

Trafficked women return to their home countries



Dear readers Many trafficked women return to their home countries after being exploited in Switzerland. “Out of sight – out of mind”? No, we often stay in contact with women after their return, we get to know how their situation is, and inform them about the state of current criminal proceedings against the perpetrators if action has been taken.

During the last few years, the Swiss government has generously invested in the return of victims of trafficking: a lot of money, a lot of working power, and a lot of commitment. Concepts were developed, projects were elaborated, and people were trained to provide trafficked women with a well-supported return to their home countries. We would wish that an equal amount of energy and money would be invested into victim protection in Switzerland, too. In spite of some progress in the interdisciplinary cooperation of those institutions involved, specialized training programmes, and awareness-raising campaigns, Switzerland still lacks a comprehensive victim protection programme as well as guarantees relating to the right of residence for trafficked women. In recent years Switzerland has been pursuing restrictive immigration policies, which focus on fighting “illegal immigration”. It is probably for this reason that the return of trafficked women has been given such importance.

But what does a return mean for the individual woman? What is the women’s situation like in Switzerland before their return? How do they cope with the crime committed against them and the traumatic memories? What is needed to enable a return to dignity that does not lead to further misery? What kind of support is already available and what kind is necessary?

We hope to provide a few answers with the articles in this newsletter.
Rebecca Angelini-Zingg and Doro Winkler

Before returning

For all trafficked women who seek support at FIZ Makasi¹, return is a crucial issue from the very beginning, since almost all women have close links with their country of origin and their family and friends. Moreover, return is an issue that has to be discussed in their consultations because in Switzerland the long-term protection of trafficked women is not guaranteed.

FIZ Makasi

As a specialized centre, FIZ has been supporting female migrants for 25 years, including trafficked women as one of its target groups. The number of trafficked women making use of FIZ counselling services has continuously increased during the last years. In 2004, in response to this increasing demand, FIZ founded Makasi, a specialized intervention and counselling centre for trafficked women. Makasi supports and accompanies about 140 to 180 girls and women from more than 30 countries annually (in 2009, 184 cases were dealt with). The youngest persons are 15 years old, the oldest ones over 40 years old. About 80 to 90 percent of the women and girls are trafficked for sexual exploitation. 10 to

It still happens that in police controls trafficked women are criminalized for staying in Switzerland illegally and are deported.

20 per cent are exploited in private households or in the gastronomic, agricultural, and other employment sectors.

Makasi provides comprehensive support: it informs people about victims' rights, provides crisis intervention measures and psychosocial accompaniment, organizes safe shelter and financial aid, clarifies issues related to rights of residence, and cooperates with female lawyers, physicians and therapists. The women are accompanied in police interviews and court trials and are supported in voluntary returns to their home countries.

The example of Silvia from Brazil shows what it may mean to be affected by trafficking in Switzerland. Silvia is a single parent and works as a nurse for several employers in her home country, Brazil, when a neighbour offers her a job as a nanny in Switzerland. Silvia accepts and leaves her young son with her parents. At a Brazilian airport a man is already waiting for her. After their arrival in Switzerland, he takes her identity documents away from her and, instead of bringing her to a family, brings her to a red-light bar. The person running the bar allocates a room to her and declares

that she has to attract men and render them sexual services to pay for her travel costs and the room. When she refuses, she is intimidated and threatened with reprisals against her family in Brazil. She surrenders, does the work involuntarily and with great loathing. After three weeks, Silvia is arrested in a police control, she testifies against the persons responsible in the bar. Via her lawyer, she finds her way to FIZ Makasi. For the duration of the criminal proceedings she is allowed to stay in Switzerland. Makasi supports her with psychosocial counselling and intensive accompaniment, safe shelter, access to medical care, and by offering her time to think about her future.

Silvia meets a Swiss man and begins to fall in love him. They marry and today she is living with him and her young son in Switzerland. The criminal proceedings against the perpetrators were closed with a guilty verdict.





Legal aspects of trafficking of women in Switzerland

Silvia is a victim of trafficking in women. The perpetrators' actions are a criminal offence according to art. 182 of the criminal code (human trafficking), which decrees that a person who "as a supplier, intermediary or customer engages in the trafficking of a human being for the purpose of sexual exploitation, exploitation of his or her labour or for the purpose of removing an organ (...)" can be prosecuted. So far there have been only a few guilty verdicts for human trafficking in Switzerland, and the respective sentences were short. In 2008, there were 8 guilty verdicts – a small number in view of the 167 cases accompanied by FIZ Makasi that year.

As a victim of trafficking in women, Silvia – like other victims of a criminal offence against physical, mental, or

sexual integrity – is entitled to aid according to the Victim Support Act. Under this act, an emergency shelter and therapeutic and legal support can be financed. Notwithstanding these victims' rights, persons affected do not get long-term protection in Switzerland. Their right of residence is conditioned on their cooperation with authorities. Within a reflection period of 30 days, they have to decide whether they are prepared to testify against the perpetrators. If so, they are allowed to stay, but only as long as they are needed for the proceedings. Afterwards, they have to return to their country of origin. Only in exceptional cases do victims of trafficking in women get a long-term residence permit in Switzerland for humanitarian reasons.

Interdisciplinary cooperation in the fight against trafficking in women

For trafficked women, the first step toward getting support and protection in Switzerland is to be acknowledged as victims. Cooperation of national governmental and non-governmental institutions² in the fight against human trafficking is a key precondition to promoting necessary improvements in victim identification, victim protection, and the criminal prosecution of perpetrators. In 2001, FIZ initiated the first round table against trafficking in humans in Switzerland, in the canton of Zurich. Since then, involved authorities (police, migration offices, juridical institutions) have been increasingly aware that expert knowledge and cooperation are needed to identify persons affected by human trafficking and adequately deal with them. Today, in various Swiss cantons, interdisciplinary working groups meet in round table discussions, and in some cases this has led to agreements regulating the cooperation of the institutions involved.

In spite of this progress, it still happens that in police controls trafficked women are criminalized for staying in Switzerland illegally and are deported, unless they are identified as victims by trained police officers. Experience shows that in cantons where cooperation mechanisms among authorities and specialized institutions exist, the authorities have developed higher awareness regarding these issues. In those cantons, a growing number of trafficked women have been identified, and FIZ Makasi has been increasingly contacted for support and protection. To ensure the comprehensive protection of trafficked women, FIZ advocates for the right of residence as well as protection and support for all victims of violence and exploitation, irrespective of their preparedness to testify.



¹ Makasi means "strong" in Lingala.

² Criminal prosecution authorities, migration-related services, governmental and nongovernmental organizations for victim counselling.

Return project of the federal government

Since 2008, also persons affected by human trafficking have access to the federal government's offer of help in returning. Some of the women have already returned with the support of this project.

The project

After the federal law on foreigners (Aliens Act) took effect, certain groups of foreigners were for the first time offered return aid for persons seeking asylum. Accordingly, a two-year pilot project was elaborated, which from April 2010 on has been continued as an unlimited offer of help for return. The project is implemented by the Federal Office for Migration (FOM) in cooperation with the International Organization for Migration (IOM) and the Swiss Agency for Development and Cooperation (SDC). It applies to victims and witnesses of human trafficking and cabaret dancers who were exploited in Switzerland. The goal is to support persons with a legitimate claim in their voluntary return and reintegration into their country of origin (or a third country).

The offer

The offer for help to return basically includes counselling about a return, organization of the journey back, financial start-up aid, additional material aid, and medical aid. Return and reintegration of persons participating in the project is organized by IOM, by order of FOM. Support also comprises the payment of financial return aid on site and accompaniment during reintegration.

First experiences

During the pilot phase, 18 persons returned to their countries of origin in the context of the project. Three of them needed to stay temporarily in a shelter after their return. All other participants returned directly to their families. The countries of origin of the respective persons differ widely. Eight women returned to Eastern Europe (Ukraine, Romania, Czech Republic, Hungary), six persons to Brazil (among them one man), two to the Dominican Republic, and one each to Uzbekistan, Nicaragua, Paraguay, and Benin. Most of them were persons affected by human trafficking. The majority of the participants (12) had been referred to the return project by FIZ. Potential support services, which FIZ had already planned to carry out with its partner network in the country of origin, could thus be supplemented by return aid.

A majority of women willing to return who are supported by FIZ, however, return to their countries of origin without federal support. Some want to leave Switzerland immediately and return or do not want to pass personal data to the authorities. Others decline governmental help because their precarious situation and misery cannot be bettered by the return project (e.g. cases of Roma people, who not only find themselves in a socio-economically precarious situation but are also met with heavy discrimination in the job market).



Stumbling blocks and detours in returning

A return is not just a spatial shift from A to B. Trafficked women encounter stumbling blocks and detours before “arriving”. This is demonstrated by Paula’s story.

Paula, from a country in South East Europe, was a little less than twenty years old. The police brought her to FIZ five years ago, severely injured and traumatized. An acquaintance of hers had brought her to Switzerland, promising her that she could do a practical training here. Instead, he raped her and intended to have her work as a prostitute.

The FIZ counsellor called in a cultural mediator who spoke Paula’s mother tongue and Paula was closely accompanied. She recounted in detail what had happened to her on that day that changed her life, as she formulated it. She filed a charge against the offender and he was arrested. Paula stayed in Switzerland throughout the investigations and criminal proceedings.

Back, yes, but with great fears

From the beginning, Paula had wished to return to her home country. She had a good relationship with her parents, her boyfriend was waiting for her, and besides, she was in the middle of her studies. But the return caused her a lot of worry and anxiety. During consultations, she often asked herself what influence this trauma might have on her ability to love, whether she would be able to tell her boyfriend about it, or warn her sister not to get into a similar situation. In Paula’s home country, women who have suffered from sexual violence are marginalized. It is a taboo.

Silence in the family

When Paula returned to her country of origin, she could not go back to her village, because the offender was from the same place and was seen there as a man of great reputation.

Paula was living in another town but had contact with her family. Her family and friends often asked her what had happened, since they noticed that Paula was no longer the same. But she kept what she had experienced to herself, and thus a great distance arose between her and her family and friends. Her relationship with her boyfriend ended shortly after her return.

Paula wanted to continue her studies, but she was not spared from post-traumatic stress disorder. She had great difficulties concentrating, often changed her residence and felt pursued.

Taking action against her anxiety

The court trial in Switzerland found the defendant guilty and sentenced him to four years in prison. Paula was shocked by the leniency of the punishment. She returned to Switzerland and was again accompanied by FIZ and the persons in the network built up for her. In her search for justice, she visited all relevant sites and people again, talked to persons involved, and expressed her despair about the mild sentence. In that way, she tried to remain active and able to act, which is crucial for coping with trauma.

Looking ahead

After this second stay in Switzerland, Paula was able to distance herself a bit from the past events and look ahead. She ultimately returned to her home country. She succeeded in returning to a more self-determined life because she is a strong woman who can formulate what she needs.

At that time, return programmes did not yet exist. Paula was put in contact with a female psychologist in her home country. For a long time, this person was the only one who knew about Paula’s story. Only years later Paula was able to also tell her parents what she had experienced. Fortunately, their relationship was not severed due to that. For a long time after her return, Paula stayed in contact with the people who had supported her in Switzerland.



Current FIZ news

New FIZ internet presence: www.fiz-info.ch

In June 2010, FIZ celebrated its 25th anniversary, with the motto: '25 years of FIZ – 25 years of dignity and rights for female migrants'. During these 25 years, FIZ has developed into a competence centre on the subjects of trafficking in women and female migration. We want to show that in our outward appearance, too: with new internet presence and newly designed flyers. In our new homepage, as before, above all directly affected women will find quick access to help in various languages.

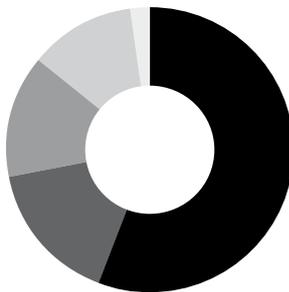
But not only has our internet presence changed. From January 2011 on, you will also find FIZ at a new address: FIZ, Badenerstrasse 682, CH-8048 Zürich, Switzerland.

FIZ and Masaki 2009, in figures

In 2009, 469 women found advice in the counselling centre for female migrants affected by violence. Above all, these migrants were affected by violence perpetrated by their husbands or experienced problems in sex work or in cabarets. We also supported women who are living undocumented in Switzerland.

Makasi, the intervention centre for trafficked women, again dealt with a larger number of cases (184) in 2009 (the figures for 2010 will be similar). 68 of the women affected filed charges against the offen-

Women's continent of origin



■ Eastern Europe 56%	■ Africa 12%
■ Asia 16%	■ Western Europe 2%
■ Latin America 14%	

ders. 19 women cooperated with the authorities without filing charges.

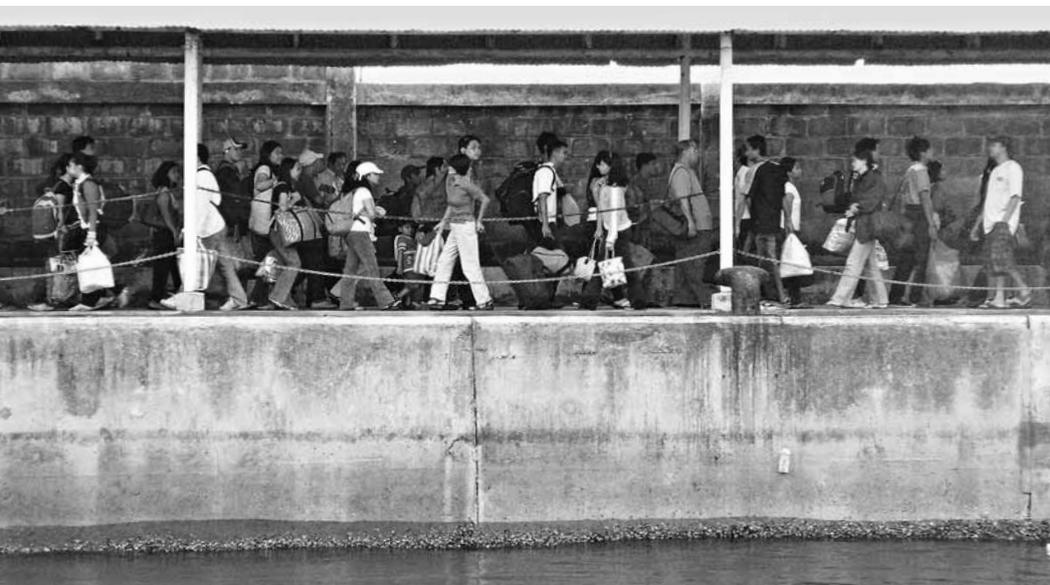
56 per cent of persons affected come from Eastern European countries, above

all from Hungary (71 women) and Romania (12). 16 per cent of the victims come from Asia, above all from Thailand (24). 14 per cent of the cases are from Latin America, with Brazil (14) and the Dominican Republic (10) still at the top of the list. 12 per cent of the cases are from Africa, 6 each from Cameroon, Nigeria, and the Ivory Coast.

A large part of the women (37 per cent) find their way to FIZ via police or juridical institutions, thanks to effective cooperation with the authorities. The others reach FIZ via other organizations (22 per cent), persons in their environment, or other avenues.

FIZ apartment shelter

At the beginning of this year, FIZ will open up its first apartment in Switzerland providing shelter specifically for trafficked women. The shelter will offer part-time care and has room for six women. The concept of the apartment shelter is based on the findings of the cross-border study on the organization and security of apartments for victims of human trafficking, which was conducted on behalf of FIZ.



Masthead Newsletter 11, January 2011

FIZ Advocacy and support for migrant women and victims of trafficking

Badenerstrasse 682
CH-8048 Zürich, Switzerland
Phone +41 44 436 90 00
Fax +41 44 436 90 15

www.fiz-info.ch
contact@fiz-info.ch
Postal account 80-38029-6

Editorial: Rebecca Angelini-Zingg

Photographs: Sabine Rock

Translation: Gisela Weise

Graphic: www.clerici-partner.ch