residence permit offers the right to work, people whose status is that of an asylum-seeker, or who are remaining illegally in the country have no employment rights. The country team observed while conducting research for the FIIT study that people who had been exploited in domestic work had the most precarious position: although the law establishes equal treatment for all victims who have made allegations or are cooperating in judicial proceedings, these victims seemed to receive less favourable treatment than others. One victim also noted a discordance in the system: former victims are not permitted to work unless they have a residence permit – however, in order to apply for one (if they qualify) they must pay some 700 euros. The interviewee suggests this should be free (at least for people who have been trafficked).

The requirement to cooperate with the police in prosecuting the trafficking case as a condition for having a status which conveys the right to work is viewed by former victims in France as an obstacle to getting out of the exploitative environment, particularly for those who were exploited as prostitutes: one interviewee stated that with normal work the women would be stronger and more able to confront the perpetrators, who otherwise tell the women that they have no choice but to continue in prostitution, as they have no papers and will be sent back to their country of origin.

In the **United Kingdom** there is no access to employment during in the reflection period, or if the victim of trafficking applies for asylum as the resolution to their status difficulties. Once a person has indefinite leave to remain they have access to job insertion benefits and the right to work, as is the case for anyone with that status, that is, this is not dependent on the nature of their situation as a former victim of trafficking.

In both **France** and **Italy** interviewees noted that their past work experience and qualifications meant little in their job search. If people have qualifications at all (and have the certificates to demonstrate them) then getting these converted or recognized is very difficult in France. In Italy, former victims suggest they should be given more opportunities to retrieve their documents and prove their record.

With experience counting for little, former victims have to find a balance between their aspirations and the type of work that is readily available to them. Some do manage to make choices: one interviewee in France had wanted to undertake secretarial training – but it proved to be too complicated; then she thought of being a cashier, but there were few opportunities. Her third choice was to work at the airport, and at the time of the interview she was in training for a job there.

In Italy it was noted that male victims of trafficking were particularly focused on employment as the factor that would assist them most in integrating. The men generally seem to try to find employment and convert their residence status to a longer-term situation, while the women were keener to get the most out of all services provided to them as victims of trafficking, namely shelter, psychological counseling, legal assistance, health support, vocational training and job insertion, and less focused on employment opportunities.

**In sum**, language acquisition and employment quickly become important to victims of trafficking as they re-adjust to an independent and free life (although a gender difference was noted in Italy). While in the longer-term the right to work is extended to past victims of trafficking as they get longer-term residence rights, in the short-term, particularly during the reflection period, there is no access to employment. Status plays a big role in the right to work: for victims of trafficking a major difference can be found within a given state according to whether the victim is recognized as such and given status on the basis of their role in prosecuting the traffickers, or has to seek asylum. In the latter case, as for all asylum seekers, there is no right to work.

Beyond the right to work, in actually seeking employment former victims of trafficking face some of the same barriers regarding equivalence of qualifications, documentation of past work or professional experience, as many other immigrants.

## ACCESS TO WELFARE AND SOCIAL ASSISTANCE

While some former victims of trafficking, such as the women interviewed in **Italy**, might be keen to maximise their benefits from social services available to them, for others access to such benefits are a matter of short-term survival and a staging ground on which to build a new life, leaving behind their past of dependency, exploitation and position as victims.

Access to welfare and services begins during the reflection period in all case

countries (although in the case of **Hungary**, where the subjects of the assistance are primarily nationals, some of the assistance is in the form of Assisted Voluntary Return programmes and their measures, thus offered by IOM or the returning state). These start with accommodation, medical and psychological support, as well as basic social protection and, particularly relevant in trafficking cases, security. An assigned social worker is, in some countries, and for some former victims, an important element in the support process, transitioning from the period of exploitation to a phase of integration and increasing independence.

However, the way in which rights and benefits can be accessed is nuanced, depending on the philosophical approach on which they are grounded. For some Member States, benefits are identity-specific, relating to the situation as former victims of trafficking. For others, former victims are simply vulnerable people, like other immigrants, but also like others in the broader population who need assistance, and so the benefits are part of mainstream assistance programmes rather than packages tailored to specific needs.

In **Belgium**, during the three stages of status-change leading to potential long-term residence, social rights and benefits including accommodation, assistance, medical and psychological support, language courses, social protection and security measures are provided alongside the right to stay. Policymakers interviewed in Belgium agreed that VoTs need extra support in their integration, on the grounds of their past adversity or negative experiences – in comparison with “regular” migrants/third-country nationals or EU citizens. Such additional support is, in the experience and opinion of Belgian authorities necessary to avoid re-trafficking and re-victimization; to free the individual from the status or identity as a ‘victim’ and allow them to move on, and to assist the person in joining a regular or traditional integration process. This should, they said, be tailored to individual needs, without distinctions based on country of origin, for example (whether they are third-country nationals, EU citizens or indeed Belgian).

With three centres and assigned social workers assisting individual victims, Belgium offers direct psychosocial support which, as noted above, is much appreciated by many of the former victims who were interviewed. The fact that such attention, care and support is there and always available is identified as one of the major positive attributes of the Belgian system by former victims: a psycho-social assistance worker not being available at some point in a 24 hour period was mentioned by some interviewees as one of the worst parts of their integration process.

**Italy** makes national funding available, to the tune of an average of 6 to 6.5 million euros each year, for initial assistance and long-term integration services to former victims of trafficking. These services are operated by NGOs and associations which put forward proposals to the Italian Department for Equal Opportunities which oversees the Inter-ministerial Committee for the Support of Victims of Trafficking, Violence and Serious Exploitation. They vary from outreach activities to protected housing and language courses, from legal assistance to psychosocial/medical support, from vocational training to job placement support.

With a residence permit, previously-trafficked persons can access integration measures which are generally provided by both public social services and private NGOs/associations in Italy including those services mentioned above as well as other measures concerning shelter, psychosocial assistance, legal assistance, language courses, vocational training and job insertion measures. These services are available until the process of assistance and empowerment of the trafficked person achieves the ultimate goal of a job placement and an autonomous life, with the subsequent conversion of the short-term residence permit for humanitarian reasons into a two-year residence permit for work or study reasons, periodically renewable as long as the employment contract persists or the study course is duly attended, demonstrating the availability of the necessary financial resources at the student's disposal.

The **French** residence permits, including temporary permits, include access to social benefits for vulnerable people. As in Belgium, former victims in France report that having psychosocial assistance always there for them was essential in their rehabilitation process. According to interviewees, non-specialised social services seemed to give answers that did not correspond to their needs. One reported headaches, nightmares and insomnia before being assisted by a specialised organization that could help address psychological needs resulting from the experience of exploitation. Specialised social workers not only help in addressing the former victims' past, but also assist in demonstrating how best to behave in society, and how best to express the sense of freedom that the victims have as they move forward. Although not yet totally independent, with a social worker at their side, the former victims can take the lead, with guidance and reassurance.

As well as psycho-social and behavioural assistance, former victims, particularly but not only those who do not (yet) speak the language of the destination country fluently, often need help in their medical and legal encounters: in France this proves to be difficult as there is not enough trained staff, particularly with the

necessary linguistic skills, to accompany people who have been trafficked to all their medical and administrative appointments.

In the **United Kingdom**, beyond the initial protection and assistance support provided during the 45-day reflection period while the VoT is awaiting the 'conclusive grounds' decision on their status from the competent authorities, which is funded by the Ministry of Justice and implemented by the Salvation Army in England and Wales, or Migrant Helpline in Northern Ireland, there is no victim-specific assistance to people who have been trafficked. Once a victim has been granted a 'conclusive grounds' decision, and therefore a residence permit, they may access mainstream support: that is, benefits such as income support, housing benefits and support services provided by local authorities/social services. Mainstream support is available to any individual resident in the United Kingdom without employment and/or in need of financial support providing that they have the legal right to access this support.

In **Hungary**, the shelters provide a range of social services, including medical, legal, dental and psycho-social care as well as job insertion or vocational training and other educational opportunities. Medical services are covered for all people who have been unemployed for three months, so victims may be covered under mainstream benefits. However, if a person has no personal identity documents then they are not entitled to free health care. Psychiatric treatment or assistance is available, although the country research indicates that most victims of trafficking refuse this help, in spite of the trauma they have suffered.

**In sum**, the Member States' approach to linking welfare and status, from a practical policy as well as philosophical perspective, impacts the level of access to, and grounds for, social welfare rights and entitlements. Mainstreaming (for example in the United Kingdom and to some degree in France) addresses general vulnerabilities, but does not focus on the specific needs associated with being a former victim of trafficking. It can deal with many aspects of social needs for many victims, but some might fall through the cracks and require additional support. Highly focused and specialised support (as in Belgium and Italy) can mean tailoring to specific individual needs, allowing former victims to become fully active members of society and their communities at their own pace. The case of Hungary is unique among the five assessed here, as the victims are all citizens.

## THE DIFFERING SITUATIONS OF THIRD-COUNTRY NATIONALS AND EU CITIZENS

The FIIT project focuses on the integration of third-country nationals who have been victims of trafficking. However, research shows that isolating that group is not always possible. Even while focusing on third-country nationals, the situation of EU citizens and of nationals inevitably comes to the fore, and thus it is useful to reflect briefly on how nationality impacts on integration for people who have been victims of trafficking.

In principle, nationals who have been trafficked, and return, or who have been domestically trafficked, are treated as vulnerable individuals. Their status is not in question: they are citizens, and they fall within the parameters of social programmes for vulnerable individuals, which may or may not include some particular focus from specialised services and/or organizations for victims of trafficking.

EU citizens, however, often fall into something of a grey zone. Their right to remain in the country in immigration terms is not in doubt, and in principle they can work (with variations for new Member States for which transitional rules may apply). However, they do not always have access to services: if their legal status does not depend on assisting in the prosecution of the perpetrators, they might not be working with authorities, and thus might be excluded from services or assistance made available to third-country nationals with a status dependant on cooperation with authorities in prosecuting the crimes committed against them. Even if they are assisting law enforcement authorities, their status as EU citizens might still exclude them from status-specific assistance. Where asylum or other humanitarian protections resulting from an asylum application are used to protect victims of trafficking, EU citizens would also be unable to access specific protection given that their citizenship, and EU law, prevents them from applying for asylum within the EU.

ICMPD (2010: 78) has noted that acts of 'internal trafficking' are often not considered relevant by EU Member States, making it unclear whether EU citizens and nationals who are victims of trafficking are then denied or deprived of necessary assistance. If this is the case, then their integration is surely challenged. Status



alone does not equal integration, as seen above. The foundation may be there, but the facilitators, connectors and markers must follow to complete integration (Ager and Strang 2008), and assistance is needed to make that happen.

One line of thinking on EU citizens could thus be that with status in place, they will find their own path to integration – or to return. During FIIT research in the United Kingdom it was noted that there are no specific assistance schemes for EU citizens who are victims of trafficking: they fall under mainstream programmes if they qualify. GRETA (2012: 70), the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings noted that the United Kingdom offers no government support for repatriation to EU/EEA nationals, and that they must approach their embassies or IOM to request assistance to return home. In Italy, the topic of assisted voluntary return and reintegration in the country of origin came up during the FIIT research, and it became clear that it is also only available to third-country nationals. Although consular services of EU countries should provide support for the return in the country of origin, of their co-nationals, the situation in Italy is such that, due to the high number of potential candidates particularly from Romania and Bulgaria, EU VoTs of some nationalities cannot *de facto* benefit from services aimed at supporting their return and reintegration in their countries of origin, representing differential treatment to the possible detriment of EU VoTs.

However, also in Italy, the FIIT study saw that collaborating with law enforcement and judicial authorities gives access to assistance services: these are not based on nationality. So in Italy, EU victims of trafficking can get assistance. In France the transition situation for ‘new’ member states Bulgaria and Romania means that nationals of those countries should, in theory, not be in a worse situation than they would be if their countries of origin were not EU members, so citizens of those countries can get a residence permit based on their role, as victims, in prosecuting criminals suspected of involvement in trafficking.

The data in Italy at least suggest that trafficking of EU citizens is a relatively significant part of total trafficking. In 2011 560 residence permits were issued to victims of trafficking. In the same year 127 EU citizens had access to first assistance services and 218 EU citizens were assisted through long-term integration services. Victims are mainly nationals from the following countries: Romania, Bulgaria, the Czech Republic, Slovakia, Greece, Lithuania, Hungary and Poland, with a single case of an Italian VoT. Initial assistance measures are accessible to any person in a situation of distress and vulnerability, regardless their immigration status, however the long-term integration services are more

easily accessible to EU citizens who have been victims of trafficking. EU victims can access services under the free circulation regime for EU nationals. However, third-country nationals only have access to these services once they have formally been recognized as VoTs and issued with the special residence permit.

The FIIT research in Hungary primarily concerns nationals, while interviewees in the United Kingdom included a majority of EU citizens. In the Hungarian case, the importance of family and the community of origin in assisting in (re)integration is to be noted. It is rare that a victim, even one who is clearly identified and provided some support, would remain in a comprehensive support system in Hungary long enough to reintegrate into society and to avoid re-victimization. With no standardized counselling and obvious assistance (for example through financial payments), individuals find it hard to persevere and get their lives back on track, as integrated citizens. In this sense, these vulnerable returning victims of trafficking fall through the social safety net, and return to victimization.

## ANALYSIS AND REFLECTIONS IN A BROADER CONTEXT

The FIIT study has endeavoured to include the voices of previous victims of trafficking in exploring the types of integration programmes and services made available to third-country nationals who have been identified as victims of trafficking into EU Member States. These voices, together with those of service providers and policymakers, have presented a comparative picture of the integration of victims of trafficking through their status, initial assistance, shelter, employment and longer term social welfare, benefits and assistance.

The interview results have been set against a background context of existing literature on trafficking, integration and the combination of these two. It is useful, in reflecting on the findings of the FIIT study, to also bring in some additional evidence from other reports.

Status, having the official papers permitting residence and employment is key to the security of the individual, allowing them to embark on a process of

integration. The FIIT study has found that the five states deal quite differently with status issues: all follow the guidance on reflection periods and most link initial short- to medium-term residence to participation in the prevention and prosecution of trafficking. As such the focus is on the fight, combating trafficking, more so than on the victims, their protection and rights. The balance in this area seems from this evidence not to have been struck, but to remain on the side of focusing on the crimes involved.

In this, the FIIT study seems to concur with Brunovskis (2012) in the analysis that shorter reflection periods suit law enforcement authorities, supporting the prosecution angle, but perhaps undermining the rights of the victim, in particular the idea that they would come to rest and make decisions about their own future. As Brunovskis notes (2012: 65), some victims might not even be in a position to assist in prosecution or to serve as witnesses, if they have, for example, limited knowledge to share about the operations and organizations of their exploiters, having been held in relative isolation. One could also suggest that a shorter period of reflection seems more likely in many scenarios to bring the victim to a decision to accept an assisted return option. The longer the victim is protected during a period of reflection, the more comfortable and secure they might feel.

Haynes (2005:252) has noted that the ‘best’ of the ‘protect the victim’ models start from a human rights perspective. This perspective seems not to be paramount from the research for this study, however, as Haynes notes, the stronger the protection, the more likely the victim is to seek help (self-identify) meaning that actually stronger protection (and more opportunities for successful integration) could help bring more victims forward, who might in turn be willing to assist in prosecutions and prevention efforts. Thus a greater emphasis on protection could serve the prosecution and prevention goals.

The IOM (2010) residence options report notes that reintegration as rehabilitation, whether in the country of origin or elsewhere, leads to a “safe, dignified and sustainable reinsertion into society and a normalized life” (p.21). The research findings of the residence options report also “reveal that victims are rarely seen as the holders of rights. They are instead seen as ‘instruments in investigations or prosecution. This approach is contrary to international and regional standards. It also has the potential to impede the physical, psychological and social recovery of the victim. Italy is the only country to focus on the recovery of and assistance for the victim in the first instance by requiring participation in a rehabilitation and social integration programme.” (IOM 2010: 49-50)

However, the FIIT study revealed that Italian service providers and policy makers do not consider integration as an achievable goal for former victims of trafficking, so they do not aim to achieve it, but strive for the social inclusion of people who were trafficked.

This idea that social inclusion (more superficial than integration) is achievable, perhaps returns the discussion and thinking to the question of what ‘integration’ actually is. In the United Kingdom, during the process of the FIIT study research it became apparent that different people integrate at different speeds. Some felt that by the time they left the support provided by the National Referral Mechanism they had integrated as they were living independently in affordable accommodation and supporting themselves by either paid employment or by accessing public funds. They understood their responsibilities as a part of a community and knew where to access further advice should they need it. However, the length of time the former victims needed to reach this stage varied depending on how long the competent authority took to make a ‘conclusive grounds’ decision and in some cases to issue a ‘definite leave to remain’ or 12-month residence permit. In some cases the former victims would have benefited from additional support in order for them to feel integrated. The feeling of not being integrated was due to either a lack of confidence (likely to be connected to their experiences) or a lack of local language skills. “More assistance to help learn English would have helped me to integrate better” (quote from a former victim of human trafficking).

Language skills and the ability to actually find paid employment (preferably interesting employment) emerged as core elements in the former victims’ own assessments of essential criteria for integration, much as they might for any immigrants. Surtees (2012: 25) notes that economic empowerment means “the economic strengthening of individuals and communities. In the context of (re)integration, economic empowerment is about trafficked persons equipping themselves with the skills, resources and confidence to economically support themselves and their families and, in the longer-term, contributing to the economic well-being of their communities.”

The workplace is a key location of community, contributing to mental wellbeing and health. Having work impacts one’s identity, self-esteem, and is a factor in social recognition (Surtees, 2012:25). The evidence found in the FIIT study supports Surtees’ conclusion that “for many trafficked persons, economic opportunities – whether a job or some form of income generation such as a micro business – are their primary focus, from immediately after exiting a trafficking

situation on through the longer-term (re)integration process.”

Before reaching the point at which integration is a reality, in part through employment and economic empowerment, social contact is more contained or limited. In several of the FIIT study countries, former victims who were interviewed were very positive about their experiences with dedicated counselling, psychosocial assistance and individual social workers, demonstrating how important those initial contacts are. One point that many interviewees across the country cases viewed negatively was the rules imposed in shelters. However, one could take these two points together and consider whether this ‘regime’, when developed carefully and sensitively, could contribute to a form of slow release which best fits former victims for taking up a place in society once more.



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# CONCLUSIONS AND RECOMMENDATIONS

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The main question posed by the FIIT study and this report was: what efforts are being undertaken to enhance the long-term integration of third-country nationals who are victims of trafficking in EU Member States, and how could these approaches be improved? The aim was to identify, share and transfer effective practices, while strengthening and enhancing professional networks of national and European practitioners working with VoTs.

Two key terms emerge as conclusions to this study: transition and empowerment. How these figure in the elements of status, safety, shelter, employment and entitlements will be set out below in considering specific examples of effective practices that can be drawn from this study in each of these areas.

First, however, it is useful also to draw out the central role of status in terms of access to rights and entitlements, in addition to its importance as a foundation to integration, and how the different statuses (EU citizen and third-country national who is granted long-term residence either as a victim of trafficking or as a person in need of humanitarian protection) result in sometimes non-intuitive distinctions in access to those elements that together produce an integrated society.

## DISTINCTIONS

Two separate sets of distinction can be made here:

Firstly, there is a difference between EU citizens who are victims of trafficking within the EU (between EU Member States) and third-country nationals trafficked to an EU Member State. While in theory victims of trafficking who are also EU citizens have more direct and relatively easy access to rights and entitlements, their vulnerability as a victim is not represented in their status, and thus their needs as a past victim of trafficking might not be met. As EU citizens were not an intended subject of this study, that path of investigation was not fully engaged, but the point is worth flagging for completeness.

Secondly, there is a difference between third-country nationals who are granted status (and thus rights and entitlements) as victims of trafficking directly, and those who are granted a humanitarian protection status. In particular, there is a difference in access to rights and entitlements during the period in which the situation is effectively that of an asylum-seeker. While there are overlaps in terms of protection needs between victims of trafficking who cannot return to their country of origin due to uncertainty as to their safety and the inability of the authorities to protect the victims from those individuals or gangs who engage in trafficking and other asylum-seekers who have a claim to refugee status or humanitarian protection due to other situations of conflict or violence, there are also clear distinctions. Policies and rules regarding asylum-seekers have been developed in response to the general perception of the asylum system as a channel that involves many people who will be rejected: it is therefore generally subject to restrictions to rights and entitlements. For victims of trafficking who seek asylum as the means to achieve status and longer-term protection in the destination country rather than a visa as a victim of trafficking (often due to the Member State's rules, including those of prosecution, not necessarily due to the individual situation) their rights and entitlements in the period between their reflection period (i.e. initial identification as a victim of trafficking) and their achievement of a longer-term status will be minimized. Yet, that period (starting some 30 to 45 days after their identification as a victim, and lasting for months if not years) is precisely the time of their transition from exploitation to freedom, from victim to active member of society. In other words, it is a time in which support is needed, but also a time in which a return to independence can be vital for longer-term well-being and integration as active and full members of society.



The transition to making positive social connections, achieving stability in housing, health and education or employment is key to enhancing long-term integration, as seen in the work of Ager and Strang (2008). Achievement of these markers rests on the foundation of rights and citizenship, and is facilitated by both safety and stability as well as by the acquisition of language and cultural knowledge. Limiting the period of time in which victims are insecure in their status and in their awareness of their future options, or at least limiting the time in which they fear that they could be returned to their country of origin or could not have a balanced life in the destination country, would seem vital for their longer-term integration.

The two-way process of integration for victims of trafficking starting from the moment of their arrival seems to be unequal and prejudiced. If in fact the two-way process of integration starts from the moment of identification (as suggested by interviews in the United Kingdom and noted above) then that starting point includes needing to leave behind initial (negative) experiences in the destination country. What is more, the process starts out with the (negative) air of criminality that surrounds the victims. As Zimmerman (2011) notes, the integration path thus starts out with a sense of shame and stigma, with restricted access to services and with fear of retribution by the traffickers.

## WHAT DO THE FIVE CASES PRESENTED HERE OFFER AS BENEFICIAL PRACTICES TO OVERCOME THESE OBSTACLES TO INTEGRATION AND TO ENHANCE THIS TWO-WAY PROCESS?

### STATUS

All of the five states offer a reflection period, although in Hungary's case this has yet to be applied, and in Italy it is a *de facto* approach, not formalized in law. In line with Brunovskis (2012) longer reflection periods seem to bring victims

more comfort and security, enabling them to make a more well thought through decision on their willingness to participate in prosecution, and to remain rather than to agree to be assisted to return to a situation of potential danger on which they have not had sufficient time to reflect in peace.

Both laws targeting victims of trafficking and refugee law are used to grant status. In the UK, refugee law appears to offer greater stability than laws on the status of victims of trafficking, even following successful prosecution of the perpetrators. France and Italy also use their asylum systems to grant protection and status to some victims of trafficking. The situation in Belgium regarding status seems, from the FIIT interviews, to offer the greatest sense of stability to victims, perhaps coupled with the assistance they are granted. At least VoTs interviewed in Belgium appeared less concerned by their status than their counterparts in France, for example, where having the right papers gives access to significantly different services.

### **Recommendation**

Further study and investigation on the relative impact of status as a victim of trafficking compared to a broader international or humanitarian protection status would be useful in determining the impact of status as a factor on integration of VoTs.

Long-term residence rights are surely a foundation without which integration cannot take place, yet the right to remain alone does not set the path towards integration.

## SAFETY AND SECURITY

Dedicated case managers and support staff were very much appreciated by VoTs interviewed in Belgium, France and the United Kingdom. Indeed, such direct and personal assistance was viewed by many interviewees as vital in the integration and rehabilitation process.

Knowing someone is there for them was valued by the VoTs – occasionally not being able to reach them at exactly the time they felt the need for support and to be able to talk about some aspect of their situation was noted as having a negative impact on their progress towards integration. It can thus be concluded

that dedicated support, available at all times, is essential, particularly in the earliest weeks and months. It is likely that the need for support adapts for individuals over time, at a personalised rate.

Part of the appreciated support is information – preferably in the victims' own languages.

Failure to identify victims of trafficking, treating them as irregular immigrants including assigning them to detention facilities in some cases, compounds the suffering and could slow the process of integration. Thus, identifying victims as early as possible, and treating them accordingly, while difficult, is part of ensuring their longer-term safety and security and thus establishing the means through which their integration can proceed.

### **Recommendation**

Empowering past victims of trafficking with well-considered support in line with individual needs, from the moment of identification until the time of full integration, seems from this study to provide a solid basis for integration. As such, for victims of trafficking in human beings, support can be as fundamental as status in setting the path to becoming a fully participating, active members of society.

## SHELTER

Dedicated shelters seem to have been highly appreciated by those VoTs interviewed for the FIIT project. However, as the shelters are the location of a transition from exploitation to freedom, there was some reluctance concerning rules, overcrowding, lack of privacy, noise and restrictions on coming and going. Some of the rules might be there for the VoTs' own safety, particularly on coming and going, so some assessment could be made of information provision and clarity. The linkage of shelters with psycho-social support seems to have been important to some victims.

### **Recommendation**

Careful consideration of the role of constraints in perpetuating the sense of dependency, and of the absence of freedom is needed. Shelter can be seen as an essential element of the transition from victim to independent member of society, but during that transition the individuals need to be both fully informed of rules that are intended to guarantee their safety, and co-opted to create living conditions acceptable for all inhabitants, as part of their progress towards becoming free individuals living in society.

## EMPLOYMENT

The right to work and to be active in society in this way, was important to many interviewees for this project. Once more, this was part of the transition to becoming fully independent and active members of society.

Status is, in principle, key to accessing employment: those who must seek asylum may be without the right to work for a longer period of time than those who achieve status as victims of trafficking in the countries studied here. In actually finding employment there are barriers in terms of the equivalency of qualifications and acceptance of information on past work experiences, particularly as documentation of these is often not available (as is the case for many refugees, protected persons and immigrants). The interviewees did not refer to any stigma as a barrier to employment, perhaps because even if they gained status as a victim of trafficking this is not noted on documents.

### **Recommendation**

Consideration should be made of the fact that entering the asylum system impacts the right to seek employment for victims of trafficking, whose grounds for protection or longer-term residence are clearly based on their identification as a victim of trafficking. Their ineligibility to enter employment could adversely impact their integration process.

## SOCIAL ASSISTANCE

One of the key distinctions in social assistance programmes is whether they are mainstreamed (as in France and the United Kingdom) or specialised (as in Belgium and Italy). In the case of Hungary, VoTs are generally citizens. Mainstreaming addresses general vulnerabilities, and in some cases VoTs might be vulnerable or have needs on grounds other than their experiences as victims of trafficking specifically. However, mainstreamed support cannot address any needs that being a VoT specifically brings. Where support can be tailored to specific needs, the individual can set the pace of the transition from victim to being a full and active member of society.

### Recommendation

The transition from dedicated, specific forms of assistance to mainstreaming should be assessed and handled so that particular needs emerging from the trafficking experience are addressed to the advantage of both the individual and society.

## TRANSITION AND EMPOWERMENT

Integration is a two-way process – and a process implies transition. There are several phases for victims of trafficking in their path to integration, some of which overlap:

- ◆ reflection;
- ◆ potentially participating in prosecution;
- ◆ achieving a long-term residence status whether as a victim or as a beneficiary of humanitarian protection (which is not necessary for EU citizens);
- ◆ living in a dedicated shelter;
- ◆ needing specific forms of psycho-social assistance;
- ◆ needing specific forms of welfare or social assistance;
- ◆ moving to private accommodation;
- ◆ needing similar forms of assistance to other migrants or vulnerable members of society;
- ◆ finding employment and developing a career.

During the process of transition and thus of integration, individuals seek to be empowered. Part of the role of society in the integration process is to offer that empowerment along with emancipation from a role as victim in order to reach independence.

The challenge ahead is to build on the FIIT project: to gather more data, particularly linking estimations of success in integration with the form of trafficking suffered, to foster cooperation between EU Member States on this specific subject to and to develop policies to the benefit of these individuals and that of the EU Member States.







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# ANNEX 1: QUESTIONNAIRES

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IOM International Organization for Migration  
OIM Organisation Internationale pour les Migrations  
OIM Organización Internacional para las Migraciones

Foster and Improve Integration of Trafficked persons (FIIT project)

**Evaluation of the effectiveness of measures  
for integration of Victims of Trafficking (VoTs)**

Semi-structured interview for Policy-Makers

## PERSONAL

1. Can you please share with us a definition of “integration”?
2. Which definition of integration would you apply for victims of trafficking (if different)?
3. How wide is the phenomenon of trafficking in your country?
4. Could you provide us with a profile of a victim of trafficking?
5. What do you think is needed most by victims of trafficking for their integration into the host society/societies of origin?

## RIGHTS

6. What specific rights are entitled to victims of trafficking in the national context?
7. Are you aware of rights that are granted to foreign victims of trafficking (TCN) from the European legislation and in this sense, do you believe that the national legal framework is in line or is far from the Community framework?
8. Among these rights, is there the possibility to receive a residence permit?
9. What are the conditions to achieve this permit? Do you believe that this mechanism is working well?



## SERVICES AND FUNDING SOURCES FOR TCN VICTIMS

10. Which measures are planned to support social integration and social work of foreign victims of trafficking?
11. Do you believe that these measures are functional?
12. Which funds are available to support the integration of foreign victims of trafficking?
13. Do you think that are sufficient?
14. Compared to institutions that are currently playing a role in the integration of foreign victims of trafficking, do you believe that they are sufficient or should be involved more other agencies?
15. If yes, which?
16. Do you think that EU funds for the integration of foreigners, takes sufficiently into account the target group in question?

## SERVICES AND FUNDING SOURCES FOR EU VICTIMS

17. Which measures are planned to support the integration of EU victims?
18. Do you believe these measures are functional for their integration?
19. Which funds are available for EU victims of trafficking ?
20. Do you think that are sufficient?
21. Compared to institutions that are currently playing a role in the integration of EU victims of trafficking, do you believe that they are sufficient or should be involved more other agencies?
22. If yes, which?
23. Do you think that EU funds for the integration of foreigners take sufficiently into account the target group in question?
  
24. Do you think that the institutional actors and civil society exploit adequately the opportunities of the EU funding for the integration of the target group in question (EU and TCN victims)?
25. Is there a standardized program to integrate victims of trafficking?

26. Are there programs for the integration of victims of trafficking in their country of origin?

27. If yes, who can access such a measure and what are the conditions to access it?

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SOCIO-DEMO

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Name and Surname

Gender

Age

Education

Role in the Institution



IOM International Organization for Migration  
 OIM Organisation Internationale pour les Migrations  
 OIM Organización Internacional para las Migraciones

Foster and Improve Integration of Trafficked persons (FIIT project)

**Evaluation of the effectiveness of measures  
 for integration of Victims of Trafficking (VoTs)**

Semi-structured interview for Service providers

1. Can you please provide us with your definition of “integration”?
2. Which definition of integration would you apply for victims of trafficking (if different)?
3. How wide is the phenomenon of trafficking in your country?
4. Could you provide us with a profile of a victim of trafficking?
5. What do you think is needed more by victims of trafficking for their integration into the host society/societies of origin?
6. Do you think your country favors the integration of victims of trafficking?
7. A Do you think that the services available to victims of trafficking are useful for this purpose?
8. Do you believe that the funds made available by your government are sufficient?
9. Is there a standardized program to integrate victims of trafficking?
10. If not, what minimum standards you would propose?
11. Please describe us the range of services available to victims of trafficking (housing, vocational training, job placement, legal counseling and health assistance)? *(each interviewer can prepare an additional list of available services in the country)*
12. Could you please rank them in order of importance?

13. Is the program of re/integration constantly or cyclically monitored?  
If yes, by whom and how?

14. Is There the possibility of return assistance for those who want to return?

15. If yes, are any pre-departure activities provided (such as pre-departure counseling)?

16. If yes, is an arrival support provided (support for the social rehabilitation and employment)?

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SOCIO-DEMO

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Name and Surname

Gender

Age

Institution

Institution's role

Education

Profession

Years of work in the organization



IOM International Organization for Migration  
 OIM Organisation Internationale pour les Migrations  
 OIM Organización Internacional para las Migraciones

Foster and Improve Integration of Trafficked persons (FIIT project)

**Evaluation of the effectiveness of measures  
 for integration of Victims of Trafficking (VoTs)**

Semi-structured interview for VoTs

We are implementing a research for the evaluation of the effectiveness of the measures for the integration of Victims of Trafficking. For integration we mean a two-way process that involves mutual adaptation of migrants and the host society, as well as equality of rights and obligations.

A.

1. From this point of view what would you say about your own integration experience in this host country?
2. And if we ask you to further describe the relational aspects which other comments will you have to do?
3. And what about the aspects related to the job inclusion?

**Overall, how would you rank your level of satisfaction with the process of integration in the country that hosts you?**

At all										Very satisfied
1	2	3	4	5	6	7	8	9	10	

**B.**

Let's now discuss about the services you have received:

1. Which services have you received?
2. I will propose you a short list of services that can be achieved in the country that hosts you (housing, vocational training, job placement, legal counseling and health assistance)? *(each interviewer can prepare an additional list of available services in the country)*

Have you received any of these services?

Shall we try to evaluate them?

3. for each of them can you tell us the element of strength (both relatively to the services that you mentioned spontaneously and to those I have mentioned)...
4. and the main criticisms?

**Overall, how satisfied are you with the services received**

At all									Very satisfied	
1	2	3	4	5	6	7	8	9	10	

Let's think about possible improvements of the services received:

5. Can you think of other services that you hadn't mentioned and that could facilitate the integration process of a person who has experienced trafficking?
6. And may you tell us whether those services could be delivered differently?

## C.

Let's now explore the aspect of the treatment received as a person.

1. How did you feel during all the process?
2. Could you tell us something about the positive aspects?
3. And the critical aspects?

**So, overall, how satisfied you are with the treatment received as a person**

	At all									Very satisfied
1	2	3	4	5	6	7	8	9	10	

## D.

1. Have you been continuously supported/followed during the re-integration process?
2. If yes, did you feel respected in your pace?
3. And have you felt closeness/warmth in the way you have been assisted?
4. If not, do you consider it a failure that in has/could have affected negatively your integration process?

**In light of this, what satisfaction level did you reach with the follow-up?**

	At all									Very satisfied
1	2	3	4	5	6	7	8	9	10	

## E.

Let's turn now on your experience related to the work or other aspects inclusion

1. Do you think that your qualifications have been rightly considered in evaluating any possible job placement?
2. And you believe your previous skills have been taken into account/promoted?
3. If yes, how?
4. If not, why?

**What is your level of satisfaction about the treatment received with respect to professional aspects?**

At all									Very satisfied
1	2	3	4	5	6	7	8	9	10

## F.

For those who lives in a different country than their own country of origin:

1. Have you ever considered the possibility to return to your country?
2. If yes, has it been proposed to you as a concrete possibility?
3. Can you tell us how it has been proposed?

For those who are in their country of origin:

4. Which organizations have assisted you to return?
5. Have you received pre-departure assistance (counseling, skills assessment, vocational training)?
6. Have you benefited from assistance upon arrival (support to social and occupational reintegration)?



**If you were asked to express your satisfaction about the proposed assisted return receipt/return process, how would you evaluate it?**

At all

Very  
satisfied

1	2	3	4	5	6	7	8	9	10
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SOCIO-DEMO

Generalities

Gender

Age

Kind of exploitation

Period of exploitation

Education

Profession



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## ANNEX 2: SYNTHETIC MATRIX

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## LEGISLATIVE FRAMEWORK FOR TCN/VoTs

ACCESS FOR VoTs' TO LEGAL STATUS THROUGH:								
	EU directive 2004/81/EC, 29/Apr/2004		Specific Legislation for VoTs'		Specific Legislation for Refugee Status		Other international protection status	
	YES	NO	YES	NO	YES	NO	YES	NO
BELGIUM	X		X		X		X	
FRANCE	X		X		X			X
HUNGARY	X							
ITALY		X	X		X		X	
UNITED KINGDOM	X		X		X			X

FEATURES OF THE RESIDENCE PERMIT:						
Duration of residence permit	Possibility of renewal			Possibility to convert into a long-term residence permit		
DURATION (MONTHS)	YES	NO	If YES, how many times and for how long?	YES	NO	If YES under which conditions?
* 45 days (reflection period) * 3 months (reg. certificate) * 6 months (provisional victim status)	X		Registration certificate: renewable once, for 3 months – Provisional victim status: renewable as long as the legal action is pending	X		When the complaint has resulted in a legal THB conviction of the perpetrators; When the magistrate has withheld the charge of trafficking or smuggling in persons under aggravating circumstance.
12	X		It depends on the situation of the VoT and the assessment made by the authorities.	X		Under the specific legislation for VoT, a permanent resident permit may be delivered to the victims if the defendant is successfully and definitely convicted in court. Under the specific legislation for refugee, a long-term resident permit may be delivered after 5 years.
6 months, after 30 day reflection period	X		Unlimited, 6 months each time as necessary for the judicial process	X		By submitting a request to change the status, if circumstances allow.
6 months	X		Unlimited, 6 months each time as necessary for integration purposes	X		When the person has found a working/apprenticeship or has been enrolled in university.
12	X		Up to 5 years	X		Competent Authority discretion

	NUMBER OF RESIDENCE PERMITS ISSUED UNDER EU DIRECTIVE 2004/81/EC		N. OF RESIDENCE PERMITS ISSUED UNDER SPECIFIC LEGISLATION FOR VoTs <sup>1</sup>	N. OF RESIDENCE PERMITS ISSUED UNDER SPECIFIC LEGISLATION FOR REFUGEES STATUS	N. OF RESIDENCE PERMITS ISSUED UNDER OTHER CATEGORIES
	YEAR	N.	N.	N.	N.
BELGIUM	2004				
	2005				
	2006		744	59	238
	2007		612	60	158
	2008		700	102	226
	2009		712	170	136
	2010		634	117	135
	2011		584	69	132
TOTAL		3986	577	1025	

Figures include number of permits delivered and renewed

FRANCE	2008		52		87
	2009		198		243
	2010		310		277
	2011		189		N/A
	TOTAL		749		607

ITALY	2004		3805		
	2005				
	2006				
	2007				
	2008				
	2009				
	2010				
	2011		2106	4	
TOTAL		5911	4		

UNITED KINGDOM	2004				
	2005				
	2006				
	2007				
	2008				
	2009				
	2010	48		162	
	2011				
TOTAL	48		162		

NUMBER OF VICTIMS IDENTIFIED		
YEAR	N.	
HUNGARY	2009	3
	2010	16
	2011	20
	2012	142
	TOTAL	181

All victims are Hungarian nationals. Figures indicates victims who have been identified and recognized as such, thus benefiting from an assistance



INTEGRATION SERVICES FOR THIRD-COUNTRY NATIONALS /VoTs						
Who are the assistance providers in the host country?						
Public			Private (NGO, IOs, Religious networks, Volunteer- based associations etc.)			
YES	NO	IF YES, WHO?	YES	NO	IF YES, WHO?	
BELGIUM		X		X	3 local associations/ NGO, namely Sūrya, Pag-asa and Payoke, funded by Fed auths and reg. govts. Reception and follow-up of VoTs are their official mandate.	
FRANCE	X		Services can be provided by local authorities. Sometimes shelters of municipalities can provide assistance.	X	Generally NGO's financed by public authorities.	
HUNGARY	X		Hotline for victims of domestic violence and human trafficking	X	Hungarian Baptist Aid; the NGO subcontracted by the government to run the shelters; multiple NGOs on an ad hoc basis	
ITALY	X		It varies according to local situation. They can manage directly services such as shelter and vocational training	X	An approx 200 NGOs registered in the special registry at the Dep. Equal Opportunities	
UNITED KINGDOM		X		X	NGO's funded by government	



INTEGRATION SERVICES FOR THIRD-COUNTRY NATIONALS /VoTs														ASSISTED VOLUNTARY RETURN & REINTEGRATION FOR TCN/VoTs	
Types of integration services available in the host country														YES	NO
Shelter housing		Language courses		Vocational training		Job insertion		Legal		Psycho social		Other			
YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO				
X		X		X		X		X		X				YES via IOM	
X		X		X		X		X		X		X		X	
X			X	X		X		X		X		health service, non-shelter housing		X (no, except "standard" AVR, which may include medical or other types of escort due to vulnerability)	
X		X		X		X		X		X		health service, non-shelter housing, hotline for VoTs subcontracted to local NGOs by Dep. Equal Opportunities		X via IOM	
X		X			X	X		X		X				X	

INTEGRATION SERVICES FOR EU/VoTs						
Who are the assistance providers in the host country?						
Public				Private (NGO, IOs, Religious networks, Volunteer-based associations etc.)		
YES	NO	IF YES, WHO?		YES	NO	IF YES, WHO?
BELGIUM		X			X	3 local associations/NGO, namely Sürya, Pag-asa and Payoke. They are funded by Federal authorities and regional governments. Reception and follow-up of the VoTs are their official mandate.
FRANCE	X		Services can be provided by local authorities. Sometimes specific shelters of municipalities can provide assistance.	X		Generally NGO's financed by public authorities.
HUNGARY	X		Hotline for victims of domestic violence and human trafficking			Hungarian Baptist Aid, NGO subcontracted by the government to run the shelter, multiple NGOs on an ad hoc basis
ITALY	X		It varies according to local situation. Generally local authorities must co-fund services managed by NGOs up to a maximum of 30%. In some cases they manage directly services such as health and first aid assistance	X		An approx 200 NGOs registered in the special registry at the Dep. Equal Opportunities
UNITED KINGDOM		X		X		NGO funded by Government

INTEGRATION SERVICES FOR EU/VoTs												ASSISTED VOLUNTARY RETURN & REINTEGRATION FOR EU/VoTs		
Types of integration services available in the host country												YES	NO	
Shelter housing		Language courses		Vocational training		Job insertion		Legal		Psycho social				Other
YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO			
X		X		X		X		X		X			YES via IOM	
X		X		X		X		X		X			X	
X			X	X		X		X		X		health service, non-shelter housing		X
X			X	X		X		X		X		health services		X
X		X			X	X		X		X			X	





Project co-funded by the European Union

