

SKILLS IN THE PRACTICE OF WORK WITH VICTIMS OF TRAFFICKING

Introduction Manual for Psychosocial Service Providers

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INTRODUCTION

Trafficking is a complex, multidimensional phenomenon. The victim's personal background, with repeated experiences of violence and abuse, the socio-economic constraints, and the modification of victims' behaviour so that they may adjust to the trauma suffered from being forced to work and being exploited should be considered from the multidimensional perspective.

The different stages of assistance provided to the victims of trafficking call for different priorities. Both the physical and the psychological needs of the victims of trafficking need to be addressed throughout the process which moves from the initial crisis intervention to long-term support services.

This piece of literature introduces theoretical arguments, supported by specific evidence and data, pointing to the pivotal role that psychological counselling and social care play in the process for the prevention, treatment, assisted voluntary return and reintegration of the victims of trafficking in human beings. Recognising and tackling the problems resulting from the experience with trafficking, and respecting each person's anonymity and individuality, the psychosocial practitioners will be able to ensure the building of an all-comprehensive assistance-focused scheme to the victims of trafficking on an individual basis.

It is highly critical that both the countries of origin and the receiving countries enhance the level of their cooperation and exchange of information among them, in order to meet the victims' specific needs.

Focusing *solely* on the effects of human trafficking, without addressing its root causes, cannot help eliminate the problem. The goal of reducing the political, social and economic root causes of trafficking, including unemployment, poverty, gender inequalities, social and cultural attitudes, as

well as the demand for cheap labour, should lead the long-term efforts to fight human trafficking effectively.

Prevention and intervention-focused programmes should be developed with a view to building up efforts to reduce poverty and further marginalization of the society, particularly amongst the most vulnerable groups, including women and children, through measures designed to improve governance, material support, social protection, employment, and sustainable economic development. Moreover, the legislation and policies designed for equal opportunities should protect and strengthen the legal and social position of women and children, and specifically address all the forms of gender-based discrimination. This modern form of slavery can be prevented and combated through engagement of resources and all-comprehensive crucial policies only.

1 DEFINITIONS OF HUMAN TRAFFICKING

While the concept of trafficking, meaning trade especially illegally, appears to be clear, the concept of trafficking in persons/human beings has been interpreted in different ways. The increased human trafficking in the 1990s, and the efforts to combat trafficking at a national and international level also brought into focus the need for clarification of the concept of trafficking to obtain a clearer, more far-reaching and generally recognised definition. Even though the early international Conventions of the United Nations Organisation contained a specific definition in the first part of the twentieth century, with the definition of human trafficking being built on references to “the trafficking in white flesh,” “the trafficking in women and children,” “slavery,” and “child labour,” “human trafficking,” it was often mistaken for exploitation and prostitution. As a consequence, sanctions against trafficking were either absent or indefinite, leading to divergent approaches in dealing with trafficking and, consequently, with the victims of trafficking.

1.1 UN PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN

The new international definition of trafficking is contained in the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*,² known as the Palermo Protocol. This Protocol is one of three Protocols supplementing the UNO Convention Against Transnational Organised Crime.³ The Palermo Protocol introduces a conflated perspective

¹ *Protocol to Prevent, Suppress Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* supplementing the UN Convention Against Transnational Organised Crime, pp. 4-5 (2000). This Protocol is otherwise known as the Palermo Protocol. Website: http://www.unejin.org/Documents/Conventions/final_documents_2/convention_%20traff_eng.pdf

² *Protocol to Prevent, Suppress Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* supplementing the UN Convention Against Transnational Organised Crime, pp. 4-5 (2000). This Protocol is otherwise known as the Palermo Protocol. Website: http://www.unejin.org/Documents/Conventions/final_documents_2/convention_%20traff_eng.pdf

³ The UN Convention Against Transnational Organised Crime adopted by the General Assembly on 2 November 2000. The other two Protocols are: *Protocol against the Smuggling of Migrants by Land, Sea and Air*, and *Protocol against the Illicit Manufacturing of and Trafficking in Firearms*.

and approach integrating the effective prevention of trafficking with the prosecution of traffickers, and the protection of the victims' human rights and assistance to them.⁴

Under the said Protocol, human trafficking means:

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. The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

"Child" shall mean any person less than eighteen years of age (Article 3).

1.1.1 Trafficking in children

Trafficking in children shall mean the recruitment, transportation, transfer, harbouring, or receipt of children, for the purpose of exploitation, both inside and outside of a country.⁵

Trafficking in children includes:

- Transfer of a child, and his separation from the community of which he is a part.
- Coercion, forgery, deception, and abuse of power on the part of a trafficker.

⁴ Ekberg, G, Palermo Protocol, in NIKK, vol. 1, 2002, pp. 40-41.

⁵ *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children*, signed in Palermo, December 2001.

- Trafficker's purpose of exploitation.

1.1.2 Trafficker

A trafficker shall be considered a person, or a cluster of persons, who aim at carrying out, collaborating, or giving their consent to any act carried out under definition of trafficking.⁶

1.1.3 Trafficked person

The term "*trafficked person*" shall imply a person who is recruited, transported, bought, sold, transferred, received, or harboured, as described in the definition of trafficking, including a child, whether the child has given his or her consent or not.⁷

1.1.4 Victim of Trafficking⁸

"Victim of trafficking" shall mean any natural person who is subject to trafficking in human beings, as defined in the Palermo Protocol.

1.1.5 Exploitation

With no definition provided for it, *exploitation* includes, at a minimum the exploitation of the prostitution of others, and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. This could also include abuse of power, not considered as official, including forced pregnancy, illegal adoption, forced and illegal marriages, as well as the debt-focused relations. It also includes all the acts added to, and involved in trafficking, including corruption, and voluntary prostitution, provided that it is turned into

⁶ This description is borrowed from the Global Alliance against Trafficking in Women (GAATW), as well as the document *Human Rights Standards for Treatment of Trafficked Persons*, January 1999. See IOM, *Human Trafficking and the Role of School for Its Prevention* (2000) – Handbook for Secondary School Students, International Organisation for Migration, IOM, Tirana.

⁷ *Ibidem*.

⁸ This definition is borrowed from the European Convention Against Human Trafficking, adopted on 3 May 2005 by the Committee of Ministers of the Council of Europe.

trafficking through deception, coercion, or abuse. It should not be forgotten that vulnerability could also include the fact that the victim believes that she had no other reasonable choice but succumb.⁹

1.1.6 Deception

Fake information about the working conditions, or the type of work to be carried out.

1.1.7 Slavery

Status or state of a person on whom all or some of the property-related powers are exercised. The slavery practices include debt bondage, forced labour for someone else, enslaving marriages, and child labour.

1.1.8 Debt bondage

Use of someone's work or services as a guarantee for the debts, with the value of work not yet being accrued from the debt, or the duration and type of work not being clarified. Many women are not told about the terms of the debt – how long they have to stay on in order to pay it back. Often, the costs for women's transportation, clothing, and personal belongings are added up to the debt, with its interest being increased. A woman who is slave/bound to a debt has no other choice but to continue to work until she has paid it off.

1.1.9 Forced labour or conditions similar to slavery

Abuse and work under forced conditions in which people work against their wish. This work may consist in domestic and reproductive work, or other services, with these not being recognised as legal work or activities, either.

Work is undefined and indefinite (in terms of time). If a person has been “*exchanged*” against a certain amount of money, the “*purchaser*,” the “*owner*,” may exercise full authority on that person.

⁹ *Ibidem*.

1.2 TRAFFICKING AND PROSTITUTION. “FREE” AND “FORCED” PROSTITUTION

“Some women engage in prostitution voluntarily. In other cases, coercion is exercised ... However, no trafficked woman has ever imagined that the working conditions would be so very deplorable.”¹⁰

The 1949 UN Convention for the Suppression of the Trafficked Persons regarded all the forms of prostitution as exploitation. Since then a noticeable and significant change in the approach to handling “free” and “forced” prostitution has taken place ever since.

The 1993 Declaration on the Elimination of Violence Against Women¹¹ and the 1995 Beijing Platform of Action have only recognised *forced prostitution* as a human rights violation. The current trend is to view sex work as a form of legitimate labour.¹² ILO classifies trafficking as a form of forced labour.¹³

Besides, it is also argued that the same degrading conditions as those of trafficking exist in prostitution. Against the right of the individual to self-determination, they contend that there is no such thing as free prostitution; no woman engages in it voluntarily, but through use of deceitful means, and abuse of a position of vulnerability. Pimps control and exploit them. Taking this attitude further, it has been claimed that prevention of prostitution should be considered as a measure to prevent trafficking, thus recognising the link between demand for prostitution and the speedy widespread of the phenomenon of trafficking.

The majority of the European countries have rendered prostitution legal. Sweden takes a critical stance to prostitution. By decision of the Government and the Parliament prostitution is considered as “*a violation of women, a significant social problem associated with a number of social and individual threats.*” Hence, Sweden makes no distinction whatsoever between “free” and “forced”

¹⁰ Fakleabast, “Drafting a national action plan for all the Scandinavian and Baltic countries is a follow-up of the joint information campaign launched in 2002.”

¹¹ Statement made in the Vienna World Conference on Human Rights, 1993.

¹² Kartusch, A., Knaus, K., Reiter, G., *Combating Trafficking in Women for the Purpose of Forced Prostitution*. International Standards, *Ludwig Boltzmann Institute of Human Rights*, Vienna 2000, pp.10-11.

¹³ Raymond, A., *Guide to the UN Protocol on Trafficking*, 2001. This guide is backed up by the Coalition of the Women Organisations and Article Premier, CATW, European Women’s Lobby, MAPP, AFEM.

prostitution. Under domestic legislation, women who prostitute are not held liable. However, purchase of sex services is punishable, with the focus being placed on the purchaser rather than on the provider of the sex services.

The question whether legalisation of prostitution may have a role to play in building up sanctions against trafficking in women and young women is also brought up for discussion. A study argues *“legalisation of prostitution has had no significant impact on the widespread of trafficking.”* Besides, the largest number of the trafficked women and young women has been identified in the West-European countries, in which prostitution is legal.

1.3 WHAT ARE THE REASONS BEHIND TRAFFICKING?

Trafficking deprives its victims of their right to a productive, rewarding, and dignified life. Traffickers, criminals, employers, and clients suppress, enslave, and abuse the victims. Trafficked women, young women, and children are subjected to beating and abuse, with violence unfolding in all its forms.

- Trafficking in women for exploitation in prostitution

This is one of the cruellest forms of human trafficking, for which the same routes as those used for migrant smuggling are used. More often than not, women and young women are trafficked into bawdyhouses, massage parlours, nightclubs, or pornographic material production industry.

- Human trafficking for purposes of immigration, employment, and residence

The forms traffickers use to force females into trafficking and engaging in prostitution include the following:

- Cheating to ensure arrangement for them to get married and live abroad.
- Cheating to provide them with living and working conditions abroad.
- Cheating by making use of intermediary and paid females.
- Acts of abduction and rape, and threats to their own life and that of their families.
- Purchasing them from their own family members.
- Compromising them with gifts and money, and imposing other material obligations

on them.

The socio-economic reasons, including poverty, lack of employment, secluded and not active life, the desire to travel abroad and pick a normal job, the desire to get married and live together abroad, abduction, and the existence of depreciative opinion surrounding erring young women, lie at the bottom-line of the use of these forms of coercion.

- Forced labour

Recently, the fact has been recognised that trafficking includes both forced trafficking into commercial sexual exploitation, and trafficking in women, men and children into forced labour. Under the definition produced by the International Labour Organisation (ILO), forced labour

means “*performance of labour or services as a result of a threat or punishment.*” Overall, six elements characterise a forced labour situation:

1. Physical and sexual violence
2. Limiting an employee’s movement
3. Dependence on debts, forced labour
4. Refusal of remuneration, or refusal of payment for all
5. Withdrawal of passports, or other identity documents, and,
6. Threatening with reporting to the authorities.

- Trafficking in children for the purpose of abuse and profit

Trafficking in children is the act of recruitment, transportation, transfer, harbouring, or receipt of children, for the purpose of exploitation both inside and outside of a country.¹⁴ Trafficking in children, especially in young women, is viewed as a source of maximum profit for traffickers who exploit every possibility to realise it.

The increased number of unaccompanied children is a factor of concern, which contributes to the increase in the number of trafficked children. Children from families with low income and a high unemployment rate are rather exposed to the phenomenon of trafficking.

Dropping out of school in the rural areas, and the mass democratic shifting of families, especially from the north-eastern areas, resulted in many children starting to work in the streets of major cities where they became victims to recruitment into criminal activities, and networks of organised trafficking. In other cases, especially in the eyes of the marginalised communities and families that are unfamiliar with trafficking and its consequences, taking children abroad was rather prompted by the belief that, once there, they would build up a better existence for themselves, in agreement with the so-called “*protectors*” of their children.

The following are the most liable sources for recruiting children for trafficking:

- Divorced families in which children are not looked after.
- Families with many children, and in a dire economic situation.

¹⁴ *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children*, signed in Palermo, December 2001.

- Rural families expecting assistance from children.
- Orphaned children and children devoid of attention.
- Children whose parents have immigrated abroad in search for a job.
- Children who have dropped out of school, and have also engaged in begging and other illicit activities in Albania.
- Children who cannot go to school.
- Children who have not been registered at birth.
- Families with at least one child being trafficked before.
- Families with children who are mentally disabled, or who are born to mentally disabled parents.
- Children born to parents being married at an advanced age.

In the majority of cases, the trafficked children dwell in miserable conditions, perform heavy jobs, work long hours, and receive minimal payment. These children are highly preferable to traffickers, as they cost them cheap, with proceeds accruing from their job being ever greater.

1.4 FACTORS FACILITATING HUMAN TRAFFICKING

Trafficking affects all human beings, including women, men, and children. Women, however, have proved to be the most highly affected group. Trafficking is a symptom of underlying causes identified as follows:

Feminisation of poverty, and of the economic, social and cultural conditions in the countries of origin with respect to women's status, and the limited professional and economic opportunities offered to them in comparison with men;

Gender inequality: an individualised environment in which violence is exercised against women, including, for instance, domestic violence;

Feminisation of migration, and the impact of restrictive migration policies that lead to the development of illegal migration channels.

1.4.1 Poverty

Poverty, unemployment, domestic violence (including sexual violence), discrimination against women, and the low educational level are the main reasons behind trafficking. The largest number of victims assisted in Albania¹⁵ is reported to have been unemployed, with a very low educational level, with minimal professional skills, and coming from families in which violence is perpetrated, with cases of sexual abuse being reported, as well. Many of the victims come from rural areas, or areas with a prevailing high unemployment rate. The economic needs have been the main reason driving the trafficked women to attempt to enhance their income, by travelling abroad.¹⁶

Poverty-related reasons include ethnic conflicts, increased unemployment owing to the transformations of the economic system, and privatisation of social services. All these economic and social changes have a major impact especially on the females (unemployment is highest particularly among women and young women). Hence, they started to migrate. In the past, this process was typical of males.

With the social services being inexistent, the major responsibility for maintaining the families (the elderly, children, and persons with disability) has fallen on the women's shoulders. The difficult economic and social situation is also associated with the increased death rates, use of alcohol, and widespread of domestic violence.

According to several scholars, two “*cultural*” phenomena are attributed to women's weak position in the new social reality:¹⁷ women's removal from the political life, including the economic sphere, and the advertisement of the sex industry as a sign of “*a new epoch*,” and a new way to ensure income.

¹⁵ UNICEF, UNHCR, and OSBE/ODHIR, *Human Trafficking in Southeastern Europe*, March 2005, Barbara Limanowska.

¹⁶ *Ibidem*.

¹⁷ See Mamonova.T, *Women Glostmost versus Noglost – Stopping Russian Backlash* (1994), Begin and Garvey, Westport and London.

1.4.2 Migration

Recent times have seen new tendencies relating to migration¹⁸ issues, which can be summed up as follows:

- Escalation in the pace of migration;
- Increase in the number of female migrants;
- Increase in the number of unaccompanied children;
- Rise in the costs for mediation in migration;
- Demand for cheap and unprotected labour in the countries of destination;
- Abusive working conditions for migrants in the countries of destination.

These trends suggest that the demand for cheap labour combined with people's willingness to migrate, and the increasing difficulties in organising legal migration and finding legal employment in the countries of destination, may lead to an escalation in trafficking. The overall feminisation of migration is also likely to continue, and the vulnerability of women migrants to discrimination, exploitation and abuse is likely to increase.

In the countries of destination, migrant women, more than men, end up in the “3D” jobs – dirty, dangerous, and difficult. Prostitution creates multiple threats for women who have been trafficked to work in the sex industry, as they are both illegal migrants caught up in a web of obligations, and stigmatised persons committing illegal acts and connected with organised crime networks.

Migrants may cross the border legally by producing their passports, or illegally, in default of personal documents, by paying bribes to the border authorities. Migrants may also choose to cross the border as clandestine, treading along river routes or through forest.

Migrants without documents (otherwise called illegal or irregular migrants) are those persons who do not have a legal status for residence in a country, as a result of their irregular entry or overstay in that country. However, migration is a process people resort to consciously in order to leave a country for another, usually in search of a better job and living.

¹⁸ UNICEF, UNHCR and OSBE/ODHIR, *Human Trafficking in Southeastern Europe*, March 2005, Barbara Limanowska.

Many laws have failed in drawing a distinction between human trafficking, and migrants' illegal entry into a country. This creates a difficult situation for the trafficked persons; at the moment when they are identified and detained by the justice organs of the relevant country, instead of being considered victims of a crime committed against them, they are treated as criminals.

The trafficked persons are usually weak to go back to their own countries without an emotional, psychological, or economic support. In absence of such support, they are incapable of opposing criminal charges against their traffickers.

1.4.3 Gender inequality

Gender and social inequality affecting women and young women is another reason behind increased human trafficking. Looking at women/young women and children as goods and commodities that could be bought and sold has helped create such a climate.

Young women have quite often been denied of the possibility to go to school. They are forced into staying indoors to do domestic work. Consequently, they are incapable and uneducated, are abused by their families, and thus, fall victims to traffickers' luring, which is dished out to them as an escape from domestic exploitation, and violent environment in which they live.

Unlike street violence that is considered a crime, domestic violence against women and children is viewed as legitimate, acceptable, sometimes even desirable, or is ignored because it is a family's private affair. The term "*violence against women*"¹⁹ refers to many types of harmful behaviour directed at women and young women on account of their sex.²⁰

To the majority of women and young women, migration or the search of a job outside of their community is not merely a solution to their economic hardships. It may also be a possibility for

¹⁹ The UN Declaration on the Elimination of Violence against Women provides the first official definition of violence against women. Under the said definition, violence against women includes:

„...any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

²⁰ Adriana Baban, *Domestic Violence against Women in Albania*, UNICEF and ISOP, Tirana 2003.

them to enjoy personal freedom, and better living conditions, or indeed, to offer support to their families.

1.5 STAGES OF THE TRAFFICKING PROCESS

Definition of trafficking points to the several stages that the trafficking process goes through, or the different aspects related to it:

Recruitment may occur as a physical violent action starting with the victim's abduction, or threatening, or also through deception, promise for a better job, or other forms of coercion, including debt bondage, abuse of authority when parents agree to sell their child, or use of authority in different forms on the victims of trafficking.

Transit/trip. After abduction has taken place, the victims may be forced into travelling under threat. Traffickers may limit the women/young women' freedom of movement by taking away their passports, or identity cards, so as to restrict their independence, and the possibility of their return home.

Victims may be made subject to sexual harassment and raping during or after the stage of transportation. Before their arrival in the country of final destination, the trafficked persons are sometimes sold several times through other traffickers' mediation.

It is important to emphasise that recruitment and transportation may not always be forced actions. Many women and children are recruited, and leave their country of origin of their own free will.

Arrival in the country of destination: Having been deceived concerning the chief purpose of exploitation and abuse, the trafficked persons are often found in conditions similar to slavery. Often, women who choose to immigrate as workers fall victims to deception in connection with the working conditions.

Many women and young women find themselves working, against their own wish, in exploitative conditions, and doing different jobs as domestic workers, workers in factories, and sex workers. Hence, they lose their right to freedom, and turn into objects of violence, abuse, and other coercive forms.

Most often than not, this social group comes across hardships, including inhumane working conditions, little paid jobs, minimum safety, sexual harassment, and debt bondage.

1.6 TRAFFICKER'S PROFILES

“*Traffickers*” do not comprise a homogeneous group. Analyses indicate that recruitment methods and ways change on the basis of a number of factors, including woman'/girl's country of origin (village, town), the knowledge about the purpose of the trip, and the existing relationships between woman/girl and her recruiter. “*Traffickers*” may be categorised into:

Members of organised, often international, criminal groups. Involved in various types of criminal activity, they organise trafficking in the same way as the smuggling of goods, and gain profits from the sexual exploitation of trafficked women in the bars/brothels they, or their acquaintances own.

Pimps/small crocks and/or local persons from the countries in which the victims are recruited. This group also includes women, who have been themselves trafficked, and have started to collaborate with criminals, and work for them as intermediaries.

In other cases, basically in **children's trafficking**, immediate family members (uncles, brothers, and even mothers) may be involved. Many families may not look at this as trafficking. They consider this as a strategy for the family's survival, or as a strategy for their children's protection by allowing that their children to be taken to a country with the promise of a better future for them.

Businessmen, policemen, and politicians collaborating with organised crime, and drawing proceeds from trafficking. Often, they themselves own bars, or help run them.

2 HUMAN TRAFFICKING AND HUMAN RIGHTS

Trafficking is a complex, multidimensional issue. It has been addressed as:

- (1) A human rights violation. It violates a number of human rights of the trafficked persons, including the right to respect and human dignity, the right of equality, the right to freedom, the right not to be subjected to inhuman and degrading treatment, and respect for economic, social and cultural rights.
- (2) A modern form of slavery.
- (3) A form of (transnational) organised crime.
- (4) A crime against humanity.
- (5) A form of sexual violence against women.

2.1 RECOMMENDED PRINCIPLES AND GUIDELINES ON HUMAN RIGHTS AND HUMAN TRAFFICKING

The United Nations Office of the High Commissioner for Human Rights (UNOHCHR) has produced the document entitled “**Recommended Principles and Guidelines on Human Rights and Human Trafficking**” The principles and guidelines include interventions addressing the factors increasing vulnerability to trafficking, including gender inequality, poverty and all forms of discrimination. They also advocate for the adoption of activities that address demand as a root cause of trafficking, as well as public-sector involvement or complicity in trafficking.

The UNOHCHR document proposes the following strategies:

1. Analysing the factors that generate demand for exploitative commercial sexual services and exploitative labour, and taking strong legislative, political and other measures to address these issues;
2. Developing programmes that offer alternative livelihood options, including basic education, skills training, especially for women and other traditionally disadvantaged groups;
3. Improving children’s access to educational opportunities and increasing the level of school attendance, in particular, by female children.

4. Ensuring that the potential migrants, especially women, are properly informed about the migration risks (for instance, exploitation, debt bondage, and health and security issues, including exposure to HIV), as well as the avenues available for legal, non-exploitative migration.
5. Conducting awareness raising campaigns designed for the general public to promote information about the dangers associated with human trafficking. Such campaigns should inform public opinion with regard to understanding and complexity surrounding trafficking in women/young women and children, as well as the reasons prompting individuals to migrate, thus making highly dangerous decisions for them;
6. Reviewing and modifying policies that may force people to resort to illegal ways for migration. This process should include examining the repressive and discriminatory effects on nationality, property, immigration, and laws on migrants, especially women;
7. Examining ways allowing the increase in opportunities for legal, gainful and non-exploitative labour migration
8. Strengthening the capacities of the law-making institutions to bring those involved in human trafficking to justice. This should be undertaken as part of the preventive measures against human trafficking, implying strengthening of the justice organs in compliance with their legal obligation.
9. Adopting measures to reduce vulnerability, ensuring that the necessary legal documents on the birth, citizenship and marriage provided and made available to everybody.

The comprehensive nature of the UNOHCHR's *Recommended Principles and Guidelines on Human Rights and Human Trafficking* allows for different national strategies to be developed (in the origin, transit, or destination countries). The Recommended Principles and Guidelines also clearly underscore the fact that the restrictive migration policies may force people to embark on illegal migration ventures, thus putting themselves at risk of being trafficked. At the same time, the said document suggests that opportunities should be increased for legal, gainful and non-exploitative labour migration.

It has to be stated out that, although the UNOHCHR's *Recommended Principles and Guidelines on Human Rights and Human Trafficking* were adopted by the UN Economic and Social Council (ECOSOC) in 2002 and became a part of the international human rights framework, Governments of the State Parties to it are not bound to implement these guidelines.

2.2 GUIDELINES ON PROTECTION OF THE RIGHTS OF CHILD VICTIMS OF TRAFFICKING IN SOUTH-EASTERN EUROPE

The United Nations Children’s Fund (UNICEF) works to promote the rights of the children and women to survival, development, protection, and participation in accordance with the framework that the Convention on the Rights of the Child (CRC)²¹ and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)²² create.

UNICEF has centred its focus and expertise on issues relating to child trafficking and commercial sexual exploitation, in raising public awareness, children’s rights advocacy, and improving the situation of children at risk.

In the framework of the Stability Pact and in cooperation with Governments and non-profit organisations in the South-eastern European countries, UNICEF has developed “**Guidelines for the Protection of the Rights of the Child Victims of Trafficking in South-eastern Europe.**” These guidelines highlight the fact that child victims of trafficking are entitled to special protection due to their being children and victims of crime. Besides, the Guidelines recommend the pro-active identification of the child victims. These guidelines also recommend a pro-active approach towards identification of child victims of trafficking. “*Child victims are entitled to receiving long-term care and protection, including security, food, safe accommodation, access to health care and education, psychosocial support, with a view to their social reintegration.*”²³

²¹ United Nations Convention on the Rights of the Child (1989), UN General Assembly Resolution no. 44/25, dated 20 November 1989, ratified by the Parliament of Albania. It can be found in Albanian at the following address: www.unicef.org/albania

²² Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). UN General Assembly Resolution no. 34/180, dated 18 December 1979, ratified by the Parliament of Albania by Law no. 7767, dated 9 November 1993.

²³ UNICEF, *Guidelines for the Protection of the Rights of the Child Victims of Trafficking in South-eastern Europe*, March 2003.

3 Legal framework addressing human trafficking

3.1 LEGAL AND PRACTICAL ISSUES RELATING TO TRAFFICKING OF WOMEN, YOUNG WOMEN AND CHILDREN

3.1.1 Trafficking as a form of organised crime

The Anti-Trafficking Protocol, supplementary to the UN Convention Against Transnational Organised Crime, is indicative of the relationship between organised crime and human trafficking. Under the said UN Convention, an **organised criminal group** shall mean “*a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences... in order to obtain, directly or indirectly, a financial or other material benefit.*”

The transnational element is **another key feature** of the trafficking networks. Basically **stateless** and quite agile, traffickers can operate in a variety of targeted countries, evading law enforcement at a national level. Although they violate national sovereignty, they can still use it for defensive purposes. In addition, transnationality can account for the varied nationality of the members of the trafficking networks.

3.1.2 European Union position

In an effort to make an area of freedom, security and justice a reality for its citizens, the **European Union** has set itself the goal of preventing and combating crime.

This is stipulated in the Treaty on European Union, a consolidated version based on the Treaty of Amsterdam. Article 29, Title VI, “*Provisions on Police and Judicial Cooperation In Criminal Matters,*” incorporates trafficking in persons in an indicative list of the forms of crime, “*organised or otherwise,*” which should be combated through closer cooperation among police, judicial or other competent authorities of the Member States.

The said document looks at “*trafficking in persons*” also in conjunction with “*offences against children*.” Other forms of crime listed include terrorism, illicit drug trafficking, illicit arms trafficking, corruption and theft. Recognition of trafficking as a form of organised crime has been hailed as a positive development in the efforts to fight the problem.²⁴ Prohibition by law of human trafficking as a fundamental right: the European Charter on Human Rights

Prohibition by law of human trafficking is provided for in the Charter on Human Rights of the European Union (Article 5, paragraph 3), along with prohibition of slavery and servitude (Article 5, paragraph 1), and prohibition of forced or compulsory labour (Article 5, paragraph 2). The prohibition by law, prescribed by this paragraph, is absolute and unconditional: “*Trafficking in human beings is prohibited by law.*”

The scope is apparently limited to trafficking for the purpose of sexual exploitation. As already clarified, “*Trafficking in human beings ... implies the modern forms of organised crime and exploitation of a person: the trafficking in women and children, and in particular, the establishment and operation of international prostitution networks.*”

In the context of cooperation on justice and home affairs, the European Union Member States have taken joint steps to combat organised crime or, more specifically, actions against human trafficking and use of women and children for sexual exploitation.”

3.1.3 Actions against severe forms of trafficking: The decision-making Work Council for the Fight against Human Trafficking²⁵

This important law-making institution considers human trafficking as a serious crime, and not merely as a human rights abuse. However, this does not give denial to the fact that “*trafficking in*

²⁴ The decision-making Work Council for the Fight against Human Trafficking was set up on 19 July 2002.

²⁵ The decision-making Work Council for the Fight against Human Trafficking was set up on 19 July 2002.

human beings comprises a serious /abuse of human rights and fundamental freedoms, as well as abuse of human dignity...”

In order to fight trafficking the European Union Member States should adopt a common approach, underscoring *“the definition of the constituent elements of the law on organised crime, which is common to all the Member States, and contains effective, proportionate and preventive sanctions.”* In other words, the main area of concern of this Council Framework Decision is prosecution of the criminal actions of natural and legal persons, imposing of appropriate sanctions, and “harmonisation” of these sanctions by all the Member States.

The said document addresses two forms of human trafficking: (1) trafficking for the purpose of **labour** and (2) trafficking for the purpose of **sexual exploitation**. The definition of trafficking is based on the definition of the UN Protocol of Palermo, though not identically formulated. The Council Framework Decision definition includes all the constituent elements of trafficking (recruitment, transportation, transfer, etc.), and the ways of trafficking (coercion, force, threat, etc.), while the victim’s consent is irrelevant.

Article 1 of the said document states:

1. Each and every Member State will take the necessary measures to ensure that the following acts are punished:

The recruitment, transportation, transfer, harbouring of a person for the purpose of taking him across the border, and his subsequent reception in the neighbouring country, including exchange, transfer or surveillance of that person, where:

- a. use is made of violence, force or threat, including abduction, or
- b. use is made of deceit or fraud, or
- c. there has been abuse of authority or of a position of vulnerability, which is such that the person has had no real and acceptable alternative but to submit unconditionally to the abuse involved, or
- d. payments or benefits are given or received to achieve the consent of a person (abuser) having control over another person (victim), for the purpose of exploitation of that person’s labour or services, including at least forced or compulsory labour or services, slavery or practices similar to slavery, or servitude, or for the purpose of

the exploitation of the prostitution of others, or other forms of sexual exploitation, including pornography.

2. The consent of a victim of trafficking in human beings to the exploitation, intended or actual, will be irrelevant where any of the means set forth in paragraph 1 have been used.
3. When the conduct of action (referred to in paragraph 1 involves a child, it shall be a punishable trafficking offence, even if none of the means set forth in paragraph 1 has been used.
4. For the purpose of this Framework Decision, “child” shall mean any person below 18 years of age.

A victim “particularly vulnerable” – victim of sexual exploitation

Severe penalties, entailing imprisonment of up to eight (8) years, are stipulated for extreme cases. One such case is when the offence has been committed against a “victim particularly vulnerable”, namely “when the victim was under the age of sexual majority under national law and the offence has been committed for the purpose of exploitation of the prostitution of others or other forms of sexual exploitation, including pornography”

The definition of a victim “particularly vulnerable,” therefore, does not apply to all trafficked persons, without distinction, but it sets an age limit. However, it succeeds in recognising the related act of sexual exploitation as a severe form of trafficking, alongside offences committed by the use of serious violence or resulting in particularly serious harm to the victim or which have been committed by a criminal organisation without taking account of the age limit.

Extending the scope of criminal liability – the liability of legal persons

Natural persons, a legal term meaning individuals, are not the only ones to be held accountable for human trafficking-related offences: legal entities, and subsequently the natural persons behind them, can be held liable for this criminal offence, too. **Legal person**, for the purpose of this Framework Decision, shall mean “any entity having such status under the relevant applicable law, except for States or other public bodies in the exercise of State authority and for public organisations.” Human rights organisations operating in the area of human rights (Human Rights Watch and Amnesty International) had proposed to the working group to give particular attention to abuse of post (or incrimination) by state officials, law enforcement, and police agents, and intelligence services. However, this proposal was not taken into account.

Strong sanctions are provided for to be imposed on legal persons involved in criminal activities, including fines, and closing down of the activity (private establishment) used as a basis for the organisation of criminal offences. Another important feature of this instrument is that investigation into or prosecution of this criminal offence shall not be dependent on the report of accusation made by a person subjected to the offence. This means that accusation made by the victim is not a prerequisite for initiation of investigation.

3.1.4 European Convention against Trafficking in Human Beings

The Council of Europe (CoE), as a political organisation aiming to promote human rights, democracy and the rule of law, has taken action against trafficking. We can mention a number of recommendations dealing specifically with trafficking in human beings for the purpose of sexual exploitation, a regional plan for South-eastern Europe, as well as a number of workshops and projects in this field.

The **Council of Europe approved the European Convention against Trafficking in Human Beings** on 3 May 2005. The Convention is a legally binding document for all members of the Council of Europe.²⁶ An ad-hoc committee of experts established on proposal by Committee of Ministers drafted the Convention.

Unlike other international instruments, which focus rather on the prosecution of trafficking perpetrators, the new Convention is geared *“towards the protection of victims’ rights and the respect of human rights, aiming at a proper balance between matters concerning human rights and prosecution.”*

The added value of the new, legally binding document will amongst others be to recognise trafficking as a violation of human rights, to set up a legal framework for the protection of and assistance to victims and witnesses, to establish an effective monitoring mechanism, and to contribute to the harmonisation of the European legislation in this area.

²⁶ Albania is one of the 46 Member States of the Council of Europe. Albania enjoys the status of the Member State of CoE since 13 July 1995.

The European Convention against Trafficking in Human Beings also addresses all the forms of human trafficking (national/transnational, linked/non-linked with organised crime), focusing on all the trafficked persons, whether adults, youths, and minors.

This European instrument will serve as a regional complementary mechanism of the UN standards and initiatives for the protection of and respect for human rights. It is based on the definition of trafficking in human beings contained in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

3.1.5 Europol

The 1995 Convention on Europol recognises Europol the powers to combat trafficking in human beings, as well as sexual exploitation of children and child pornography.

Europol supports the European Union Member States by:

- 1. Facilitating the exchange of data** (personal and non-personal) in accordance with the national laws.
- 2. Providing operational analysis** in support of the Member States' operations and strategic reports and crime analyses, on the basis of the intelligence supplied by the Member States, which are processed by Europol.
- 3. Providing expertise and technical support** for investigations and success of operations carried out by law enforcement agencies of the Member States in support of the law, and under the supervision and legal responsibility of the concerned State Party.

3.2 THE ALBANIAN LEGAL FRAMEWORK

The Republic of Albania has ratified a number of international conventions, and other acts related to them. The signing of these international instruments generates obligations for the development of the domestic criminal laws providing for punishment of human trafficking.²⁷

²⁷ The International Convention on Suppression of Trafficking in Women and Children, concluded in Geneva in 1921, and its amending Protocol.

Law no. 8733, dated 24 January 2001, stipulates, “Trafficking in human beings, and any other act thought to be similar to trafficking in human beings, shall be fought against, and punished under the Criminal Code.” The said law contains specific articles prescribing strict sanctions with regard to trafficking and abduction.

At present, the Albanian legislation provides for the commission of this offence in more aggravated circumstances, in the cases where it is committed in collusion; more than once, or when it is associated with physical violence; when it entails serious consequences for the health, or results in the death of the afflicted; and as early as 2004, the said law provides for this criminal offence even when it is committed through abuse of a government office, or public service. In the said cases, it is considered a qualified criminal offence, for which severe sanctions are prescribed.

The Albanian criminal legislation further elaborated the contents of Article 2 of the Palermo *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children*, promulgated in furtherance of the UN Convention Against Transnational Organised Crime,²⁸ ratified by Albania, setting as a goal *per se* “to prevent and combat international human trafficking, paying special attention to women and children,” devoting special attention to the protection of women and children from trafficking.

Law “For Several Additions to and Changes in the Criminal Code,” dated 24 January 2001, carries several changes concerning the criminal offence, and the penalties imposed for human trafficking, trafficking of females into prostitution, and trafficking of children for the purpose of exploitation. For all the cases, a more severe penalty is provided for when the victim is a child, when exploitation

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- Convention on Suppression of Trafficking in Women at Major Age, concluded in Geneva in 1933, and its amending Protocol.
 - Convention on Suppression of Trafficking in Persons, and Exploitation of the Prostitution of Others, and its final Protocol, 1950.
 - UN Convention Against Transnational Organized Crime, 2000.
 - Protocol against Smuggling of Migrants by Land, Sea, and Air, supplements the UN Convention Against Transnational Organized Crime.
 - Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplements the UN Convention Against Transnational Organised Crime.
 - Convention on the Elimination of the Forms of Discrimination against Women, 1979.

²⁸ Law no. 8920, dated 11 July 2002.

is committed by a group of people for the purpose of profit, or when force is used, or when the criminal offence is committed in an on-going fashion, or in collusion with others, through abuse of an government office, or by armed criminal organisations.

The Criminal Code of the Republic of Albania provides for sanctions “for criminal offences” that are directly or indirectly related to trafficking in human beings, women and children. These include the above-mentioned offences, as well as assistance for illegally crossing the border, exploitation, funding and renting of premises for prostitution, abduction of a person and a child, putting a person’s life at risk by inflicting severe physical or psychological suffering, battering, violent sexual relations, stealing of identity documents, forging of identity documents such as passports and visas.

On 12 February 2004, at the proposal of the Council of Ministers, the Parliament of Albania adopted a law introducing further changes in and additions to the Criminal Code in all the above-mentioned areas, including trafficking in children.

Under the Palermo Protocol, the said law sets forth a new definition of the criminal offences of trafficking, providing for more severe penalties and fines for traffickers, and for the illegal crossing of the border, and an extension of penalty by one fourth for those individuals performing government functions.

Under the Criminal Code, the persons who are arrested or convicted for criminal offences related to trafficking in narcotics, prostitution, and clandestine immigration, and who offer to cooperate and assist in the conduct of investigations and the trial against them, may not be convicted to more than half of the maximal term provided for the criminal offence committed by them. Besides these *general protective sanctions*, the Albanian legislation also prescribes “*extraordinary sanctions*.”²⁹ These protective safeguards were introduced on 15 March 2004, following adoption by the Parliament of Albania of Law no. 9205, “For the Justice Collaborators and Witness’ Protection.”³⁰

²⁹ See OSCE, *A Review of the Albanian Legislation in the Area of Human Trafficking*, OSCE Presence in Tirana, Office of the Legal Counselor (January 2005).

³⁰ Law no. 9205, “For the Justice Collaborators and Witnesses’ Protection,” dated 15 March 2004.

| Article | Criminal Offence | Sanction |
|---------------|---|---|
| Article 110/a | <i>Trafficking in human beings</i> (1) With the purpose of material profit or any other profit (2) In collusion with others, repeatedly or accompanied with mistreatment and physical or psychological threat of the injured person to commit different actions or causing serious harm to the health of the trafficked person (3) Causing death to the trafficked person | (1) 5 to 15 years' imprisonment (2) Not less than 15 years' imprisonment (3) Life imprisonment |
| Article 114/a | <i>Aggravated exploitation</i> Involvement of minors, coercion, compulsion to engage in prostitution outside the jurisdiction, involvement in collusion with others, repeatedly, or of persons holding state or public office | 7 to 15 years' imprisonment |
| 114/b | Trafficking in women for prostitution: (1) With the purpose of material profit or any other profit (2) In collusion with others or repeatedly, or is accompanied with mistreatment and physical or psychological threat to the injured woman to commit different actions, or causing serious harm to the health of the trafficked woman (3) Causing death to the injured woman | (1) 7 to 15 years' imprisonment (2) Not less than 15 years' imprisonment (3) Life imprisonment |
| Article 128/ | Trafficking in children: (1) With the purpose of material profit or any other profit (2) In collusion with others or repeatedly or is accompanied with mistreatment and physical or psychological threat of the injured child to commit different actions or causing serious harm to the health of the trafficked child (3) Causing death to the injured child | (1) 10 to 20 years' imprisonment (2) Not less than 15 years' imprisonment (3) Life imprisonment |
| Article 297 | Illegal crossing of the state border (1) Crossing of border (2) Organisation of crossing of border for purposes of profit | 1. Fine or up to 2 years' imprisonment (2) Up to 10 years' imprisonment |
| Article 298 | Assisting illegal crossing of border (1) Making available or use of a conveyance by sea, ³¹ air, or other means in order to assist illegal crossing of border (2) Assisting in illegal crossing of border for purposes of profit Commission of an offence causing death or serious injury to one or more persons | (1) Fine or up to 3 years' imprisonment (2) Fine or up to 7 years' imprisonment (3) Not less than 7 years' imprisonment |
| Article 109 | Kidnapping or keeping a person hostage Kidnapping or keeping a person hostage for purposes of gain or profit in order to prepare conditions for the commission of a crime, to help perpetrators or collaborators in hiding or escaping the scene of the crime, to avoid punishment, or to force the granting of requests and certain conditions, for political or other purposes | |
| 1.1 42 | ³¹ If illegal border crossing is committed through sea conveyances that are the object of registration, the manner of use and the control of motor-powered navigational conveyances not exceeding 15 tons net weight, the sanctions of this law apply concurrently with the Criminal Code sanctions. (1) Kidnapping or keeping hostage a child under the age of 14 (2) Kidnapping or keeping hostage a person or child under the age of 14, proceeded by or accompanied by physical or psychological torture, or repeatedly (3) Where it causes death | (1) 10 to 20 years imprisonment and with fine from two million to five million Lek. (2) Not less than 15 years imprisonment and with fine from three million to seven million Lek. (3) Not less than 20 years imprisonment, and fine from five million up to ten million Lek. (4) Life imprisonment |

3.3 NATIONAL STRATEGIES FOR THE FIGHT AGAINST HUMAN TRAFFICKING

3.3.1 Albania's National Strategy for the Fight against Human Trafficking, 2001-2004

Considering the fight against human trafficking and all its forms as one of its highest domestic and international priorities, in December 2001, the Albanian Government adopted the National Strategy for the Fight against Human Trafficking, 2001-2004. The said Strategy was drafted by government structures in cooperation with local non-profit organisations and the international organisations working in the area of human anti-trafficking.

The National Strategy contains overall and specific targets spelled out in short- and medium-term programmes in the area of the prevention of trafficking in human beings and protection of its victims, prosecution and conviction of traffickers (associated with the appropriate legislative reforms), and provides for public awareness campaigns and social and institutional actions designed for the long-term shelter and reintegration of the victims of trafficking.

For the first time, the said Strategy and the proposed actions in this framework recognise the human, social, legal dimension, and the institutional complexity involved in the fight against trafficking in women, young women and children, and their reintegration, as well as the importance of the social and economic development, poverty reduction and access to equal opportunities for all the Albanian citizens for services in order to eradicate this phenomenon.

This Strategy also recognises that the fight against human trafficking would require the commitment of both the state institutions and the international organisations and non-profit organisations offering a unique experience and capacities in this area. Institutionalisation of cooperation with the national non-profit organisations and the international organisations operating in Albania at a higher level, as well as enhanced cooperation and joint/bilateral initiatives with regional governmental and non-governmental institutions of the countries in the region are a few of the achievements of the said Strategy.

The said Strategy aims at determining the main directions of work to prevent and put an end to human trafficking, to protect and provide assistance to victims of trafficking, and to create the appropriate conditions for their social integration.

Targets of strategy

The targets of the Albania's National Strategy for the Fight against Human Trafficking are connected with its mission and its goal.

The main targets include:

- (1) Completion of the necessary legal framework
- (2) Institutional, structural, and organisational changes; establishment of the Committee for the Fight against Human Trafficking at the Council of Ministers.
- (3) Improvement in the social conditions, and reduction in poverty.
- (4) Improved care for the victims of trafficking, and programmes intended for their reintegration.
- (5) Strengthening cooperation among institutions within the country and with the police forces of the countries in the region, which are interested in tackling this problem.
- (6) Raising public awareness.

3.3.2 National Strategy against Child Trafficking and for the Protection of the Child Victims of Trafficking³²

The Strategy against Child Trafficking aims at accelerating the current initiatives to minimise and eradicate child trafficking in Albania by strengthening and coordinating the activities of all the involved government institutions, international partners and domestic and international non-profit organisations through accomplishment of the targets, actions and schedules described in the attached Action Plan for the period 2005-2007.

The said Strategy and Action Plan give priority to identifying and prosecuting traffickers and conspirators through enhanced law enforcement efforts within the community and at the state borders, as well to increased measures to assist children who are at risk of being trafficked or who have been trafficked, so as to provide them with medical, psychological, social and economic assistance.

³²

In this regard, the National Strategy against Child Trafficking and for the Protection of the Child Victims of Trafficking addresses both the measures to provide adequate temporary shelter and help institutions and social care workers build their capacities, and the long-term recovery and integration, including family support, the development of fostering and adoption services, based on the right of each and every child to grow up in a family environment..

The said Strategy provides also for measures to address the dropping out of school, illegal child labour, poverty reduction, and the needs for vocational training, as alternatives to illegal immigration, trafficking or re-trafficking.

This Strategy also envisages the creation of a special structure at the prefecture level designed to coordinate and monitor the prevention of child trafficking, protection, and rehabilitation responses, education, health, and social services, law enforcement, prosecution, and the local government officials. The said Strategy also fosters the development of partnerships at the local level between the governmental and non-governmental actors with local partners in order to implement the targets contained in the Action Plan.

Structure of the Action Plan for the Fight against Child Trafficking

The Action Plan is developed in line with a five-point structure agreed upon with both the domestic and international partners:

- **Prevention of Child Trafficking** – including improved law enforcement and border control, increased public awareness, education and information, as well as training at a local and national level, with a focus on the most vulnerable communities;
- **Protection and reintegration of child victims of trafficking** – including the legal framework, the law enforcement forces, penal prosecution and legal procedures;
- **Assisted voluntary return of victims** – based on the best practices for the identification, protection and return of the trafficked children to their country of origin;
- **Coordination of actors** – at a national and international, governmental and non-governmental, central and local level.

4 THE ROLE OF THE PSYCHOSOCIAL SERVICE PRACTITIONERS AND ETHICAL ISSUES IN THE WORK WITH VICTIMS OF TRAFFICKING

4.1 THE ROLE OF THE PSYCHOSOCIAL SERVICE PRACTITIONERS

The practitioners who are active in the psychological and social areas may play a number of roles in preventing the phenomenon of trafficking, raising public awareness, and empowering and reintegrating the woman/young woman, and child victims of human trafficking.

The assistance to the woman/young woman, and child victims of trafficking should be a continuum of services aimed at enhancing their economic and psychological independence, and urging their further empowerment and reintegration.

The shelters for the woman/young woman victims of trafficking provide temporary protection. They offer a safe environment in which the woman/young woman victims can learn that the abuse and exploitation they have experienced did not come through any failures of their own. The shelters also help them have greater trust in their own skills, and the courage to live on their own, away from the persons at whose hands they have experienced violence and exploitation.

In the said situations, the woman/young woman victims of trafficking need to have access to:

- Legal counselling on trafficking-related issues (criminal or civil);
- A temporary safe shelter;
- Required psychological, medical, and social assistance in order to help them address their own needs;
- Education and training allowing them to find permanent employment.

Over the last years, Albania has developed a network of services, located in private and public premises, designed to address issues and problems related to human trafficking. The basic coalitions are playing an important part in extending psychosocial services. These coalitions have

also turned into tools to promote development of and improvement in government strategies and policies in the area of the prevention of and addressing of issues related to the trafficking in women/young women, and children. The psycho-social workers in government institutions, international organisations and non-profit organisations are focussed on assessing the needs, proposing and developing government policies, and launching initiatives intended for the protection of the woman/young woman, and child victims of trafficking, and preventing further episodes of human trafficking.

In their capacity as social workers, after having assessed and identified their needs, and located the supportive resources for them, they are able to establish contact between their clients (the woman/young woman, and child victims of trafficking) and the required resources.

In their capacity as counsellors, they consider their clients' problems in relation to the environment, the cultural factors, and their experience, and together with their clients, they may develop and implement an adequate therapeutic plan.

In their capacity as intermediaries, they provide that agreement and understanding is reached between their clients (victims of trafficking) and the others (their families, their friends, and the institutions). In their capacity as educators, they teach and produce models of a proper social behaviour. And in their capacity as advocates, they monitor their clients' rights.³³

These practitioners should also be in command of excellent skills enabling them to organise, manage and coordinate their work, while establishing relationships with other organisations and agencies, including services located in the community, and vocational training centres. The psychosocial workers should also be well versed in the provision of referrals, case management, and advocacy.

³³ Ma. Suela Kusi (2001), "*Advocacy – the Role of the Social Worker*", "Fountain House Tirana", July 2001, Tirana.

Even though all the aspects to social work are important, advocacy is an area in which the social workers should necessarily be involved, especially when it comes to dealing with the phenomenon of trafficking in women/young women, and children. By handling the latter in a special way, and focussing on the person-in-the-environment, the social workers are able to locate the phenomenon of human trafficking within a major social context, and provide advocacy nationwide to policies that, indeed, help empower all the woman/young woman, and child victims of trafficking.

4.2 ETHICS OF THE PSYCHOSOCIAL SERVICE PRACTITIONERS IN DEALING WITH WOMAN, YOUNG WOMAN, AND CHILD VICTIMS OF TRAFFICKING⁴

Ethics is essentially a body of moral principles absorbed by practitioners who are active in the psychosocial area with the sole purpose of ensuring provision of fair and proper services. The terms “*ethics*,” “*moral*,” “*law*,” “*value*,” “*standards of professional behaviour*,” and “*professionalism*” are often encountered in the services extended to survivors of human trafficking. In his work with the survivors of human trafficking, it is absolutely important that the counsellor is quite clear about how he uses them. The words “*value*” and “*ethics*” are the ones that are largely approached, and more frequently used interchangeably. “*Value*” often implies a good and desired behaviour, while “*ethics*” implies something fair and proper. In the professions involving assistance to people, the laws and codes of conduct regulate ethical issues.³⁵ The latter are the guidelines in a counsellor’s work. However, none of them can ever produce a clear-cut answer as to what is best for the client.

The ethical practices and legal requirements in social services in Albania are already outlined. The Code of Conduct for Social Services of the National Social Worker Association is a document, which is being ever more supported by the social service workers.

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³⁵ Prof.Assoc.Dr. Milika Dhamo, University of Tirana, Ethical Issues Relating to Social Services Extended to Children and Youths, 2005.

The social and psychological services offered to survivors of the consequences of human trafficking aim at addressing their immediate needs. Essentially, ethical behaviour boils down to self-assurance in being fair with the client, with this confidence arising from the ability to combine the personal and professional skills while providing assistance to this group in need. This is best achieved when the counsellor has:

- • Sufficient knowledge, the capacity to judge, and the required skills allowing intervention in the vulnerable client's behaviour;
- • The decency and humanism to respect the client's human dignity and freedom;
- • The necessary strength to intervene, and the mettle to be held accountable for using his influence in the right manner;
- • The ability to respect himself, and the other practitioners so as to encourage the community's trust in the psychological and social services.

Providing counselling, amending someone's way of thinking, his concept of himself, his whole routine surrounding self-esteem and self-efficiency, and extolling the clients' human behaviour means firmly relying on knowledge of the nature and the typological characteristics of behaviour. Providing counselling means respecting the clients' psychological, gender, age, and cultural characteristics. If the need for respecting the clients' developmental characteristics is ignored in the course of counselling, it is most probable that the client will end up being indoctrinated.³⁶ The type of counselling, in the course of which one's age and developmental dynamics are not taken account of, is likely to be preaching, moralising, and unfair in nature.

A Psychosocial service provider in his/her services for women/girls and children victims of trafficking of human beings should:

- Remember that women/girls and children victims of trafficking have the right to respect (this includes respect for their physical, intellectual, social and emotional welfare)
- Respect the cultural, religious and ethnic background of all the people with whom he/she works, however different it may be from his own.
- Model good conduct for others to follow
- Ensure that there is always be more than one adult present during activities with children and young people, or the activities should be within the sight and hearing of others.
- Respect the right of the client of personal privacy

³⁶ Ibid.

- Create an atmosphere of trust in which the clients can challenge attitudes or behaviors which they do not like.
- Feel able to comment on each other's conduct and be prepared to offer and accept constructive criticism.
- Challenge any inappropriate behavior of the client.
- Report any suspicions or allegation of abuse.
- Be aware that some actions may be misinterpreted, no matter how well intentioned.
- Recognize the need to exercise special care and caution in discussing sensitive issues with children and young people.
- Be aware of and comply with the codes of conduct and rules of the agency or organization with which he/she is working.
- Seek advice about any concerns about the behavior of any adult with children victim of trafficking.
- Be sure that client has knowledge for legal guardians (e.g. councilors, psycho-social service providers) with whom they can share their concerns, and how to contact those people if they are worried about any issue.

A Psychosocial service provider in his/her services for women/girls and children victims of trafficking of human beings should not:

- Have any inappropriate verbal communication with women/girls and children victims of trafficking.
- Have any inappropriate physical contact with client.
- Allow himself to be drawn into inappropriate or attention seeking behavior
- Make suggestive or derogatory remarks or gestures to(or in front of) client.
- Jump to conclusion about others without checking the fact.
- Exaggerate or trivialize client abuse issues
- Show favoritism to any individual.
- Rely on his/her good name or his job to protect himself/herself.
- Think '*it cannot happen to me*'.
- Take a chance when common sense, policy or practice suggests a more prudent approach.

4.2.1 A client's right to information

If a counsellor is keen to offer fair, ethical, and legitimate services, he should build his performance on thorough knowledge of the clients' rights. This is especially important when working with children and youths.

The primary right to be dealt with in the course of counselling is the right to being briefed on what it is going to happen in the course of counselling. After being duly briefed only, the client will be able to take decisions. The following are the mistakes most commonly committed in the course of briefing a client:

1. The counsellor does not put the client in the picture, believing that the latter has the capacity to elaborate the information, and take the best decisions about him on the basis of the information available.

2. The counsellor may communicate only a piece of the information, which often leads to the client's being manipulated. Manipulation through ill information or misinformation is ethically harmful, and may result in consequences of permanent dependence for the client.

3. The counsellor believes that his task consists of briefing the client only, without giving due thought to the upshot of this information. Therefore, before deciding on the piece of information to provide his client with, the counsellor should consider the client's capacity to process this information, his ability to understand this information, and his ability to take independent decisions building on the information received.

4. In a correct working practice, the counsellor should produce evidence in support of the information imparted.

4.2.2 Matters of confidentiality in counselling

Confidentiality is one of the most important ethical matters in the course of counselling. When confidentiality is present it may lead to a quick and reliable change in the client; when put in question, the client may seclude himself hermetically, and fossilise forever his problem on account of the newly emerging situations surrounding dependency or other dysfunctions. At face value, confidentiality may be paraphrased very simply: everything said in a counselling setting is absolutely confidential, and the counsellor has no right whatsoever to breach confidentiality, and leak the truth he has learned in the course of counselling to third parties.

The conditions for confidentiality should be made clear to the client right at the outset of counselling. Overall, the counsellor ensures the client that he will maintain confidentiality irrespective of any imposing, though not coercing, circumstance to breach it he might be facing. This means that, when the client discloses private information, the counsellor keeps that for the purpose that it was disclosed. Yet, there are certain situations in which the counsellor has to breach

confidentiality, especially when he should forewarn and protect third parties. Nevertheless, whenever the counsellor deems that confidentiality should be breached, he should make this purpose clear to the client, and encourage him to participate in telling the truth.

Confidentiality is breached when:

- The life of the client or third parties is at risk.
- The client gives permission for the information gathered in the course of counseling to be passed on to third parties.

This is a situation surrounding the counsellor's obligation to respect the client's confidentiality. Yet, more often than not the counsellors need to raise specific cases with their clients' family members, or work colleagues. The counsellor needs to reflect and to speak about things. This comes as a result of the emotional and psychological burdens he carries away from discussion with his client. The counsellors have a great need to free themselves of what they have accumulated in the course of counselling; therefore the supervisors of the counselling centres are considering counsellor-focused professional assistance schemes. What is advised is that supervisors develop "debriefing" schemes, namely brief sessions in the course of which the counsellor does not reveal the cases, but what happened to him, to his self, as he focussed on his cases. Similar sessions help release the day's burdens, and minimise the stress, avoid professional exhaustion, and develop protocols on the conduct in the course of counselling.

For the purpose of maintaining confidentiality, and ensuring the service quality, the counselor should not lose sight of:

- His professional responsibilities;
- His obligation to forewarn and defend the life of all the stakeholders involved in the counseling scheme
- The risk of children being ill-treated, and abused physically, emotionally, and psychically;
- The risk of promoting poverty;
- The risk of having hesitant relations with children, and that they address their own needs with their own behaviors.

The matters of confidentiality become even more difficult if account is taken of the fact that counsellors often promote the group work and counselling.

The ethical risk arises from situations in which the following aspects are underestimated:

- Developmental dynamics in a group
- Confidentiality in a group
- Personal relationships within a group
- The likelihood of abuse with the group counseling techniques
- The likelihood of abuse with the independence of the group members.

5 Victims' background and determining factors

5.1 FAMILY BACKGROUND

An individual's emotional life is built on and has its roots in the relationships he/she has had with his/her parents and other family members, both during childhood and in his/her adult life.

As far as childhood and adolescence that are often spent in frustrating and rejecting environments, the family background impacts the bio-psychological well-being of a person. Therefore, in order to have a better understanding of the psychological perspective of victims of trafficking we have both to address the trauma they have suffered at the hands of the traffickers, and take into account their past and present relationships with their family members.

According to the studies on the "attachment theory of development," the experience of loss, deprivation, neglect, or abuse affects a child's emotional development, and has long-standing effects on the individual's capacity to build satisfactory and reliable relationships, as well as his/her sense of self-awareness and self-esteem. When a parent, who represents the most important person to a child, shows sufficient regard for a child's individuality and dignity, the child feels valued and respected. He/she develops self-esteem, autonomy, and learns to control his/her own actions, and express his/her own point of view. On the other hand, any significant instability in the care-giving relationships: whether physical distance, erratic patterns of parental behaviour, or physical or emotional abuse, may interfere with the individual's sense of trust and security, thus potentially giving rise to anxiety and/or other psychological problems during late childhood, or decades later in life.

5.2 SOCIAL AND ECONOMICAL CONSTRAINTS

Besides the family factors, the vast majority of the trafficked women and children also have a background of financial hardships, as they come from areas with poor economic and social standards. Statistics show that the women who end up being involved in trafficking were not satisfied with their economic status, and wanted to improve it, often paying no heed to the means involved.

Due to their difficult economic situation at home, having no regular job and living on occasional income only, the level of uncertainty about the future becomes extremely high. The lack of predictable solutions to their economic problems pushes the victims of trafficking into making impulsive decisions with the sole purpose of escaping from such situation. Under these circumstances, the decisions women make have not been properly thought through, and their vulnerable position makes them be more easily influenced and manipulated.

When victims of trafficking are returned to their countries of origin, it is critical that action is taken to prevent them from finding themselves in the exact same socio-economic situation that prompted them to leave in the first place.

After enduring the horrors of the trafficking experience, the victims of trafficking have the difficult task of learning how to cope with their trauma. If they are forced to add the financial stress and economic insecurity to this, the pressure (and/or motivation) to try and set about finding a job abroad, which can result in them being re-trafficked. This is one of the ways by means of which trafficking can become a self-perpetuating cycle, and this highlights the importance of social, political, and economic changes.

The working experience with the victims of trafficking has shown that a few of them were aware of the risk of becoming entrapped in a trafficking network as a consequence of resorting to migration illegally. This phenomenon has properly been well documented with victims of trafficking who have already gone through a trafficking experience at least once.

6 Prevention of human trafficking

It is already important to recognise that undertaking an effective action against human trafficking calls for the adoption of integrated and comprehensive approaches both in the origin, transit, and destination countries. Interventions should aim at addressing the factors at the root of the phenomenon, raising public awareness concerning the existing risks, and developing appropriate assistance and protection measures for the victims of trafficking, the monitoring of the system of recruitment and transportation, and at the same time, the monitoring of the local conditions in the destination countries.

6.1 WHAT DOES “PREVENTION” MEAN?

“Human trafficking has its own causes in the social and economic conditions of the countries of origin. For it to be prevented, the focus should be placed on the economic regeneration, and the need for reducing the number of people, members of vulnerable groups, through economic empowerment.

“This calls for an analysis of the strategic investments, and restructuring agreements, assessment of the availability, and types of employment, especially for women, as well as the discrimination rates. These factors may be addressed, *inter alia*, by adopting and implementing non-discriminating laws concerning education, employment, and access to loan-borrowing possibilities. The vulnerable groups entitled to benefiting economic assistance, and in particular, the unprotected children, and women from areas with poor economic development, should be identified and due priorities about them should be established.”³⁷

The term “*prevention*” is used to spell out a number of interventions against trafficking, which may differ quite immensely in terms of substance, the targeted groups, and the gamut.³⁸

³⁷ This definition is extracted from the *National Programmes to Combat Trafficking in Human Beings (National Plan of Action) Background Paper* for the South-eastern European Stability Pact countries, Vienna 2001, pp. 1-2.

³⁸ Save the Children, *Measures against Trafficking in Children – A cognitive handbook on the unfounded interventions into children’s rights, with experiences of Save the Children in South-eastern Europe*, Tirana 2004, p. 42.

There is no formula for an effective prevention. This is understandable as the risk factors for the women/young women, and children threatened to be trafficked are in large numbers, and the dynamics surrounding trafficking leading to exploitation is complex. Identification of the population at a greater risk, and identification of the more efficient interventions are a few of the principal difficulties that the experts in the area of human trafficking are faced with. A better understanding should be achieved of the risk factors, the dynamics of trafficking, the decision-making process concerning the groups at a greater risk, and of the possibilities that may be offered to the latter. And a systematic and critical assessment of the interventions effectuated so far should be made in order to take effective measures.

6.2 THE ROLE AWARENESS RAISING PLAYS IN THE PREVENTION-FOCUSSED STRATEGIES

Raising the awareness of the persons held responsible for addressing the issue of human trafficking (women/young women/children), and raising the awareness of the whole public and/or the sector could be important for an all-sided strategy for its prevention.

The awareness raising approaches change depending on the targeted groups, the aimed-for influence, and the existing resources. They range from group discussions, including small groups of individuals, to the means of public information for all the public, and everyone else involved.

Different strategies intended for raising awareness may have different targets, including:

- Providing the groups at risk with information so that they are assisted in taking decisions on the basis of real facts (for instance, concerning safe immigration practices in order to reduce possibilities for migrant smuggling).
- Raising the awareness of the persons in charge concerning the responsibilities they have towards women/young women, and children, as well as the legal and institutional mechanisms for their protection.

- Exerting influence so as to uproot the prevailing wrong concept relating to trafficking, and urging people to provide support to and accommodate the victims of trafficking.
- Raising the awareness in the sector of sex industry concerning the conditions in which victims of trafficking are held, and the criminal consequences leading to their exploitation.

6.2.1 Public information campaigns

The means of mass communication include television, radio, and Internet. Posters could also be a useful means for the dissemination of information on human trafficking to the public at large. A public information campaign may increase public awareness concerning this issue primarily by encouraging the public to assume responsibilities concerning trafficking in women/young women, and children, or by seeking greater protection for them by the communities they belong with, and/or by fighting its silence over the exploitation of human beings. Similar campaigns should address specific aspects of the problem, and look at it from different perspectives, including prevention of immigration, deterrence of domestic violence, promotion of gender-based equality, and prevention of HIV/AIDS.

6.2.2 How could messages concerning trafficking be sent out?

Development of messages regarding trafficking in women/young women, and children is directly related to the complexity of the issue, and the extent of its sensitivity. Getting the groups at risk to properly understand the risk factors leading to the trafficking in women/young women, and children, and introducing them to certain practical counsels in terms of what they could do to protect themselves, might help them recognise the problem, and feel more protected and safe. The informative material should comply with the age, gender, and the cultural level of the community, which they are a part of. It is very important that:

- Messages are clear and easy to understand, and are developed depending on the cultural level of the targeted group.
- Messages contain certain practical advice concerning what the groups at risk can do to protect themselves.
- Messages reveal real stories.

The information material contained in videos, posters, leaflets, and radio advertisements could also be employed for the information campaign, and/or disseminated to the groups concerned in the course of different events, training courses, and direct meetings with them.

Involvement of women/young women, and children in the development of messages

Involvement of representatives from groups at risk (women/young women, and children) in the development of messages concerning human trafficking constitutes in and by itself a concrete awareness-raising activity, allowing them to mull over the issues in order to send out important messages to the other groups of the population at large. They may be involved in the development of the informative material in different ways, including:

- Pilot groups that offer remarks and suggestions how to develop the draft of the informative material.
- As part of the working group focussed on the development and production of the informative material.
- Participation in the paintings competitions, or other creative activities in order to produce informative material in an independent way.

Participation of representatives from the targeted groups in the development of informative material requires that initial groundwork is carried out, the appropriate schedules, and resources are set, and experienced facilitators are allocated in this process.

6.3 PARTICIPATORY METHODS

Use of participatory methods³⁹ as part of the educative and awareness-raising activities urges active learning, and contributes to the empowerment of women/young women, and children. Their active input to this issue promotes them to critically look at the problem of human trafficking, as well as

³⁹ One of the most important programmes for preventing child labour and children's ill-treatment, the Programme *Scream – Stop to Child Labour*, initiated with funds from the Italian Government and implemented by ILO-IPEC, is built on the said methods, **and is being implemented.**

the role they may play in their own protection and in the protection of the communities in which they take part.

Participatory methods include:

- Verbal methods: discussions, brainstorming, debates
- Visual methods: drawing, painting, modelling, collage
- Performance methods: drama/theatre, dancing, pantomimes, stimulation of role-playing, imitation, and role-playing
- Written methods: creative writing, poetry, collective short stories, and articles.

It is very important that all these activities are followed up by discussions in which it should be made clear that what the participants made, and the way they realised it aimed at encouraging them to reflect deeply, and taking discussion about trafficking-related issues further ahead.

“SCREAM Stop Child Labor” Programme

IPEC has launched a new educational and social mobilization initiative, “SCREAM Stop Child Labor”, to help educators promote understanding and awareness of child labor among young people and their communities. SCREAM stands for Supporting Children’s Rights through education, the arts and media but also reflects the silent suffering of working children and the need to give them a voice.

Through creative and innovative teaching methods, the SCREAM programme aims to inform young people about the world in which they live and the injustices that exist, with the focus on child labor, so that they in their turn can speak out on behalf of child laborers everywhere. It places a share of responsibility on their shoulders and supports them in developing appropriate responses.

SCREAM draws much of its inspiration from the visual, literary and performing arts. Drama is a particularly powerful tool for reaching young people. Theatre speaks a universal language transcending geographical and cultural barriers and has been used throughout history as a vehicle for social comment. The programme therefore promotes

the performing arts as a means for young people to explore their feelings, give expression to them and convey their message to the wider community. For truly understand the daily horror of working children, people must be moved at the most fundamental level. With help and guidance, young people can gain the skills and confidence to create and perform their own piece of drama appropriate to their cultural and social setting.

SCREAM, focuses on three main areas of advocacy:

- (1) Building proactive relations with national and local media;
- (2) Youth empowerment and promoting and supporting young people's participation in the campaign; and
- (3) Enhancing interagency cooperation.

All three areas are interrelated and mutually supportive. Standing alone, each one has an equally important role to play in moving the powerful and effective force for change. Their integrated action-aimed at producing tangible behavioral changes- includes the active involvement of institutions and seeks the key to achieving sustainable results through diplomatic-political leadership.

A significant component of sustainability is the implementation of the full programme of modules, moving from creating awareness to building emotional stress at what is happening, creating a desire for change to come about, and moving from there to action.

Various modules deal with issues of sexual abuse and sexual exploitation of children. The group will learn that child laborers are especially vulnerable to this kind of abuse and that the commercial sexual exploitation of children is one of the worst and most harmful forms of child labor

Some of the exercise in the modules, such as drama and creative writing, can be effective in helping young people to deal with past or present trauma. International conventions and national legislation prohibit the sexual abuse, but society can still turn a blind eye. Sexual abuse takes place secretly, behind closed doors, even in privacy and the family home. Attitudes and behavior need to change to break the cycle of abuse and exploitation. Young people need to know that they have rights which are protected under legislation.

6.3.1 Life skills education

In certain cases, the information on the trafficking-related risk factors may not be sufficient for groups at risk of being trafficked to protect themselves. The assistance provided to groups at risk reinforces the self-defence mechanisms, and may even affect reduction in the level of dangerousness for them. Education with life skills could be employed as self-defence strategies with a focus on the following:

- Raising awareness of dangerous behaviours
- Raising awareness of how risks could be assessed best
- Raising awareness of how situations involving subjection to exploitation could be avoided
- Raising awareness of how abusive relationships could be addressed
- Self-confidence to cope with pressure and threatening
- Raising awareness of how one could achieve self-esteem
- Raising awareness concerning where to turn to for help

6.3.2 Strategies for mutual learning

The awareness-raising fora in which views are exchanged, including workshops, public debates, mobile exhibitions, and dramas, as well as the community's support for the trafficked women/young women, and children, could be effective ways conducive to participation of the community. This would also allow its young members to ask questions, and be involved in in-depth debates about the issues at hand.

Experts may make use of the settings in similar fora in order to highlight ideas concerning tolerance and mutual respect with a view to helping youths and children develop life skills, and encouraging critical thinking, as well as learning through media. Experts may also make use of these fora in order to redress the community's wrong concepts of trafficking, and identify topical themes concerning exploitation, gender-based issues, economic and social discrepancies, and human rights.

6.3.3 Community-based measures

Community-based measures may play a very important role for suggesting, at numerous levels, strategies on combating human trafficking. These measures could set in motion protective mechanisms in the very communities in which the trafficked women/young women, and children dwell, receive education, and find shelter.

The specific community-based measures may differ to a large extent in terms of their gamut, and the support they receive. They may range from projects bringing in low income to the setting up of community-based centres designed to offer counselling, professional training, and recreation leeway. One of the plausible advantages of the community-based approach is that it involves the community in identifying and suggesting measures responding to the risk factors. Hence, work is built on the community's existing resources, thus ensuring that these are compatible and sustained measures, as well as strengthening the community's capacity to protect itself.

The preventive community-based activities may help the vulnerable groups and their families address one or more risk factors.

6.3.4 Cooperation across sectors

The complexity of the human trafficking phenomenon does not merely call for the development and implementation of strategies for combating, and preventing trafficking, or for providing assistance to the victims. It is widely recognised that a multidisciplinary approach to this phenomenon is the only one way to ensure success.

Teamwork involving many sectors within the same programme (for instance, psychologists, social workers, educators, and lawyers) may help tackle better the multiple factors at the bottom-line of expansion of the human trafficking phenomenon, and ensure a more comprehensive intervention.

On the other hand, one single programme cannot be sufficient to address all the problems facing the groups at risk. Interventions could be more effective if a large number of interested groups, including the prefecture, municipality, local authorities, schools, health services, police, court, and public prosecutor's office, are involved in providing support to the woman/young woman, and child victims of trafficking, their families or their communities, so as to ensure that a number of risk factors are addressed. Such coordination may be achieved through:

- An agreement of understanding with police, social workers, and actors of other services, as well as the line ministries.
- Coordination among groups at a local level, and their relevant mechanisms.
- The social protective networks at a local level.

Establishment of official partnerships with other actors in order to carry out activities foreseen under given projects allows that interventions are better understood, and are better coordinated. Involvement of central and local authorities as partners is especially important, as it ensures the continuity and sustainability of the project. Coordination of efforts with the civil society actors, in order to mutually interlink the activities, may help reinforce the interventions. Partnership with the local non-profit organisations, including those that have established relationships with the more isolated and/or more secluded communities, may help reach out to the new communities.

Cooperation may be reinforced through ongoing communication, and regular meetings with the partners and the communities. Experts from partner organisations may be invited to take part in meetings and training sessions, and vice-versa. The organisation staff may attend training courses sponsored by partners, and the opportunity may be seized to link up with the other actors' network. Establishment of good relationships with the media may also help receive good support for the work.

7 Interviews with Women/Girls and Children Victims of Trafficking

7.1 GAINING INFORMATION ABOUT EVENTS AND EVIDENCE FOR FORENSIC PURPOSES

There is a difference between interviewing for forensic purposes and interviewing for therapeutic or helping purposes. Forensic interviews are for the purpose of gaining information or evidence for legal proceeding for the prosecution of offenders, for immigration purposes, or for client protection.

The courts require the best evidence possible, and therefore accuracy of the client's memory and recall is important. In forensic interviews, the way in which the interview is conducted is very important if the client's account of events is to be used as evidence in legal proceedings or in court. The client's account must be given freely. It must be clear, recorded accuracy of the client's memory and recall is important. In forensic interviews, the way in which the interview is conducted is very important if the client's account of events is to be used as evidence in legal proceedings or in court.

Where a client agrees to become a witness in a court case, if possible he/she should be jointly interviewed by a specially trained police officer and social worker and that interview ideally should be audio or video-recorded. This ensures that the court knows that the procedures for the protection of the client have been followed. The purpose of client protection interviews may include :

1. Information about the client and their family for identification and history
2. Information for appropriate referrals, for example for therapy to be offered to the client
3. Information about the events that happened to the client
4. Formal evidence for court purposes

7.1.1 Gathering information about the client.

There are lines of inquiry that may help to identify abused women and children:

1. Is the client's identity verified by appropriate and correct papers or documents?
2. Does the client have an identifiable family who is responsible for his/her care?
3. If the client has no identified family, is he or she in the care of an organization?
4. Given the client's age and ability, can he or she speak, at an age-appropriate level, the language of the country they are in?
5. If the client is a child of school age, is the client at school ?
6. Is the client known to the local social services?
7. Does the client have bruises or other evidence of abuse? Does the client have any unexplained or untreated illness?
8. Does the client have an apparently unexplained fear, depression, or anxiety?
9. Is the client kept away from the environment that he/she lives in?

7.1.2 Extending information to help the child: preparation for referrals

Clients who have been rescued from traffickers or abusers will inevitably be faced with many problems. Social workers and police may need to refer the client on to other agencies for specific help. The client may have medical, psychological, educational, social, housing and other needs, which require either experts or help from their family or community.

Asking appropriate questions to find out the required information about the client before referral is important. Questions may include:

- Family name
- Place of residence of the client
- Details of family history

- Family details: siblings parents, wider family
- Medical history
- Family issues
- Ethnicity
- Education
- Special needs
- Details which may help to establish links with other abused persons
- The client's account of events whilst they were away from their family

Forensic interviews of clients victims of abuse could include information about:

- Identity of alleged abuser/trafficker, her/his present whereabouts, their relationship to the interviewee.
- The duration and extent of the abuse.
- What happened in detail, when events happened, where, and how often.
- Names of anyone else having knowledge of the abuse.
- Names of anyone else involved or observing the abuse.
- In the case of alleged sexual abuse, whether the interviewee had been bribed or threatened to take part, and to keep it secret.
- Names of anyone the interviewee has told in the past and what happened as a result.
- If the interviewee has not told their non-abusing parent or family, does she or he feel able to do so now.
- Interviewee's feelings about the current situation and what she or he would wish to happen now.

The purpose of this work is to ;

- Provide the client with information about the legal process;
- Address any particular concerns or fears which the client may have in relation to giving evidence;
- Reduce anxiety.

7.1.3 Preparation for court

If the client agrees to take part in the criminal process as a witness, work may be undertaken to prepare a child for the statement or for trial.

The timing of the preparation for court is important.

If it is carried out too soon before evidence is given, the client's anxieties may be increased. On the other hand, if it is carried out at the last minute the child may feel rushed and be unable to assimilate the information given.

7.2 . PREPARATION FOR INTERVIEWS OF CLIENTS VICTIMS AND WITNESSES

This guidance is intended for social workers interviewing clients who are the alleged victims of abuse and witnesses.

7.2.1 General guidelines for the interviewing of women, girls and children victims of abuse or trafficking are:

- Interviews should take place as soon as possible after the allegation or suspicion of abuse emerges
- The client should feel supported and safe during the interview
- Interviews should take place in an informal setting and be conducted by interviewers trained to talk with clients victims of trafficking
- If possible interviews should not be too long to avoid tiring the client.
- The characteristics of the client, the client's family background and the interviewer should be considered in planning the interview
- The clients should be given an opportunity to tell their story in their own way, before they are asked explicit questions
- The questions should begin with open questions and direct or leading questions should be reserved for the later part of the interview

- Props and cues may be used, but only with caution
- The client should be prepared for giving evidence in court, and the long term consequences of being a witness
- The client should have support throughout the criminal investigation and trial.

Have in mind that:

- The amount that clients can recall freely increases with age
- Free recall is generally accurate
- Accuracy of reports does not vary with age
- Omission of details is much more common in interviewing children than the invention of false details by the child

7.2.2 .Issues which affect interviews with children victims of trafficking

Issues to have in consideration when interviewing children victims of abuse or trafficking:

- The child's developmental stage
- The child's level of understanding
- The child's memory, suggestibility
- The child's knowledge and use of language
- The child's culture and religion
- The child's educational level
- The child's capacity to see the events that happened to them in the wider context of events around them
- The child's psychological state
- The level of resources and support available for the client
- Whether the child may have been taught a story to tell investigators or police, or is likely to be influenced by fear or coercion.

Memory

The amount and accuracy of children's memories (free recall) of events increases as they reach adulthood, and younger children of three to six years appear to forget more incomplete than of adults. Sometimes young children may introduce fantastical elements into their accounts, but this is exceptional, and does not invalidate the rest of their account.

When questioned to help retrieve information from memory, most witness find that they know more than they were able to spontaneously recall, but the questioning might make their memories less accurate. Open-ended questions generate the most accurate answers. Specific questions are answered more accurately than leading questions.

7.2.3 Suggestibility

This is where the memory of a witness is influenced by the ideas, attitude or wishes of another person. Children (particularly those under six years) and vulnerable witness may be influenced by the questions they are asked, or by the circumstances of the interview, for example; Cases where the child perceives that the interviewer or others judge an action negatively e.g. as suspicious or wrong.

Repeated suggestive interviewing with leading questions implying a misleading account of events might induce a young child to comply with the questioner and affect free and prompted recall of the event.

7.2.4 Deception

As a general rule, it is difficult to tell if a client is telling the truth.

Remember that:

Body language and behavior cannot be an accurate indicator of deceptive and truthful statements. For example, some people believe that eye contact means that the speaker is telling the truth, but a good liar might know this and deliberately use it to their advantage.

There are no special behaviors or words that identify deception, for example, covering the mouth, touching the face, blinking or looking at the ground whilst speaking is not always an indicator of lying.

Some behaviors linked to stress may be confused with behaviors associated with deception, for example, sweating, wringing hands, or fiddling with a pen might show anxiety, but is not always an indicator of lying.

Remember that it is very hard, even for trained police officers, to tell when someone is lying.

7.3 HOW TO MAKE AN INTERVIEW A POSITIVE EXPERIENCE.

Generally, the client should be interviewed alone, but a younger child would benefit from having a trusted adult with her or him.

Any adult who is the alleged perpetrator of the abuse/neglect **must never** be with the child during any interview. The adult who accompanies the child at an interview are there to provide support to the child at a difficult time. They can and should offer verbal and physical comfort, but **must not** interrupt or prompt answers from the child, must not express any shock, anger or disbelief, and they must keep the content of the interview confidential.

The interview should be in a quiet room, free from distraction (such as television or radio playing) and free from the interruptions of people entering and leaving.

7.3.1 Choosing the right venue and facilities.

Venue.

Allow the client to have some control over when and where the interview takes place.

Make sure that the client is fully at ease with the venue of the interview. Make sure that the child knows and feels comfortable in the premises and the interview room, and that they fell at ease.

Provide, as a minimum, at least comfortable seating, toilet facilities nearby, and water. paper, and writing materials may be provided. Refreshments may be available for the end of the interview.

The interview room, should be as private possible. Others, who are not involved in the interview process, should not be able to stare in through windows, or to overhear the conversation in the interview.

There should not be interruptions during the interview, and others should be coming and going in and of the interview room whilst the interview is taken place.

7.4 GUIDANCE ON THE USE OF INTERPRETERS.

If interpreters are used, then make sure that certain basic safeguards are in place:

- Try to use independent interpreters who are known to the agency, specifically trained, and who are trusted.
- If there is no agency interpreter, make sure that anyone else offering to interpret is not known to the client in a threatening way (i.e. make sure that any person coming forward with an offer to interpret is not associated with trafficking and trying to silence the client).
- Make sure that the interpreter has no control or influence over the client.
- The interpreter should understand that they must translate what the client actually says, adding nothing, and leaving nothing out.
- The interpreter should not change the client's answer in the interpretation, for example to improve grammar or to add details.
- The interpreter should not be allowed to take over the interview and to ask questions themselves. Their role should be neutral.
- They should be taught not to show shock, fear, or other strong emotional reactions, which may influence the client.
- Interpreters should remain calm and professional. They should be warm, non-judgmental and open in their attitude to the client.

7.5 POINTS TO REMEMBER.

- Clients do not all disclose in the same way. Some will deliberately talk about traumatic events, others will accidentally disclose traumatic things that have happened to them through behavior.
- Disclosure of abuse may come through medical or other means.
- Clients may not tell everything that has happened to them all at once.
- There may be a delay before a client discloses, sometimes for a long time. They need to feel safe before they can tell what has happened.
- Sometimes a client will deny abuse or retract a disclosure, (for many reasons including fear) even if it is true and supported by other evidence.
- Age, culture, circumstances and the nature of the abuse may influence willingness to disclose what has happened.
- If clients tell about abuse, they may not understand what will happen as a result of the disclosure.
- Remember that the circumstances of the abuse may have left the client traumatized, and that psychological reactions to the trauma may influence responses to questioning. Recalling traumatic events may also impact on the client psychologically.

7.6 FIRST STAGE OF THE INTERVIEW.

7.6.1 Introduction.

To put the client at ease, make sure that the client knows in advance, who will be present at the interview and why they are there. If the client has strong feelings about not wishing any specific person to be present, explore the reasons why, and respect the client's wishes and feelings. At the interview, introduce yourself, also introduce the interpreter, and any other person present.

7.6.2 Establishing appropriate boundaries and trust.

After introducing everyone, explain to the client what will happen in the interview. Explain the purpose of the interview and make sure that the client understands as far as their age allows.

Confirm that the client consents to being interviewed. If an older client who has a clear understanding of the situation refuses to participate in the interview, their decision must be respected. No client should be forced to answer questions. There should be breaks for comfort or refreshment, but refreshments should not be used as a reward for disclosure or co-operation, or withheld in the absence of cooperation. Emotional safety is established through trust, honesty, clarity and openness.

- I. Trust: the client needs to have trust in the interviewer. Never lie, or mislead a client, or make promises that cannot be kept.
- II. Honesty: tell the client the truth, for example when they want to know why you are interviewing, and what you will do with the information gained.
- III. Clarity: if the client ask questions (the circumstances of the interview) give clear, understandable answers.
- IV. Openness: be open to the client's experiencing. Clients will not usually make up detailed false accounts of an experience. However, sometimes trafficked or abused clients are taught that they must tell a certain story if they are asked questions by social works or law enforcement officers, and they may have been coached in what they must say. Once they feel safe from oppression the true story will usually emerge.

Remember that clients need to tell their story in their own way.

- Each client's experience is unique and different from that of others.
- Clients will describe their experience accoutering to their character, culture, and level of understanding. Do not make assumption about what a client means.
 - Try to remain open to their way of describing what happened, and to find out what it is that they want to say.
 - Clients who have suffered prolonged trauma may have difficulty in giving a clear account of events in chronological sequence. They may confuse several incidents and run them together.

7.6.3 Confidentiality issues.

Explain to the client why you are interviewing, and what you will do with the information gained. If the information from the interview might result in legal action against an offender, then the clients concerned need to know how their interviews may be used.

7.6.4 Establishing rapport.

The time spent in an interview establishing rapport has a number of useful functions:

1. Establishing a relationship of empathy and trust between the client and the interviewer.
2. Explaining the purpose of the interview and making introduction of people present.
3. Discussion of neutral topics and reassuring the client that they have done nothing wrong
4. Ascertaining the client's linguistic competence (if the client is a foreigner or a child,) level and methods of communication.
5. Understanding the personality and life circumstances of the client.
6. Setting ground rules, challenging assumption and minimizing suggestibility.

It is vital to make sure that the client understands the importance of telling the whole truth.

Example:

You can say something similar to:

“It is very important that you tell me the truth about things that have happened to you. Now I want you to tell me everything that happened. Please do not add anything, and do not leave anything out”.

If you think that a client is not telling the truth, do not become angry, but gently ask questions to try to find out why they may be avoiding the truth:

- He/she may be afraid
- He/she might not be able to remember everything clearly
- He/she does not want to get someone else into trouble

Further questions that assist in establishing rapport:

Try to avoid questions that can be answered with just “yes” or “no”. Open questions are helpful in establishing effective rappsorts.

Warming-up questions

“ How are you today?”

“How was the trip?”

“How is your week been?”

Introducing questions

“Can you tell me about...?”

“Do you remember an occasion when...?”

“What happened in the episode you mentioned?”

“Could you describe a situation in which you...?”

7.7 SECOND STAGE OF THE INTERVIEW

7.7.1 Open questions.

The interviewer should gradually move the general discussion to establish rapport, to free narrative and open questioning moving towards those issues that have given rise to concerns. It is important to move at the client’s pace.

The following are example of possible general lines of questioning, gradually moving towards specific events;

Probing questions

“Could you say something more about that”

“Can you give a more detailed description of what happened?”

“Do you have further examples of this?”

Specifying questions (“what”, “when”, “where”, “how”)

Specific questions are the ‘*what*’, ‘*where*’, ‘*when*’, ‘*why*’, ‘*how*’, ‘*who*’ questions, eliciting more details. A useful question between open and specific is to ask more about a chosen topic, e.g. “Can you tell me more about...?” It allows the client freedom to tell more about an incident at their own pace and in their own way.

Other examples are:

“What did you actually do when you felt...?”

“What did you think then?”

“How did your body react?”

“Please, describe where it was happened?”

Note that “Why” questions are very difficult. Quite often when you ask a person ‘*why did you do that?*’ he thinks that you are criticizing, and not simply enquiring their reason for the action. If he/she is defensive, try to put the question in a softer voice and more neutral way...”*Why do you think that you did that? What made you do that?*”

Direct questions

“When you mentioned depressed, what it means?”

Indirect questions

“How do you believe other women react in a similar situation?”

Structuring questions

“I would now like to introduce another topic”

Clarification questions

“When you say you got... how exactly did you feel?”

Once a client has started to tell his/her story, then just listen carefully, and show that you understand and are open to what he/she says.

Try not to interrupt, but try to get a picture of what the client’s experience is.

Once the client has a (natural) stop, then specific questions may be asked to elicit more details.

7.7.2 Closed questions.

These are the least productive questions, but they can be used with care at the end of the interview to clarify issues raised earlier. This type of question poses fixed alternatives, or gets a ‘yes’ or ‘no’ answer.

Example:

“Were you in the bedroom?”

“Did anyone see you?”

“Did you run away?”

Note: Interviewers should NOT put ideas into the witness' head.

Leading questions (ones which suggest the answer) should be avoided, e.g. *'It was blue, wasn't it?'*
If a client wants to please the interviewer, he might simply agree and answer 'yes' to please. This sort of questioning will not elicit good reliable evidence.

7.7.3 CONSTRUCTING QUESTIONS

Use "funnel" technique: start with more general questions and move to more specific concerns (*"Please, tell me about your experiences of violence"*, and *"Could you tell me what did the children during that night"*).

Questions should be neutral rather than value-laden or leading (e.g. Bad: *"Do you agree that our manager is doing a bad job?"*; Better: *"What do you think of our manager's record in office so far?"*).

Use open not closed questions (e.g. Bad: *"Should the president resign?"*; Better: *"What do you think the president should do now?"*).

One question should include only one idea (e.g. Bad: *"Are you satisfied with this service and how it was provided to you?"*; Better: *"Are you satisfied with this service?"*; *"How it was provided to you?"*).

- Use familiar and clear words and expressions;
- Avoid jargon;
- Avoid scientific terms.
- Always probe (*How do you mean...?, In what way...?*)
- Avoid leading probes (*It is true that...?, Do you dislike this...?, Are you neglect your...?, Do you mean...?, Are you saying...?, Is that the only thing you can think of...?, You do not mean...?*)
- Avoid "yes" or "no" short-answer questions
- Avoid WHY questions
- Use the silence (There is no hurry; take a moment to think about it and tell me all that comes to your mind)

7.8 FINAL STAGE OF THE INTERVIEW: CLOSING

The closing part of the interview is as important as the opening. If the client has been trusting and has spoken of many things, it may be the first time that the client has felt that someone has listened to him/her.

If the things talked about have been painful and difficult, the client may feel relieved to have told someone about them, perhaps for the first time, but the client may also feel sad and upset by the memories.

It is very important to make sure that the client has a person to be with after the interview (a social worker taking care of him, therapist, or other trusted person) who will offer them the appropriate support and help if they are sad and upset.

Closure is also an important part of the interview process because it provides an opportunity to thank the witness, and also to answer any question that the client may wish to ask.

The clients should be invited to add anything they wish, or to correct anything they have said.

The interviewer can leave advice on seeking help, and a contact name and telephone number.

The interview should not be prolonged and tire the client, but also it should not feel rushed.

The ending of the interview should ensure that the client witness leaves the room feeling confident, safe and supported in the investigation process.

7.9 INTERVIEW DESIGNED FOR VICTIMS OF TRAFFICKING

BASIC DATA

1. No. _____
2. Referred by: (Non-profit organisation, police station, other institutions, individuals, etc.)
3. Date of entry into the centre:data/month/year
4. Period of stay: ____ days
5. Date of interview:
6. Name of interviewer:

PERSONAL DATA

7. Name
8. Family name
9. Nationality
10. Date of birth
11. Place of birth
12. Sex F
13. Marital status
14. Children
15. Mother's name
16. Father's name
17. Permanent address (city/village)

18. In whose company has he/she left home? (family, friends, on her own, through a tourist agency, other)

19. Family composition: (nucleus, extended, others)

20. Relationships in the family (good, normal, difficult, bad, others)

21. Family's economic status (high, standard, low, very poor)

22. Educational; level: (illiterate, elementary, 8-year, secondary, vocational, higher)

23. Foreign languages:

WITHIN THE COUNTRY

24. Has the client had any previous job experience? YES / NO
25. If yes, where: (self-employment, employment with the public sector, employment with the private sector, teaching, selling, waitress, entertaining, prostitution, other)
26. Duration (type) of job (seasonal / full-time)

ABROAD

27. Has the victim ever travelled abroad? YES / NO
28. Has the victim worked? YES / NO
29. If yes, where: (self-employment, employment with the public sector, employment with the private sector, teaching, selling, waitress, entertaining, prostitution, other)
30. Duration (type) of job (seasonal / full-time)

RECRUITMENT AND THE TRAFFICKING PROCESS

31. On what date has she left the country of origin?
32. Why did she leave the country of origin?
(for studies, for tourism, on mission, by force, visit to family, other)
33. Recruitment manner
(through false promise, contracting with an employment agency, fake promise for marriage, abduction, other)
34. Was the victim aware that she might be exploited for sexual activities YES / NO
35. Recruiter's sex: F / M
36. Recruiter's nationality: *Moldova*
37. Recruiter's relationship to victim: (unknown / friendly / relatives / parents / none / boyfriend / husband / other) – chance acquaintance
38. What happened to the victim as of the moment when she left home?

(here the whole story related by the victim is entered)

39. Victim's movements (from the country of origin to the final country of destination)

| Itinerary State + country (name of country or simply town / village) | Period of stay Days / months / years | Means of transport Car/bus/train/ airplane/ship/ other | Has she travelled with others? (description) | Reason Transit/work/ destination |
|---|--|--|---|--|
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| | | | | |

40. Were the borders crossed legally or illegally? (None / several / all)

41. Which was the final destination? _____

LIVING AND WORKING CONDITION/WHILE THE VICTIM WAS TRAFFICKED

42. Types of work: Entertaining / waitress / other + prostitution

43. Workplaces: street / bar / night club / home / other

44. Was she made subject to abuse while she was trafficked? - YES

MENTAL: YES / NO PHYSICAL: YES / NO SEXUAL: YES / NO

45. Has she been made subject to abuse before she was trafficked? – YES

MENTAL: YES / NO PHYSICAL: YES / NO SEXUAL: YES / NO

46. If yes, by whom? (unknown / father / peers / relatives / husband / other)

47. Has the victim used protective means (preservatives): always / not regularly / never

48. Payment made: (regularly / never / sometimes); rewarded in foodstuffs + clothing

49. Was the victim free to move? (totally denied / escorted only / totally free / other)

HEALTH

50. Has the victim ever had any troubles with the health?

MENTAL: YES / NO HIV-AIDS: YES / NO PHYSICAL: YES / NO

51. Has the victim had access to health treatment? (denied / on a regular basis / occasionally)

52. Is the victim pregnant at the moment of the interview? YES / NO / DOES NOT KNOW

RETURN TO THE COUNTRY OF ORIGIN AND ASSISTENCE

53. Which are the victim's immediate needs?

54. What does the victim want to do?

55. Does the victim accept the assistance offered? YES / NO

COMMENTS AND NOTES BY THE INTERVIEWER

56. What changes and contradictions does the victim reveal in the course of the interview?

57. Is the level of self-assuredness / self-esteem low or high, and why?

58. Other

8 ACTIVE LISTENING: WHAT MAKES COMMUNICATION EFFECTIVE?

Further we can discuss on the elements of an effective communication based on the experience of professionals working in the interview process with victims of trafficking of human beings.

8.1 THINGS THAT MAKE LISTENING EFFECTIVE:

- Same physical level
- Relaxed posture
- Physical safety
- Pleasant surroundings
- No distraction
- Privacy
- Clear boundaries (e.g. time, place, duration and frequency of meeting; confidentiality, mutual expectations and responsibilities)
- Good psychological contact
- Genuineness
- Non-judgmental acceptance
- Respect and valuing the other person
- Showing interest and alertness
- Open mindedness
- Good eye contact
- Acknowledgment of the other person and what is said (e.g. reflecting back, nodding)
- Open body language
- Confidentiality
- Trust
- Showing undivided attention
- Not interrupting
- Reflecting back
- Mirroring
- Allowing silences
- Clarification, owing confusions or lack of understanding

- Checking out to confirm understanding
- Paying attention to body language
- Being able to be wrong
- Not defensive
- Allowing enough time
- Open questions
- Patience
- Encouragement
- Supportiveness

Comments about how it feels to be listened to:

- Relief
- Not alone
- Realization
- Recognition
- Loved, valued, cared for, cared about
- Belonging
- Affirmed
- Respected
- Important
- Trusted
- Self worth
- Unburdened
- Wider view
- Different perspective
- Clearer understanding
- Challenged
- I sorted it out for myself, with your help
- Real
- Vulnerable
- Exposed
- Exploring

8.2 BLOCKS TO COMMUNICATION WITH CLIENTS

8.2.1 Be aware of self emotional response to a client who will not talk

When client will not talk with, it can set up to the interviewer the feelings of frustration, rejection or helplessness. The interviewer has to be careful to notice out his own feelings and not to become angry or punitive in response to a client who will not talk easily.

Feelings of frustration in helpers may cause a client to feel their anger and become frightened. If possible, the interviewer should find ways to reassure the client, and to let them know that he/she understands why they find it difficult to talk.

It may help to ask yourself some questions:

- Is the client frightened? If so, of what? How can you help them?
- Does the client understand that they can trust you? If not, what can you do to help build trust?
- Is the venue a good one for encouraging communication?
- Are there people present who are inhibiting the client from talking?
- Are you listening effectively? Check that you are using all the appropriate listening skills.
- Does the client have speech or language problems?
- Does the client have very strong emotions, which stop them from speaking about the events they have experienced?

8.2.2 Specific problems in communication

Emotions :

It is difficult for adults to express their emotions in words at the best of times. For a person (especially a child) who is suffering and distressed, it is very hard indeed to talk about feelings. If that client has been deprived of the love and care of a family, and possibly deprived of communication, they may be unable to identify the feelings that they have, and they may not have the words to express what they feel or even to tell their story.

Clients can show their feelings through drawing, and creative arts such as clay modeling, music, drama and the listener can use this medium to encourage communication with appropriate open questions.

In case of the interviews with children: Children may be willing to tell their story through hand puppets in the form of a play rather than tell their story directly to an adult.

The use of dance, and of musical instruments allow clients to express themselves and to show feelings, e.g. stamping feet in a dance, or banging a drum can help with anger, and an imaginary microphone can be used to sing or rap to tell a story, or to express feelings.

Cultural, religious or other societal taboos:

In some cultures, girls in particular could find it difficult to admit that they had been sexually abused because it will affect their social standing and also their chances of future marriage.

Boys, too, may find it very hard to admit that they have been abused or raped. They may feel that they are not as strong as men are expected to be in their culture.

The interviewer should be of the same sex as the client, if the client may find it easier to talk to someone of their own sex about what happened.

The interviewer should express no judgment of the client.

Anger :

A woman or a child victims of trafficking may be very angry with persons that have hurt them and for failing to protect them. The interviewer may need to be able to hear and to take a lot of the client's anger and to be able to understand that this is not personal.

The interviewer cannot allow the client's anger to become violence towards the interviewer or others, and it should be contained, but if the anger is heard, it will lessen.

Key skills here are:

- Listen to the client's anger without judgment.
- Show to the clients that you understand why they are angry.
- Do not defend or to argue back.
- Do not respond back with anger or punishment.
- Give the client a way to express their anger safely with words, play materials, or other means e.g. allow them to punch a cushion or to kick a cardboard box and at the same time to say out loud why they are angry.

8.2.3 Things that make listening less effective:

- Tension, lack of trust
- Background noise, distractions, interruptions
- Physical discomfort
- Strong emotions in listener preventing good listening
- Speaker overwhelmed with emotions, feeling self conscious, embarrassed
- Listener pre-occupied with other things
- Moving away, turning away
- Fiddling with hair or pen
- Making notes
- No eye contact
- Changing the subject
- Standing or sitting at different levels
- Language problems or cultural differences
- Inappropriate body language or posture
- Impatience
- Trivialization, or scorning
- Being patronizing or dogmatic
- Sarcasm
- Arguing, not accepting the other's experience or feelings
- Personality conflict between listener and speaker
- Provocation
- Humoring

- Reassuring
- Labeling and diagnosing
- Moralizing
- Advising, teaching or preaching
- Inappropriately talking about yourself
- Directing and leading
- Using ‘trigger’ words to turn the conversation
- Jumping in before the speaker has finished
- Explaining or over-interpreting
- Faking attention
- Falling asleep, yawning
- Lack of interest, boredom
- Automatic responses, or too much repetition
- Lack of emotional and psychological connection
- Summing up too soon

8.3 SKILLS AND QUALITIES OF AN INTERVIEWER

LISTENING AND GOOD COMMUNICATION

Those who interview women/girls and children victims of trafficking need to have patience, and the ability to communicate effectively.

AN UNDERSTANDING OF CLIENT DEVELOPMENT

Interviewers need to develop effective communication with clients of all ages. To achieve this they need an understanding of client development and of age appropriate language.

AN UNDERSTANDING OF THE NATURE AND EFFECT OF CLIENT ABUSE

Those who interview women/girls and children victims of trafficking need to understand the types of abuse to which clients might have been exposed, and the potential effects of abuse on the clients concerned and their families.

OPENNESS TO THE CLIENT'S EXPERIENCE

Interviewers must be non-judgmental, and value the client, being open to the feelings and experiences of the client.

BUILDING RAPPORT

Creating the feeling in clients that their thoughts and feelings are understood, giving them a chance to make their own decisions, at their own place, and demonstrating a real interest in helping the client.

FACILITATION

Assisting clients to communicate, listen, express emotions and concerns.

RECORDING AND SUMMARISING SKILLS

Interviewers may need to record facts and the client's feelings, creating summaries and records of interviews.

NON-VERBAL COMMUNICATION SKILLS

Realizing the effectiveness of verbal expression, gesture and body language in communicating with the client and others and using them appropriately.

MANAGEMENT OF THE INTERVIEW PROCESS

Able to put together a variety of skills, provide a structure for the interview, and keep control of the process.

UNDERSTANDING AND EMPATHY WITH CHILDREN AND ADOLESCENTS

Those who interview children, need to be at ease with the children with whom they work. They need to understand how children of different ages might think, and how children of different ages might express themselves.

UNDERSTANDING CULTURAL AND RELIGIOUS DIFFERENCES

Interviewing women/girls and children victims of trafficking necessitates an openness and awareness of other cultures, religions, and ethnic difference. Interviews may be influenced by cultural taboos on gender, venue and the use of facilities.

UNDERSTANDING OF SITUATIONS AND PEOPLE

Has experience with people, some understanding of various different kinds of behavior, the necessary substantive knowledge of the issues, and a familiarity with relevant rules or guidelines.

ABILITY TO LEARN FROM EXPERIENCE

Willing to build on knowledge, self-awareness and understanding of others.

GENUINENESS

Honesty knowledge of one's strengths and weaknesses.

OPENNESS TO OTHER PEOPLE

Respect, understanding of differences, and an awareness of own prejudices.

IMPARTIALITY

Is concerned about outcomes for both sides and has the ability to demonstrate that to the parties.

SELF AWARENESS

Pays attention to own feelings and behavior, so as not to treat the parties unfairly without realizing it.

FEXIBILITY

The ability to maintain professional standards but also to respond to the needs of each individual client and to change the interview process in order to meet their needs and the requirements of each new situation.

BALANCE

Interviewers need the ability to be aware of their own feelings, and to balance them with the needs of the situation. They may need to match the need for support and empathy with appropriate keeping of boundaries to keep the client safe, matching authority and control with a concern for the client.

COMMITMENT TO EQUAL OPPORTUNITIES

A willingness to build an understanding of how race gender, culture and religion play a part in the client's experience, to be aware of different cultural needs and to work with a diversity of women/girls and children and colleagues in a non-discriminatory way.

CREATIVITY

Interviewers need the ability to come up with ideas trying different ways of working with women/girls and children victims of trafficking where necessary, and being flexible to meet the needs of changing situations.

PROFESSIONALISM

Takes work seriously, is prepared and on time , is respectful to clients and adults at all times.

9 Psychosocial Counseling

The following chapter intends to focus on the psychological dimension of the trafficking phenomenon and simultaneously, to provide an overview of the assistance scheme available to victims of trafficking. Providing psychological support and counseling services to VoT⁴⁰, from the moment of their admission into the return and reintegration programmes until its conclusion, is an important element of their effective integration in society. Without effective counseling, the VoT could hardly achieve a full recovery from the effects of the psychological trauma they have experienced, making their successful reintegration much less likely.

Furthermore, the VoT are often returning to same social, familial and economic environment that, in many instances represented the determining factor in their decision to leave their home country and seek work opportunities abroad in the first place. In such circumstances, if their traumas and fears are not properly and sufficiently addressed, they may not find the strength necessary to cope with the same environment that they originally wanted to escape from. Therefore, a reintegration scheme without a strong psychological component may place the VoT in such a vulnerable position that they end up having the same experience over and over again.

The counseling sessions, which are provided to the VoT while they are residing in the shelters and reintegration centers awaiting repatriation aim is to:

1. Understand and assess the background of the victims and the determining socio-economic factors that created the fertile ground for their later exploitation;
2. Analyze and document the psychological impact of the trafficking experience including a detailed analysis of the traumas associated with it, and;
3. provide counseling services using methods that are designed to give the VoT tools to cope with their trauma and prepare them for later reintegration activities.

9.1 EMPIRICAL OVERVIEW OF THE EFFECT OF TRAFFICKING AND THE PSYCHOLOGICAL ASSESSMENT OF ITS CIRCUMSTANCE

9.1.1 The aversive and uncontrollable nature of trafficking

The methods that are used by one human being to enslave another are outrageous and often shocking. Traffickers exert extremely brutal and manipulative control over their victims, from both a physical and a psychological perspective. They use rape, beating, torture, starvation, physical exhaustion, isolation, deception and death threats to force the victims of trafficking (VoT) to obey their rules and orders. This tremendous and constant level of violence and emotional pressure places the VoT in a situation where they learn to accept anything. All of their means and abilities to respond to or face danger are annihilated and the traffickers use these techniques to subjugate women into prostitution.

As a direct consequence of such an abusive environment, the VoT are pushed towards adopting conformist behavior; they became obedient only to avoid violent reactions against them. They often use patterns of avoidance behaviors, such as compliance and obedience, as a response to difficulties or danger. Moreover, the VoT live in a perpetually deceptive environment where the traffickers feed with false information, which is meant to prevent the VoT from turning to the police or trying to escape on their own.

Such accumulated traumas and fears make the VoT incapable of trusting anyone. The reality around them is distorted, and the victims become doubtful of themselves and of others. Therefore, it becomes very difficult for them to make a radical decision such as breaking the circle of violence and looking for help to go back home.

The debilitating effect of uncontrollable and aversive events have been demonstrated in a variety of experiments on both animals and humans. Dr. Martin Seligman, from Pennsylvania University, studied the effect of constant coercive actions on animals. The subjects normally started to lose weight, to be agitated and depressed, and when they were allowed to escape, their responses ranged from complete inability to move to avoidance behavior. Seligman termed this phenomenon of passively accepting one's circumstance as "learned helplessness".

Rothbaum suggested that, when attempting to control events, people try to change the environment to fit their desires (“*primary*” control) or to change their selves to fit the environment (“*secondary*” control). When people believe they are unable to exert primary control over events, they may become passive and withdrawn in order to avoid the disappointment and possible loss of self-esteem that would result from repeated failed attempts to control seemingly uncontrollable events.

For the VoT, “primary” control is manifested by attempts to oppose the traffickers or to escape from the bar. When such “primary control” cannot be gained, the VoT resort to “secondary control”, meaning that they become passive and repressive toward their own feelings and beliefs. The victim has low self-esteem as a result of the repeated abuse she had endured and come to believe that there are no “better” alternatives to the abusive situation.

The trafficking experience violates a person’s autonomy at the level of basic bodily integrity. The VoT is not allowed to decide when or if she eats; she is not allowed to decide when or if she can rest, and repeatedly, her body is injured and invaded. This loss of control is often recounted as the most humiliating aspect of the trauma. In many cases, this dehumanizing process is carried to the level of taking away the victim’s personal documents and giving her a false identity in return. It cannot be emphasized enough that in the context of trafficking, by definition, the victim’s point of view is not taken into account at all. The trafficking experience thus destroys the belief that one can have control over one’s actions or decisions and can be oneself in relation to others.

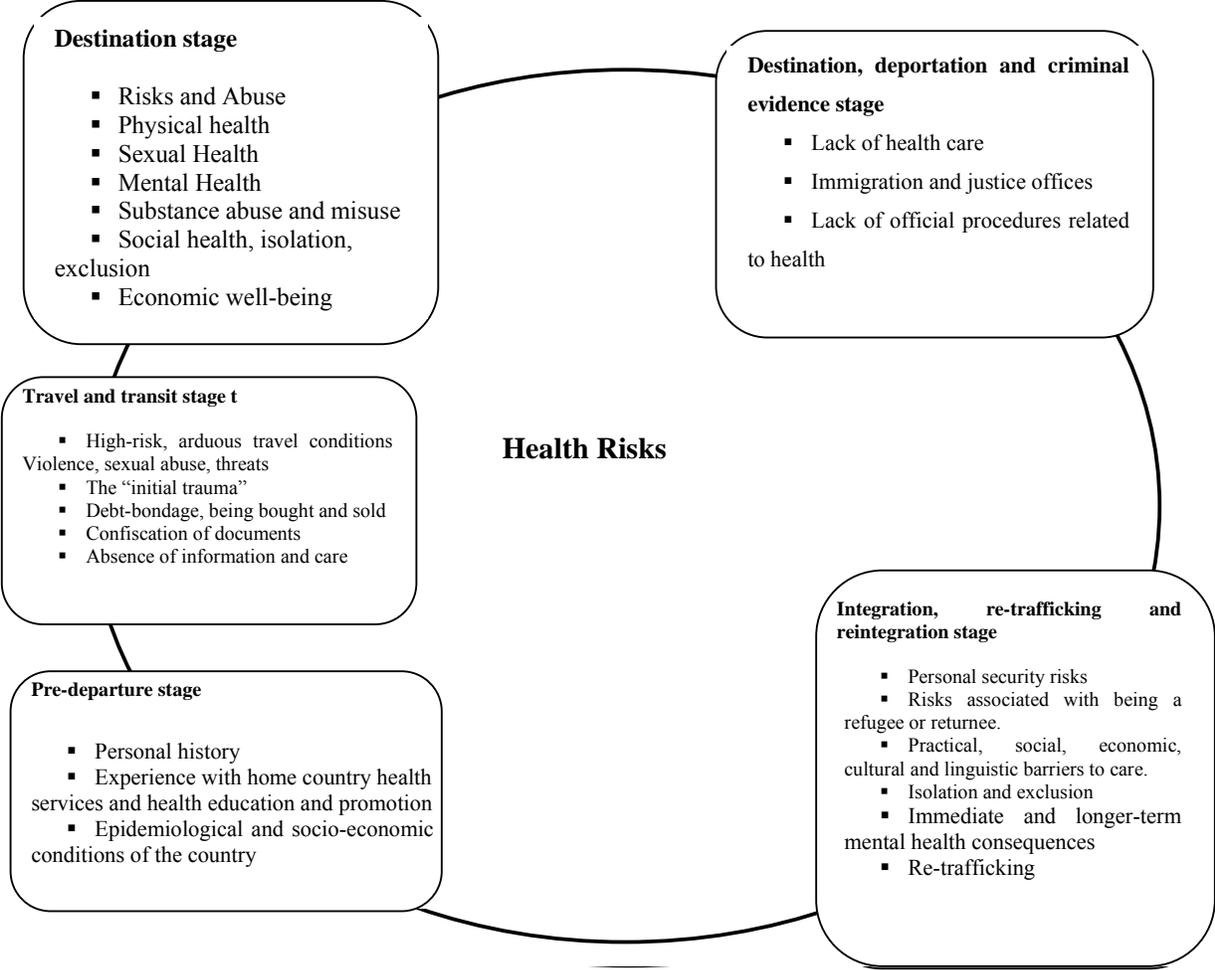
This further explains the reasons why most of the VoT become numb, passive and doubtful, and seem incapable of fighting the terrible situation in which they end up. The cruel reality is that all too often people blame or criticize the victim for the passivity instead of understanding it as one of the outcomes of the criminal treatment that these women endure.

9.2 HEALTH PROBLEMS

Health problems are the direct effects trafficking has on its victims. The trafficked women suffer the same, and perhaps more serious, wounding, infections, and traumas as those that physically violated, sexually attacked, or raped women suffer. Unlike sexual violence perpetrated under common circumstances, the abrupt and repeated incidents, isolation, threats, and constant ill-

treatment on the part of traffickers help intensify the harsh consequences of trafficking for the victims of trafficking.

Medical studies, oriented to typify and document health consequences for forcibly trafficked women, have often focused on the spreading of sexually transmitted infective diseases, and have documented, though insufficiently, the other types of damage and diseases, which these women may contract and suffer from. Few other studies have focused on the psychological traumas these women suffer at the hands of traffickers, tutors, clients, and “boyfriends.” This confirms the fact that the health practitioners have not properly documented the full extent of damage that the experience with trafficking causes to its victims.



Framework 1 presents an overarching perspective of women’s needs throughout five primary stages of the trafficking process, these are:

- Pre-departure stage;
- Travel and transit stage;
- Destination stage;
- Destination, deportation and criminal evidence stage; and
- Integration and re-integration stage.

This framework draws on literature and models development to examine health and migration, it presents the different stages of the trafficking process in order to highlight to the health risks, service needs, and opportunities and challenges for integration at each stage.

In addition, by breaking down the trafficking process into chronological stages, the framework helps to emphasize the need to take into account the risk and abuses associated with each stage, from pre-departure through integration or re-integration, in order to address women's health needs. The pre-departure stage, for example, may include specific experiences of violence and abuse that affect in woman's immediate health, ability to avert late risk, and potential future resilience. Likewise, there are individual experiences and factors associated with each of the other phases that impact a woman's health and well-being.

Similarly, each stage of a trafficking process offers different opportunities and challenges for health interventions. For example, it is possible to improve women's knowledge about health and health services delivery while a woman is still in her home country by increasing health promotion campaigns and offering targeted information on health and migration. This type of information may enable women to better defend their health when they need to.

This chronological perspective also corresponds to public health models of prevention that delineate primary, secondary, and tertiary levels of intervention:

Primary prevention: aimed to address the problem before it begins.

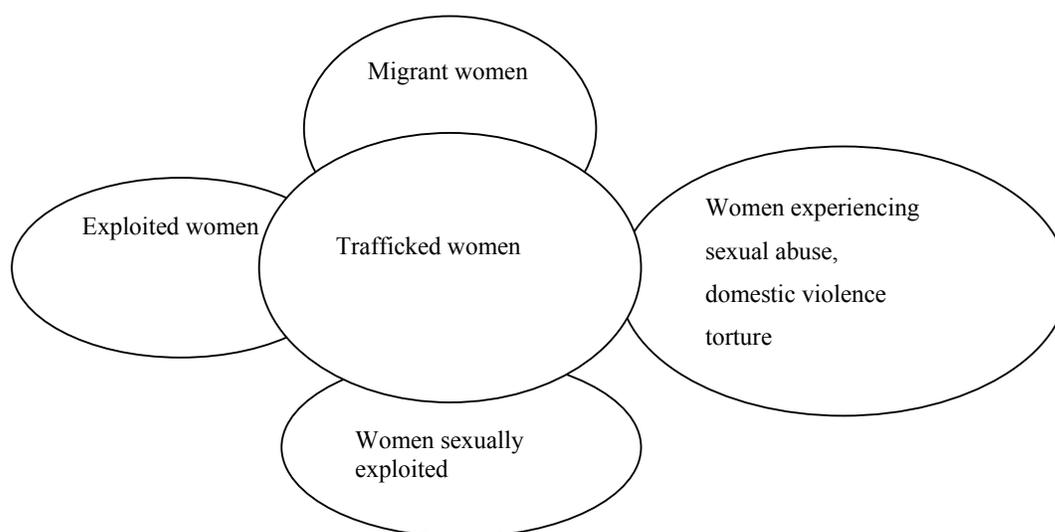
Secondary prevention: aimed to respond to early signs of the problem.

Tertiary prevention: aimed to respond once the problem is evident and already causing harm.

Inn the case of trafficking, primary prevention comprises those intervention implemented during the earliest stages of a woman's journey in the pre-departure and transit stages. These interventions

might include, for example public health promotion strategies aimed at providing information on reproductive and sexual health , symptoms associated with infectious diseases, mental health and related symptoms, or health risks associated with migration , including trafficking and legal rights to health services in order countries. Secondary prevention takes place later during the destination stage where women might be offered screening for infections treatment for newly emerging health problems and referral to assistance or information that my health averts further harm. Finally, tertiary prevention represents interventions implemented during the integration and re-integration stage, when, for the majority of women, physical, sexual and psychological problems have manifested and they require significant care and support.

Conceptual framework 2: Spheres of marginalization and vulnerability



The second concept model (above) recognizes that women trafficked to work as prostitutes share the vulnerabilities of several marginalized or socially excluded populations:

- Migrant women
- Women experiencing sexual abuse, domestic violence, torture
- Women exploited sexually
- Exploited women laborers

Thus, although there is limited data on trafficking and health, reviewing the health literature on immigrants and refugees, exploited laborers, and women who have experienced gender-based violence can help to illustrate many of health implications for women who have been trafficked.

Women who have been trafficked are liable to suffer types of abuse, stress, depression and somatic consequences similar to those experienced by female victims of violence; the alienation, disorientation felt by migrant women; and the physical, psychological and sexual work-related risks of exploited laborers and exploited women. Placing trafficked women at the centre of the four overlapping spheres that represent these vulnerable populations serves to emphasize the multiplicity and complexity of their needs.

The literature on service provision for these groups also highlights the range of barriers to health care and suggests potential lessons for service delivery. Obstacles to service delivery for these groups include high mobility, linguistic and cultural differences, clandestine or highly marginalized existence, social and economic inequity, legal restriction, funding restriction, stigma, and political and social discrimination (including by health care providers). Lessons learned indicate that for vulnerable and marginalized groups, providers must develop strategies that incorporate outreach activities that do not rely on individuals being able to access mainstream clinic or hospital-based services. In addition, effective service delivery needs to incorporate linguistically appropriate and socially and culturally sensitive approaches to health care. Sound program planning and implementation of services takes account of the range of risks, potential abuses, and multi-dimensional health needs of these population.

It must be noted that it is with greatest of caution that we associate the situation of women working as prostitutes with that of trafficked women. It is in no way meant to indicate that all women working as prostitutes are trafficked. Nor it is meant to downplay the risks, vulnerabilities and exploitation faced by non-trafficked women working in prostitution

The risks and abuses faced by trafficked women are rarely singular in nature. They are often combined in a calculated manner to instill fear and ensure compliance with the demands of the traffickers, pimps and employers. Women are physically beaten to force them to have sex, raped as a psychological tactic to intimidate them into future submission, isolated to disable them psychologically, and economically deprived to create a reliance on traffickers. Women who try to rebel or reclaim portions of their independence are beaten or financially penalized- and sometimes

both. In addition to health complications caused directly by violence and intimidation, trafficked women also face health risks associated with their social, legal, and gender marginalization, i.e., high risk labor sectors, barriers to service, discrimination. These risks parallel those experienced by the group represented in framework 2.

The forms of risk and abuse and the corresponding health consequences associated with trafficking include:

- Physical abuse – physical health;
- sexual abuse – sexual and reproductive health;
- psychological abuse – mental health;
- forced, coerced use of drugs and alcohol – substance abuse and misuse;
- social restrictions and manipulation – social well-being;
- economic exploitation and debt bondage;
- legal insecurity- legal security;
- abusive working and living conditions- occupational and environmental well-being; and
- risks associated with marginalization – health service uptake and delivery

It is also important to note that the health risks are multiple, and the consequences overlapping and often reciprocal in nature. For example, physical risks cause negative psychological responses, which in turn may result in additional physical health problems (e.g., frequent headaches, digestive disorders).

Health outcomes largely depend on the degree and duration of the coercion, and the individual's capacity to cope (which is often strongly influenced by the quality of support available).

The various forms of abuse and coercion interact numerous times in different ways to create an inextricable labyrinth of physical and psychological risk. Trapped in such a maze, most survivors develop coping mechanisms that help them anticipate and avert the most ominous dangers, manage imminent risks, and endure the negative consequences. Yet, in the longer term, once out of the threatening environment, these survival responses can inhibit an individual's resilience and normal functioning.

9.3 CLINICAL EFFECT AND SYMPTOMS CAUSED BY TRAFFICKING

Traumatic events generally involve threats to life or bodily integrity or a close personal encounter with violence or death. The ordinary human response to danger includes both biological and psychological aspects. When a person perceives danger, the body reacts by increasing the flow of adrenaline and going into a state of alert. This explains why people, who are in threatening conditions/situations, are often able to disregard hunger, fatigue or pain. Danger focuses a person's attention on the immediate situation. All of these reactions are accompanied by intense emotions of fear and/or anger that can either mobilize or paralyze a person. In other word, in a crisis situation a person chooses to fight or to flee.

Traumatic reactions occur when re-action (the escape) fails or when mere resistance is impossible, and the human self-defense system becomes overwhelmed and disorganized. At this point, the traumatic event produces profound and long-lasting changes (damage) in psychological arousal, affection, and cognition. The traumatic event not only affects these functions individually, but also alerts the way in which they interconnect and work with one another.

The trafficking experience includes repeated instances of severe abuse, with no mental respite or period of "normalcy or peace," because the VoT never knows what will happen next, when the next outburst or violent episode will occur.

What are the normal human reactions to abnormal events, like the traumas of the trafficking experience?

Physical reactions:

- Aches and pains like headaches, backaches and stomach aches
- Sudden sweating and/or heart palpitations
- Changes in sleep patterns and appetite
- More susceptible to colds and illnesses (weakened immune system)
- Increased use of alcohol or drugs, and/or overeating

Psychological reactions:

- Shock and fear

- Disorientation and cognitive confusion
- Irritability, restlessness
- Worrying or ruminating: intrusive thoughts of the trauma
- Nightmares and flashbacks of the events
- Attempts to avoid anything associated with trauma
- Minimizing the experience
- A tendency to isolate oneself and feelings of detachment
- Difficulty trusting and/or feelings of betrayal
- Feelings of helplessness, panic, and loss of control
- Diminished interest in everyday activities
- Loss of a sense of order or fairness in the world; expectations of doom and fear of the future

During the first encounter with the victim, she is usually in a state of physical exhaustion, confusion, disorientation and fearfulness. She may also experience difficulties in remembering anything about her trafficking experience and, even when she does remember something,. This is usually accompanied by intense emotions of distress and incoherence.

9.3.1 Physical status of the assisted women

The feelings of vulnerability and emotional pain that are experienced by the VoT, combined, often times, with a background of childhood abuse and mistreatment play a significant role in the occurrence and severity of the acute reactions.

The victim of trafficking manifest reactions as a consequence of the trauma they experienced:

- Acute stress reaction
- Post-traumatic stress disorder and dissociation
- Depression
- Borderline personality disorder
- Acts of deliberate self-harm (usually razor cuts and signs of self-inflicted cigarette burns on the arms).

Ultimately, there is an extreme risk of suicide among women who have been trafficked. Some of them state that they decide to commit a suicidal act (such as taking sedatives, cutting their veins, or

voluntary intoxication with various chemicals) so that they can be hospitalized and escape from the abusive environment where they are held captive.

9.3.2 Post-traumatic stress disorder

Post-traumatic stress disorder develops as a delayed and/or prolonged response to an event or situation being especially threatening or catastrophic in nature, which is similar to cause pervasive distress in almost everyone. DSM IV adds: *“The disorder may be especially severe or prolonged in the event of a human stressor.”*

Post-traumatic stress disorder, or otherwise, the post-traumatic stress, is one of the most widely known and studied disorders of anxiety. It reveals in and by itself a specific type of stress, with specific elements developing rather suddenly, and in an odd way for the client carrying this type of disorder. Moreover, it may develop in very quiet and happy times, amidst conjugal harmony and happiness, or a financial success, when the client believes that his life is quite all right, and the bitter memories or problems from the past have entirely faded away. As its designation indicates, the post-traumatic stress may develop after the trauma, but its duration varies from the briefest periods of time to long periods spanning up to ten years. This is precisely what makes this type of stress rather mysterious for the moment when it happens, and difficult to diagnose, or for the client to identify its causes by himself.

A number of designations have been ascribed to the post-traumatic stress disorder, including *agitated heart, soldier’s heart, the fatigue syndrome, and war neurosis*. A few of the preceding designations relate to war, because the post-traumatic stress disorder was initially studied in that context. Doctors attributed several of the soldiers’ weird emotional reactions to their physical fatigue and nostalgia for their children. In point of truth, the post-traumatic stress disorder was the major cause for these reactions to the stressor elements. It occurred both in periods of time when the war was not over yet, but also well after its end, and in distance from the time and place where the war horrors had been experienced. And as is the case with any untreated disease, it gave way to its subsequent influences and flare-up in the psychological health of the person affected by it.

Having been exposed to a setting of terrifying violence, ill-treatment, and abuse, the majority of the victims of trafficking have reported that they have re-experienced the moments of the trafficking

process in nightmares, or sudden memories of the events. Even though the victims of trafficking may attempt to avoid such anguishing memories, all of a sudden they often realise the traumas they have gone through. Emotionally speaking, the victims of trafficking are torn between feelings of uneasiness and anxiety, apathy and constant despondency.

Due to the nature of the phenomenon of trafficking, the type of chronic trauma that the victims of trafficking experience is not limited to a single disruptive event; instead, the trauma is spread over a much longer period. Hence, the longer the victims of trafficking are found under the traffickers' control, the more prolonged and the more severe the effects of their trauma will be.

Key symptoms of the post-traumatic stress disorder

- Recurrent stressing memories of the event

The clients go on to recall traumatic episodes. In certain cases, the clients may force themselves to think of the event. This is rather the case when the clients believe that the event could have been avoided.

- Flash-back episodes

They are characterised by extreme emotional and physiological eagerness in the course of which the person may be feeling as if pinned down. He/she is not aware of the situation in which he is found. Nearly every stimulus concerning the trauma may cause a flashback. This may indeed happen even if the subject is not aware of the connection between the stimulus and the trauma. A client subjected to rape, for instance, did not understand why she could not put up with the fragrance of roses until she recalled that a vase of roses was found in the room in which she was raped.

The associative emotion reaches very high peaks, and the client may experience the same level of terror and anger as before. Flashback is considered dangerous for a number of reasons:

- (1) it develops the suffering
- (2) it may grow worse
- (3) it harms the well-being of the self, as it manipulates the feeling of control

- Inability to recall important aspects to the trauma

This inability may be figured out even immediately following the traumatic episode. The client needs time to fully recollect the entire event.

- Lack of interest in activities

The client affected by the post-traumatic stress disorder feels attracted to activities that used to be a source of pleasure in the past: these activities may have been related to work or social relationships. The level of an individual experience of the trauma may be as such that it may well force the individual to give up his/her job. In the not rare case, the trauma is followed by conflicts in conjugal relationships, which may even result in a divorce.

- Dissociation (breaking away from the reality)

Dissociation is considered as a mechanism that prevents over stimulation of the consciousness. The trauma causes one's being removed from the behaviour, feeling, sensation, and cognition. The client's reactions do not comply with the real stimuli.

- Evasive symptoms

Evasive symptoms are considered as efforts to control, or to be protected from the negative effects, or as stimuli causing return of the experience of the event. There are cases where evasive behaviour reaches extreme limits, as it happens when a victim subjected to rape refuses to go out of home for years on end, thus developing agoraphobic symptoms.

- Emotional numbness

Emotional numbness refers to dissociation from social relationships, inability to experience emotions, reduced interest in taking part in activities, and failure in achieving sexual pleasure. Emotional numbness constitutes a complex multiple problem, which could be characterised as an emotional deficit. The emotional deficit is associated with high levels of reactions to negative events. In certain cases, it may be combined with the fear of losing control, with the fear reinforced by bouts of extreme nervousness. These bouts are more typical of males rather than of females. Emotional numbness could be considered as one of the most difficult aspects of treatment, and could continue to be present even following alleviation of the other symptoms.

- A excitement

The client is incapable of identifying or putting his emotions in words.

- A gloomy perspective of the future

The client holds negative expectations for the future, especially concerning the aspect in which he is affected by the traumatic episode. A female subjected to rape, for instance, believes that she will never be able to build relationships, create a family, and have children.

- Irritability, or outburst of anger

In certain cases, irritability may be related to stimuli that take one back to the event. In other cases, the client is not able to identify the reasons behind his anger. These outbursts are more frequently encountered among males, rather than among females, suffering from post-traumatic stress disorder. Yet, they are not a rare occurrence among women, and are more frightful if they do not relate to their pre-traumatic behaviour.

- Difficulties in obtaining concentration

The clients report complaints concerning concentration, with these complaints being severe in the immediate post-traumatic period.

- Sense of guilt regarding the event

The clients have numerous feelings of guilt, with these feelings increasing more in the case where the client believes that he/she had had the possibility to avoid the trauma, but he/she did not do that. Many victims of rape, for instance, hold themselves accountable for what has happened. The survivors of an accident, likewise, have feelings of guilt towards those who did not make it, or in relation to actions they might have done to save the others.

Associative physiological reactions:

- Sweating
- Paling
- Palpitations
- Increased blood pressure
- Headaches
- Fevers

- Fainting
- Dizziness
- Anxiety, stress
- Muscular tension
- Worrying
- Increased levels of noradrenalin and adrenalin
- Sympathetic hyper-excitement (attack or escape)

The diagnostic criteria for the post-traumatic stress

The person has been exposed to a traumatic event revealing all the following aspects:

- The person has experienced, witnessed, or coped with one or several events, involving one of the following episodes: death or threat to cause death, severe injury, or threats to own or others' physical integrity.
- The person's reaction includes immense fear, and the feeling of hopelessness, or terror. **Note:** Among children, this state could be communicated by disorientated or anxious behaviours.
- The traumatic event is re-lived in at least one of the following manners:
 - Through persistent and annoying painful memories of the event, including its images, thoughts about it, or its perceptions. **Note:** Among children, the topical theme or the aspects of the trauma could be conveyed through a recurrent game.
 - Through distressing dreams referring to the event. **Note:** Children may have frightful dreams, building on an unknown theme.
 - Through actions or feelings as if the event is happening again (including the feeling of re-living the experience, illusions, hallucinations, and dissociating flashback episodes similar to those occurring before being fully waked up, or in a state of drunkenness).
 - Through strong psychological distress caused by being exposed to internal or external stimuli, which bear a resemblance to, or symbolise an aspect of the traumatic event.
 - Through physiological reaction caused by being exposed to internal or external stimuli, which bear a resemblance to or symbolise an aspect of the traumatic event.

Persistent avoidance of the stimuli related to the trauma, and blocking of the overall sensitiveness (not present before the trauma took place), develop in at least one of the following forms.

- Through efforts to avoid thoughts, feelings, or talks associated with the trauma.
- Through efforts to steer clear of activities, locations, or people, provoking a comeback of the trauma.
- Through incapacity to recall an important aspect of the trauma.
- Through significantly reduced interest in taking part in the activities.
- Through the feeling of dissociation, and being different from others.
- Through reduced capacity to love (incapacity to cherish feelings of love).
- Through the feeling of gloominess, insecurity for the future (for instance, one does not expect to build a career, to get married, to have children, and lead a normal life).

Persistent symptoms, increasing stimulation (not present before the trauma took place), manifested in at least two or more of the following aspects:

1. Difficulty in falling asleep
2. Irritability, or outbursts of anger
3. Difficulty in obtaining concentration
4. Hyper-alertness
5. Panicked, exaggerated reaction

Disorder causes visible distress, or damage in the social or work areas, or in other important areas of performance. It should be specified whether the stress is:

- Acute:** Symptoms last less than three months
Chronic: Symptoms last three months or beyond.

It should be specified whether the stress is:

With a delayed onset: Symptoms develop at least six months following the operation of the stressors.

Associative disorders

The associative post-traumatic stress disorders include the following:

- Major depression disorder
- Disorders related to use of substance (alcohol, drug, medicine)
- Panic-related disorder
- Agoraphobia
- Obsessive-compulsive disorder
- Generalised anxiety disorder
- Social phobia
- Specific phobia
- Bipolar disorder

9.3.3 Dissociation

Over the last decade, relations between dissociation and serious trauma are receiving ever greater attention. Dissociation is defined as an “*ongoing process in the course of which a given piece of information (including sentiments, memories, and physical feelings) are kept away from the other to whom it would normally relate.*” Functionally speaking, dissociation could be seen both as protective and adaptive, given that, under certain circumstances, it allows the person to avoid processing or recognition of the information that is intolerable and unacceptable.

Victims of trafficking tend to “*lose the memory*” of the most painful moments of their experience with trafficking, and have a confused or altered sense of the time when the events took place. Every recapitulation of these painful memories is commonly followed by intensive emotions of distress.

Even though dissociation is an instinctive response to free oneself of undesirable memories, this response comes at a high cost, by being identified as Multiple Personality Disorder, which is now referred to as Dissociative Identity Disorder.

9.3.4 Dissociation and self-damaging acts

Dissociation develops in many extreme and difficult cases of impulsive behaviour, including self-damage, substance abuse, and bulimia.

Once dominated by the trauma-induced intrusive thoughts/memories, the individuals start to organise their lives around avoidance of such mental images at all costs. Avoidance may assume different forms: staying away from anything that may remind one of the trauma, taking to alcohol or substances that help dampen down awareness of the emotional anguishing state, or engaging in self-damaging actions in order to keep unpleasant experiences away from conscientious awareness.

Besides, when the victims of trafficking are full of feelings of anger, sadness, and grief, and feel abandoned and hopeless in order to fight against the terrible situation that has them in its grip, they pass on to self-damaging actions – in the majority of cases, to burning themselves with cigarette, or cutting themselves with razor – in an effort to put a stop to unbearable emotions. They would sometimes use these actions also as a proof, or remembrance of what has been done to them.

When asked about alcohol or drug abuse, many victims of trafficking find it difficult to tell between their forced use of and their desire to consume drugs or alcohol. While, in the beginning, they were coerced by their owners into drinking as much alcohol as possible, over time and in face of situation of ever greater distress they enter a vicious circle in which they see alcohol consumption as a way to relieve their emotional distress.

A number of them engage in heavy drinking when they know they will be beaten, or will be forced to witness punishments meted out by their owner. Given that this ill-treatment is administered on a daily basis, they are exposed to a cycle that may drive them into addiction on the alcohol.

9.3.5 The significance of the mood disorders

Mood disorder is one of the disorders most widespread among the woman and young woman victims of trafficking. Symptoms of these disorders may also be witnessed among the normal population: many of us recognise that changing of moods is wearisome. Clinical traits of mood disorders vary from deep depression to mania. Mood disorders assume the following forms:

Unipolar disorders

- Major depressive disorder
- Dysthymic disorder
- Depressive disorder, not fitting into any classification

Bipolar disorders

- Bipolar disorder I
- Bipolar disorder II
- Cyclothymic disorder
- Bipolar disorder, not fitting into any classification

Other mood disorders

- Mood disorder caused by the overall health condition
- Mood disorder caused by substance use (drug, alcohol)
- Mood disorder, not fitting into any classification

The depressive symptoms that affect the affective sphere (of feelings), the sphere of thinking, the sphere of behaviour, and the physical sphere, are the key traits to these disorders:

Most visible changes in the affective sphere refer to:

Mood: Individuals describe themselves as depressive, sad, and hopeless. They continue to feel under weather even in pleasant situations in which persons not affected by depressive symptoms would feel comfortable. They may often justify their bad mood by producing suspicions of or complains about physical diseases.

Lack of interest and enjoyment: The clients lose their interest and enthusiasm in activities, which they used to like in the past, or which entertain a large number of people. The clients complain that they do not have motives to live, and that everything is worthless.

Anxiety: The clients manifest pure anxiety symptoms. They feel anxious over the slightest things. They account for their anxiety with their expectation of negative events. A mother, for instance, becomes anxious if her children return later than usual from school, relating the cause for this delay to some accident that might have occurred to her children.

Reduced self-esteem and guilt: The clients tend to look at personal outcomes in a critical way, and overstate their failures. They see their failure at work as a personal failure. Their interpretations of the current or past events increase their feeling of guilt. Self-blaming could assume frantic proportions: an individual, for instance, may think that he/she is responsible for poverty across the world.

Most visible changes in the sphere of thinking refer to:

Negative thoughts: Negative thoughts are categorised into three groupings: a. The first grouping includes negative thoughts referring to the present. They tend to see everything grey. b. The second grouping includes thoughts referring to the future. The clients have negative expectations about their future. Their distress on account of these expectations is so great that they see death as the only way out. In the said conditions, they may also plan suicide. c. The third grouping includes thoughts referring to the past. They [the clients] tend to focus more on the negative aspects of the past, being unable to recall positive events.

Suicidal thoughts: These thoughts arise from the belief that the obstacle is insurmountable, that the others would feel better if they [the clients] would commit suicide. The clients at a low risk of committing suicide may have this thought for 2-3 minutes, at an interval of 2 or 3 times a week. While those at a high risk may also have taken hold of the means, which they intend to use to commit suicide, including, for instance, a rope or a pistol.

Most visible changes in the sphere of behaviour refer to:

Withdrawal from social life: The clients reduce significantly the amount of their social contacts.

Significantly reduced desire to engage in work, which is associated with neglect of duties, and poor outcomes.

Attempt to commit suicide.

Most visible changes in the somatic sphere refer to:

a. **Psychomotor agitation**, which is manifested in the capability of sitting, frequent chafing of hands, chafing of clothes, or scrubbing of other objects.

- b. **Psychomotor sluggishness**, which is manifested in the sluggishness in speaking and moving. It takes much time for the clients to answer a question. The tone of their voice is low, and their vocabulary poor.
- c. Reduced desire to have sexual relations.
- d. **Trouble with sleeping:** The clients find it difficult to fall asleep. They may have disturbances during sleep early in the morning, or during the night. There are cases where the clients have a greater need to go to bed. Insomnia-related problems may be the chief reasons for the onset of treatment.
- e. **Loss of or gain in weight because of change of appetite:** Certain clients refuse to eat, while others view overdoing the food as a temporary release from the negative feelings.
- f. **Persistent complaint about somatic problems:** constipation (state of being unable to empty the bowels), and complaints about aches at different parts of the body.

9.3.6 The borderline personality disorder

Individuals developing the **borderline personality disorder** are characterised by certain instability in the emotional, behavioural, mental, and interpersonal area.

Being dependent on others, these persons have the feeling that they will fall victims to others, and that they will be abandoned. Perception of a plausible separation, or the loss of the external fabric could lead to in-depth changes in their self-image, feelings, mental processes, and behaviour. These individuals are highly sensitive to environmental circumstances. They experience intensive fears of abandonment, and inappropriate anger even when faced with short periods of separation, or when there are changes in the plans (for instance, sudden despair when the therapist decides to put a stop to the session, panic, or anger when someone shows up late at a rendezvous). They believe that this “*abandonment*” results from the fact that they are “*evil*.” This fear of abandonment is related to their incapability for being alone, and their need for people around. Their efforts to avoid abandonment could include self-damaging and suicidal acts.

End of an affective story is of catastrophic consequences for them. They idealise their lovers right from the first date, and want to spend entire hours with them. They can experience two contradictory states at a time, shifting from idealisation to total devaluation of the other, as they think that the other person does not care enough for them. This shifting often reflects the

disappointment they have suffered with the idealised person, or reflects the fear of plausible abandonment that they themselves expect.

The individuals with a borderline personality disorder manifest dramatic shifting of their self-image, which is characterised by the shifting of aims, values, and aspirations. They manifest unexpected changes in their plans for a career, sexual identity, and the type of company. Even though they basically have a self-image based on being “evil”, the individuals with this disorder may at a given moment have feelings of “non-existence.” Individuals experience this when they feel the absence of a meaningful relationship.

They also spend much, engage in substance abuse, and involve themselves in frenzied sexual relationships, in gambling games to the extreme, and stealing. They are impulsive and unpredictable in the actions they undertake.

Attempts to commit suicide are perhaps the reasons driving these individuals to ask for help. These self-damaging actions are usually performed in the wake of threatening with separation, and rejection. Self-damage may occur in the course of their dissociative experiences (when they are removed from reality), and often brings about release, reconfirming their ability to feel “evil.”

The borderlines are characterised by intensive episodes of euphoria, irritability, or anxiety, which usually last a few hours, but they happen to last for days, as well. They manifest constant anger, and physical fight against themselves. Similar individuals have the feeling of persistent anger, but they may have flare-ups, and experience strong emotional crises, including irritability, which are caused by the abnormality in the limbic system (part of the brain responsible for controlling the emotions).

The borderlines experience transient psychotic and dissociative episodes, which usually last 1-2 days. During a time of stress, a number of them may develop psychotic symptoms (hallucinations, distortions of the image of the body, and reference ideas).

9.4 COUNSELLING TECHNIQUES

The counselling service techniques consist of individual or group therapy sessions. Sessions are designed to help victims communicate, and share experiences with one another, with this being an essential element of psychological recovery. Individual sessions benefit the victims, as they introduce a mechanism helping them to become familiar with and share the trauma in a private and “safe” environment. Empathy and care encourage the victims to be more open, and learn how to cope with the horrible experiences they have just gone through. Group sessions are designed to improve the victims’ skills to communicate with, and reach out to others in the forum in order to see the similarities in one another’s problems, and their ways of thinking.

9.4.1 What is counselling?

It is an approach by means of which practitioners help others improve their well-being, lessen their pain, ease their bouts, and enhance their problem-solving and decision-making capacity.⁴¹

The counsellor enables and facilitates psychological development, helping the others pinpoint and make better use of their inherent resources and capacities so as to find new ways to help themselves.⁴²

9.4.2 Counsellor’s roles and functions

A counsellor should be able to::

- Be empathetic with the clients
- Confront the clients with their protective behaviour
- Help the clients articulate their feelings and ideas
- Teach the clients the fundamental principles of self-help
- Teach the clients new skills and behaviours

⁴¹ A. Ivey, 198.

⁴² G. Eagen, 1982.

9.4.3 The initial stage/preparatory stage of the counselling services

A large number of victims receiving counselling are not used to receiving unconditional support or assistance. In the majority of cases, during the early stage of assistance victims reveal irritating and dismissive behaviours. They cannot believe that this assistance is provided with “no costs” entailed, i.e. without anything being asked in return. Victims of trafficking are used to being unable to fight or protest against the way they have been treated, and to being punished through failure to observe the trafficker’s rules.

Anger is a normal response coming from a person who has been ill-treated, abused, and betrayed, and who has consequently lost the fundamental sense of trust in others. As a result, the victims of trafficking do sometimes manifest incomprehensive enmity towards people wishing to help them out, as well as towards rules and procedures, including those they are faced with, for instance, while in the shelter. Shortly after their arrival in the accommodating environment (as the shelter is), where the victims of trafficking are treated **respectfully**, and where they receive different assistance services, their desire to obtain information, and to take part in reintegration-focused activities increases significantly. Given that a small number of them have ever had access to social and psychological support, it is critical for a gradual and careful approach to be applied in the beginning of the counselling sessions.

Hence, during the early stages of the assistance-focused programme, effective and properly managed counselling is critical for ensuring that the victim opens up, and accepts the medium- and long-term plans of treatment.

9.5 THE INDIVIDUAL-ORIENTED WORK

The individual-oriented work constitutes one of the most important stages of the counselling process.

The primary targets of the individual-oriented work, which are expected to have positive effects on the client’s state, are as follows:

1. Intervention in sudden crises
2. Addressing specific symptoms, and

3. Identification of solutions to a limited range of problems

9.5.1 Intervention in crises

Intervention in crises implies immediate and temporary provision of the first emotional assistance to the victims who have lived through psychological or physical traumas.

Definition of crises

Crises are the result of obstacles people face during the achievement of goals in their life, which they believe they cannot overcome by means of traditional solutions or ways.

Crises refer to personal feelings, including fear, shock, pains caused when individuals are unable to respond to obstacles they run into during the attainment of important vital goals.

Crises are a perception of a situation or event, which is considered to be an intolerable difficulty, and which transcends the person's cooperative resources or mechanisms.

In cases of crises, counselling is intended to:

1. Help a person effectively coexist with a crisis situation, and go back to his previous (pre-crisis) level of performance
2. Reduce negative feelings
3. Teach crisis-management techniques
4. Lead client's performance in crisis

Affection: The client is dominated by negative emotions, anxiety, depression, and anger.

Cognition: The client reveals incapability for involvement in uniform and logical thinking, irrational ideas about himself/herself, about the world, about the others.

Behaviour: The client is passive, acts in a non-effective way, or is being removed from the problem.

The six-step model for intervening in crises

Defining the issue: Exploring and defining the problem from the client's perspective.

Ensuring the client's safety: Evaluating dangerousness, seriousness, and sustainability of the risk to the client's physical and psychological security.

Providing assistance: Expressing (through words, voice, body language) careful, positive, and non-adjudicative recognition.

Considering the alternatives: Assisting the client in exploring the possibilities for alleviating immediate risk.

Developing a plan: Assisting the client in developing a short-term realistic plan, making use of the client's cooperative skills and social resources, and determining the steps to be undertaken, which the client may understand.

Adopting an approach: Assisting the client in undertaking certain positive steps, which the client can realise easily.

9.5.2 Individual-oriented counselling models

The person-oriented model

Overall, victims are initially reluctant to recognise, and discuss about their problems in the past. They also find it difficult to share their stories with other victims in the shelter.

Receiving an empathic and unconditional reply from the counsellor, while sharing their painful experiences, helps reduce the internal discomfort of the victims of trafficking, as well as their negative perceptions of themselves, which is further reflected in how the victims unfold their situation and their expectations for the future.

Within this therapeutic environment, the victims of trafficking start to feel more free (willing and capable) to open up, and explore their beliefs and feelings, and at the same time, to recognise the problems and their frustrations, and begin to look for ways of how to address (or, at least, of how to cope with) them.

Solution-specific focus in the short-term therapy

When asked what they “*want or expect*,” automatically women reply, “*they do not want*”; their values have been distorted to such a point that they cannot even imagine any positive developments in their life. They tend to have short-term plans in which “*what should be avoided*” only come out clearly.

In the course of counselling, the victims are assisted in building a coherent and practical system to meet their targets. Hence, they are primarily assisted in identifying a goal, then organising a well-based action plan, and finally, in recognising the benefit of this way of thinking and doing. In this aspect, the victims of trafficking receive confirmation\positive affirmation concerning their “*targeted behaviour*”, and acquire a new sense of their skills. Short-term therapy is one of the counselling methods, which have proved to be an effective way in facilitating such a modification in thinking.

The principles at the bottom-line of the short-term therapy, including focussing on positive solutions and the processing of purposes, facilitate the victims’ ability to alter their orientation from being obsessed with their problems to being open to positive developments. This enables them to gradually reformulate their choices and desires. At the same time, they develop a different perception of their problems, and set about finding more realistic solutions to them.

Even though this process cannot restructure the whole personality of the victim, it may assist the victim in viewing her problems and difficulties from another perspective, in assuming a sense of responsibility, and in activating new behavioural approaches.

Therapeutic stories

Metaphor and therapeutic stories are also techniques that have been employed with a view to promoting the victims of trafficking to find new perspectives, and start out on the process of resolving their problems. A number of the victims are reluctant to acknowledge a change in their life. Given that this technique is not designed to exercise a direct influence on the victim’s decision-making process, it helps reduce the resistance of their internal protective mechanisms. Stories offer a model with which the victims of trafficking may identify themselves. Listening to these stories, the victims may find a correlation to their own personal problems, feeling no threat to their existing system of values and beliefs.

If, for instance, in an effort to positively change her life, a young woman doubts in the chances of success, this technique furnishes an example, a story “*For Daring to Risk*,” and a model to positively change her perspective of the problems. Such universal and known stories bring about acceleration of the remedial mechanisms of the unconsciousness.

Relaxation techniques

The majority of the victims of trafficking complain about symptoms, including insomnia, fatigue, headaches, or heartaches. Given that they provide the subjects with a sense of control of their symptoms, the relaxation techniques are helpful in the therapy designed for (the treatment of) the anxiety disorders. The victims of trafficking may pick up relaxation techniques allowing them to address their anxiety, and engage in other components of the therapy.

Employing the relaxation techniques, the clients learn to progressively release their musculature, focussing on the breathing process. While the client gradually calms down, she becomes capable of reducing her own anxiety, and replacing it with a state of peace and quietness.

Peveler and Johnston (1986) proved that relaxation upgrades the ability of client’s memory to accept positive information, and facilitates the finding of different alternative answers to his/her anxiety.

Reflecting on the meaning and logo-therapy

Logotherapists look for the meaning that highlights behaviour and actions. Dereflection and modification of manifest behaviours are specific techniques that the logotherapy employs in order to reveal the meaning. Many clients “hyper-reflect” (think too much about something) on the negative meaning of the events in their life, and many eat much, drink excessively, or fall in depression.

The victims of trafficking constantly attribute a negative sense to their life. Reflecting directly on the meaning may drive these clients to carry on with these negative approaches to their thoughts and behaviour. On the other hand, dereflection aims at assisting the client in discovering “the multitude

of values, which goes beyond their weaknesses.” The aim is to help the clients think of other than negative issues, and find positive alternatives to the same event.

Reflecting on the meaning and the process of cognition and behaviour

The cognitive-behavioural therapy (Beck, 1976,1991; Meichenbaum, 1977, 1991) has become an important reference in the counselling practice. The cognitive-behavioural theoreticians dwell in profundity on the cognitive structures and the internal dialogue. They are interested in the visible behaviour, but they are also keen to explore the implied processes (or the internal deliberations), which monitor and guide even more visible behaviours. The typical cognitive behaviour draws the client into specific activities intended to change the sequences of thoughts and meanings. Moreover, the cognitive-behavioural therapists add influencing habits and strategies to their work. They require that their clients proceed speedily into new ways of cognition and meaning.

The cognitive and behavioural therapy covers two stages:

The **first stage** of the symptom reduction treatment is focussed on the identification of the problems, the setting of priorities, the familiarisation of the client with the cognitive therapy, the stabilisation of cooperative relationships, the illustration of the connection between thought and emotion, the labelling of errors in thinking, and the quickest progression towards the solution of the problem on which they concentrate. Initially, the therapy addresses the client’s symptoms with a focus on the difficulties in the behaviour and motivation-specific problems. When the client reveals certain evident changes in these areas, the focus is placed on the client’s substance and way of thinking.

Unlike the first stage, the **second stage**, or the scheme-focused stage, highlights prevention of relapse. When the client feels less depressed, the therapist and the client carry on with the essential schemes about the self and the life, because they often underscore many of the client’s problems. When the schemes are identified, they highlight rules and formula by means of which individual learning “to give a meaning” to the world is developed. Furthermore, the schemes continue to identify the manner in which they organise perceptions in thoughts, set goals, evaluate and modify the behaviour, and the manner of how individuals understand events in their life.

9.6 GROUP SESSIONS.

Frequently the VoT in counseling are not used to speaking about themselves or to describing how they perceive themselves, what they like about themselves and the world around them. Even when they decide to open up , the VoT are not able to articulate their life experiences in positive terms. Their cognitions tend to modify and their self-esteem and self-respect begin to decrease.

Through group sessions, the VoT have chance to share their personal experiences with the other women; they can freely speak about themselves to people who will not judge them and can directly relate to them.

Revealing their personal experiences in a secure environment reduce their internal tension fear, and sadness. Many women initially feel “inadequate”, they blame themselves for their suffering and doubt that their lives will ever be successful. During the group sessions each VoT receives support and affection from the other participants. This group-type situation enables them to better control their hostility and anxiety. The VoT gradually do not put so much pressure on each other and on themselves and they can focus on their objectives and hopes.

In the group sessions, participants propose subjects for discussion; the most frequent topics address the VoT’s worries about their future in terms of economic sustainability and family problems. Through the group discussions the VoT receive suggestions from the other participants thus developing an interactive and self-stimulating approach.

Another technique used during group sessions is providing beneficiaries with information and examples of communication and conflict resolution skills. This way, the group members are given some “*tools*” to communicate and express their concerns such as how to rephrase a sentence so that it s better understood or how to change a sentence in a way that emphasizes the positive message of the negative one, etc.

9.6.1 Compilation and therapeutic environment

Groups are determined on a 12 weekly sessions, 2-2 ½ hours. When the schedule is drafted, the counselor should take in regards breaks, and other eventual interruptions which, can break meetings' evenness.

Long sessions need a comfortable environment. It might be ideal if it is furnished in a lounge style, till will be necessary for the group members not to sit down near each other in a sofa. A part of furniture should be portable, because very often play roles need modification on furniture.

The room when the group stays should be equipped with a video camera and a blackboard. Recorded sessions allow to therapists to review the group activities, with each others, or with their supervisors in between sessions. This permits also the continuous evaluation of client's treatment, and help therapists to skip from taking notes during sessions. *A blackboard* and *a chalk* are very important elements which, can be used to record thoughts and rational answers, that go out during the process of *cognitive reconstruction*. They provide visual aspects, which are necessary for group members whose attention can be limited from a high distress. *The climber* and *the easer* are more preferred than the blackboard, because allows the group to refer to the previous materials. In every case, they should be portable, to be used everywhere from the clients during the mock displays.

9.6.2 Group-work as Art Faith and Science

Short Guidelines

1. Make the time to reflect on your personal identity, attitudes and values;
2. Have a clear idea of what your roles and functions are in the group, and communicate them to the members;
3. Have a clear idea of the type of group you are designing;
4. Avoid undertaking a project that is beyond the scope of your training and experience;
5. Be able to express the purpose of the group to the clients;
6. Tell group members what is expected of them;
7. Give them the ground rules that will govern group activities;
8. Protect the members' right to decide what to share with the group and what activities to participate in;
9. Point out to the members the psychological risks involved in group participation;

10. Emphasis the importance of confidentiality to members;
11. Develop a rationale for using group exercises, and be able to verbalize it;
12. When it is appropriate, be open with the group about your values, but avoid imposing them on clients;
13. Respect your clients' capacity to think for themselves, and be sure that members give one another the same respect;
14. Encourage participants to discuss their experience in the group;
15. Assist members in applying to their daily life what they are learning in the group process;
16. Anticipate frustrations and disappointments;
17. Exploring misconceptions about group;
18. Be aware of the danger of meeting your needs at the expense of the members' needs;
19. Relate practice to theory and remain open to integrating multiple approaches into your practices;
20. Instill faith in group counseling
21. Keep yourself informed about research findings on group process, and use this information to increase the effectiveness of your practice;
22. Be alert for symptoms of psychological debilitation in group members;
23. Develop methods of evaluation to determine effectiveness of the procedures you use;
24. Schedule follow-up sessions so members are able to see how others in their group have done.
25. Learn from one's own experience and from the experience of others

10 Building on the New Future

Many trafficked women and children actually want to return home if they have the chance; in this case we speak of **voluntary return**. Others are sent back against their wishes, for instance after they have been arrested as illegal immigrants; in that case we speak of **involuntary return or deportation** by immigration police.

10.1 DIFFICULTIES

Whether they go back voluntarily or not, trafficked women and children usually need support when they return to their family, community or country. Return and reintegration form a difficult process, in which the returnees may face psychological, family-related, health legal and financial problems. It is often difficult for them to settle comfortably back into living in their families and communities, for several reasons:

- (1) Trafficked women and children often no longer have (or never had) personal documents like a passport or identity card and usually need help to travel back safely.
- (2) The women/child may feel ashamed to return home without having earned a lot of money to support the family or to pay off debts.
- (3) Opportunities for work in the home community may be very limited, wages are generally lower and some may regard the work as more demanding than the work they did in the place there were trafficked to or were in.
- (4) They may have become used to a different lifestyle elsewhere or abroad, living in cities, wearing different clothes or having more freedom than they had at home
- (5) Some returnees come back with an illness. Sometimes the illness may be caused by the conditions in which they were working, as a result of alcohol/drug use or due physical or sexual abuse. The illness may be complicated because they usually have no access to (good) medical treatment while being in the host country or place.
- (6) Returnees may be afraid of police and other officials, particularly if they have experienced corruption or abuse at their hands during the trafficking. They may also be afraid that they will not be treated well because they left the country illegally.

- (7) Fear of some kind of retaliation or persecution by the traffickers is not uncommon, especially for those who were trafficked by people involved in other criminal activities like arms or drug trade, and have seen these activities.

So trafficked persons who return home may have various problems. If these problems are not solved, and the returnees are not supported, it is likely that they will be abused and exploited again sometimes even trafficked once more. Because every trafficked person's situation is different, organizations providing support to return and reintegration in the home country need to find out exactly what kind of support the returnee may need. Social workers can obtain the necessary information through careful planning, prior to return, by asking;

In the host country- the person who wishes to return and any institution or organization that is helping or taking care of her/him.

In the home country- the family or nearest relatives to whom the returnee will go back.

10.2 ASSISTANCE FOR INTEGRATION INTO THE COUNTRY OF DESTINATION.

Integration into the country of destination occurs in the following ways:

- The granting of a residence permit;
- Literacy classes;
- Evaluation of skills and abilities;
- Elaboration of a realistic professional project(it should be noted that a victim's wishes do not always correspond to his or her abilities);
- Training programmes;
- Integration into the employment market.

10.3 ASSISTANCE FOR A VOLUNTARY RETURN TO AND REINTEGRATION INTO THE COUNTRY OF ORIGIN

International Organizations, National Non-Governmental Organizations, Government Agencies can collaborate in a variety of programmes assisting victims of trafficking ,especially women and children , to reintegration according to their individual needs.

In countries of destination and transit to victims of trafficking can be offered the pre-departure, and transit, and return assistance, while in the countries of origin/return focus can be on the reintegration activities.

Voluntary return assistance include the following service and activities:

- (1) Pre- departure services
- (2) Transportation assistance and services
- (3) Post arrivals and reintegration services

10.3.1 Pre-departure Services

The returnee needs assistance to get the necessary travel documents and other relevant papers, as well as arrangements for air and/or road travel. For the security of the returnee, someone should accompany her/him on both sides of the border. The organizations assisting the returnee in the destination and origin countries should coordinate the return of the client in his country. This is necessary to ensure continuous support and guaranteed safety for the returnee.

It is important to discuss the procedures clearly with the client, explaining who will accompany her/him to the border, who will be there to assist her/him on the other side and what will happen. It should be given names and contact addresses and telephone numbers in writing, so she/he can get assistance independently when necessary. Information about her/his legal situation and provision of legal assistance upon return will also be useful.

- Receipt , screening and acceptance of referrals from project partners such as NGOs, police, relevant governmental agencies, International Organizations etc.
- Co-ordination with local police on protection measures for victims of trafficking
- Provision of safe shelters either by IOM, or through co-ordination with NGOs and local government body providing hosting facilities;
- Provisions of medical assistance , including general medical, psychiatric and gynecological examination and basic medical, needs as recommended, as well as psycho-social support to victims;
- Provisions of legal counseling to victims and other welfare services;
- Registration of applicants for return assistance;

- Interviewing of the victims in order to identify their individual needs and establish individual assistance package in cooperation with project partners;
 - Provision of information and pre-departure counseling to victims;
- Preparation of travel arrangement, determination of itinerary booking , ticketing;

10.3.2 Transportation assistance and services

Verification and/or support in obtaining appropriate travel document for migrants wishing to return in close collaboration with countries of transit and origin , including assistance in obtaining transit visas ,when necessary;

- Onward booking and ticketing;
- Provision of departure assistance at airports;
- Reception at airport and escort to accommodation;
- Escort from accommodation to airport;
- Provision of medical escorting to victims with special needs;
- Assistance in travel to final destination;

10.3.3 Post arrival and reintegration services

- Referral to NGOs or government agencies providing shelter, when necessary;
- Provisions of medical and psycho-social assistance;
- Vocational training and job referral services;
- Provisions of self-employment generation assistance and micro-credits to returning victims of trafficking (contribution for the purchase of professional equipment);
 - Provision of subsidies to local employers (salary supplements and/or purchase of professional equipment);
 - Assisting the reintegration process on a case- by-case basis through local government or NGO partners also in regard to victims’ reinsertion in the family of origin;
 - Monitoring if reintegration process, while respecting victims’ wish to privacy;
 - Conducting surveys among the employers / NGOs / cooperative / associations / families to assess and quality of reintegration of victims in a new working / social environment.

10.4 ACCOMMODATION

The aim of providing accommodation is to offer a protected space to those victims taken into care. They are monitored in a climate of trust and accompanied as they become more independent.

The accommodation will depend on the victim's personal situation (the persons may be living on the street or the street or he or she may already have lodging; or there may be a security problem to be addressed, etc.). In cases of trafficking , the ideal solution is monitoring in a specialized and protected shelters.

10.4.1 Shelters

A shelter is a secure place of reception possessing the following elements and/or qualities:

*Open 24 hours a day

- Staffed at all times by employees or trained volunteers;
- Capable of taking in urgent cases;
- Generates a feeling of security;
- Offers the possibility to talk with someone at all times;
- Provides stability to those taken into care

*A secret address

The security of residents is never absolute. In certain cases it may be necessary to move the shelter to maintain anonymity.

* In-house rules

- Residents must respect certain rules and security measures:
- Security measures:
 - No guests;
 - No out-going calls made from the shelter;
 - Residents must be escorted when they go out during the first days of their stay at the shelter.

* rules of cohabitation:

- Attend a weekly meeting of residents;

- Group activities
- Sharing of domestic-style tasks;
- Importance of individual rooms (the possibility to accommodate women with their children).

The shelter is a step towards autonomy:

- (1) The residents of the shelters are encouraged to participate in activities taking place outside the association (literacy classes, practical activities, job-training programmes, etc.);
- (2) The accompanying of victims towards an intermediary structure promoting semi-autonomy should be organized at the same time.

10.4.2 Host families

Victims can also be lodged with host families. This can occur either during the initial period following escape or as a more long-term solution.

Host families come forward on a volunteers basis. This commit them-selves to lodging the victim during a period of time agreed to in consultation with the association. During a trial period the host family and the victim can decide to further continue or put an end to this arrangement.

A specialized NGO offers support both to the family and to the victim during the victim's stay.

* Positive aspects

- Moral support for the victims, who need to establish new relationships based on trust and to experience certain degree of stability;
- Positive experience of family-life;
- Victims have a chance to get their bearings again;
- Quicker integration into society;
- New aims in live.

* Negatives aspects

- In cases where the victim has experienced domestic slavery, care must be taken to ensure that the family-slavery is not perceived as a place of exploitation;
- Long stay in the family risks creating strong bonds that are difficult to break;
- The victim's private life is conditioned by the rules of the family

10.4.3 Short-stay accommodation and 'semi-independent' structures

Short-stay accommodation can be used as a first solution in cases where the person taken into care already appears to have achieved certain level of independence.

Such accommodation can also be used as an intermediary solution , coming between a stay in host family and complete independence.

At this stage , the person taken into care is still accompanied when performing administrative routines of everyday life (for example, formulating a request for financial assistance, or notifying local authority of change of address, etc.).

10.5 MEDICAL AND PSYCHOLOGICAL SUPPORT

-Medical support

- A check-up is essential in order to indicate the victim's state of general health and, if necessary, to note any violence that has been suffered'
- Collaboration between the association, the doctor and the victim is necessary;

-Psychological Support

It is very important for a returnee to be supported psychologically and emotionally during return and reunion process with his family. With him/her can be discussed the fact how he/she imagines the fact that is going back home/ which are some reaction expected from the community? Expressing his/her expectations how relationships he/her has will help her/him to feel stronger to affront the future. The support from family members It is a crucial element in the successful ongoing of this process. The social worker should make an written assessment before the client goes home.

Psychological support must be provided only upon the victim's request . In order for such support to be effective, it is very important to respect the victim's choices.

Such will allow for the following :

- The formulation of a diagnosis;

- The victim's recognition of his or her past;
- The victim's ability to imagine a future for him or herself.

10.6 FAMILY TRACING

In the home country, the support organization needs to “*trace*” (search for) the family in the place of origin of the trafficked woman/child. The purpose of tracing the families is to:

- Verify that the family exists and is really related to the returnee;
- To make sure that they are not “*handed over*” to the wrong persons.
- To obtain the family's current address.

10.6.1 Family assessment

Reunification is never a return to a situation as it was before. The trafficked victim is in many ways not the same as she/he was before. The family has had new experiences with which the family has come to terms with.

Family assessment is done in order to determine whether the reunification should take place and if it should, trying to build safeguards into a reunification. A family needs assessment is also done to decide whether and what kinds of after-care is needed.

In order to achieve a successful reunification and reintegration, the support organization should thus conduct a family assessment, to find out if the family is able to and how they are likely to respond to the return of the woman/child. Questions should deal with:

- Accurate assessment of the causes of why the trafficked person left her family.
- What is the socioeconomic situation of the family, will they be able to accept this family member back and house and feed her/him?
- What are the attitudes of parents and other close relatives to the possibility of reunification? Are they willing to accept the returnee back?

This information needs to be shared with the person who wants to return, so the organization can check if she still wants to return to the family, and also provide appropriate counseling as required.

Family Assessment Guidelines

Case name _____

Name interviewer _____

Date of interview _____

I .Introduction

1. Introduce yourself to the family by stating your name and the organization you are working for in conducting this family assessment.
2. Ask the family if they have a family member that is not currently living with them.
3. If yes, ask the family for the name, surname (if applicable), age, date of birth, and level of education of the member

| | |
|--------------------|--|
| Name | |
| Surname | |
| Age | |
| Date of birth | |
| Level of education | |

4. Where does the family believe their member is?
5. Explain to the family that the child/member is at the shelter for trafficked children or trafficked girls and women, where she/he is temporarily taken care of.
6. Explain that your client expressed that he/she wants to return to his/her family.
7. Explain that you would like to talk with the family so that you can bring some news to the client before he/she will return to his/family.
8. What is the family member's reaction to your information? (Carefully observe the parent's reaction and write your observations down.)

II. Family Chart

| Name | Age | Sex | Relation to the client | Last known address | Place of Work | Comments |
|------|-----|-----|------------------------|--------------------|---------------|----------|
| | | | | | | |
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III. Life of the Family Prior to Client's left abroad.

1. What did the client do before he/she went out from home?

2. Did the client have a particular role in the family?

3. Did your client travel before abroad before?

- YES
- NO

4. For what reasons did your client travel abroad

5. Have any other family member been abroad, on the place where the client was?

6. If yes, what did the family member(s) do there?

7. Did the family have any problems with the child?

- YES
- NO

8. If yes, what kind of problems?

9. What did the other family members do to resolve these problems?

IV. The Separation

10. If the client was trafficked, what is the relationship between the family and the trafficker?

11. Have other members from the same family been trafficked before?

If yes, where?

12. Have other members from the same family migrated alone abroad?

V. Current situation

13. Does the family have enough food?

YES

NO

14. What is the housing situation of the family?

Good

Poor,

Because _____

15. What are the sources of the income?

16. Are these activities providing enough income?

YES

NO

Because _____

17. Does the family have debts?

YES

Namely an amount of _____

NO

18. Is the family poorer compared to others living in the same area?

YES, the family is poorer than others in the same area.

NO, the family is not poorer than others in the same are.

19. Is the family satisfied with the living conditions?

YES

NO

because

20. Are there health care provisions nearby?

YES

NO

21. Are there educational opportunities?

YES

NO

22. Is there an organization that implements projects in the are?

YES

NO

Name of the organization: _____

Address of the organization: _____

Activities of the organization:

23. Does the family want the client to return and live with them?

YES

NO

Because _____

—

24. Does the family feel that they have enough to offer the client??

YES

NO

Because _____

—

25. Does the family expect your client to return with more skill to work, or to do the same things he/she was doing before?

YES

NO

26. What does the family expect the client will be doing once he/she returns?

27. Other issues (write down any other issues that the family told you or that you have discovered on the family)

28. Describe the community where the family of your client lives.

Geographical information:

29. Number of inhabitants/population: _____

30. Leadership structures:

31. Resources available (school, clinics, bank, organizations, etc):

32. Problems confronting people living in the area:

33. Other information the community gave to you:

10.6.2 Preparing Family Reunion

In that is the case, the family should be assisted to prepare mentally and emotionally for the reunification. The support organization should assess their reaction to the return and make a plan for the day.

If the **both sides agree**, the social workers can help to organize a reunification ceremony with the witnesses from the community, so that the family is publicity seen to accept the person back. This stage in the reunification process can be quite sensitive, some returnees and their families do not want this to be a public event. The organization assisting with the reunification must try to balance the means and encourage the returnee to stay home and of respecting their desire for not wishing to make the reunification a public event. The social worker should discuss the family's hopes and concerns for the period after the reunification. The family may not be aware of the nature of her work or the problems he/she faced. The social worker can explain that they can help the returnee by:

- (1) Allowing her/him to talk about the experience when she/he wants to, but should not push her/him to say things she/he wants to keep for herself because she/he had difficult, sometimes painful experiences.
- (2) Encouraging her/him to take her/his own decision, but not being over-protective.
- (3) Being patient, trusting and supportive
- (4) Encouraging her/him to use available services such as counseling services, legal advise and medical help

10.6.3 Proposed steps for Follow up

Visit the family and develop a plan of action

Once the actual return and reunification have taken place, regular follow- up, visits are essential, in order to make sure that the reintegration process is going well and to assist in case o any problems.

For achieving this social worker should:

- (1) Invite the returnee to talk about the situation since she/he returned.

- (2) Compare circumstances in the past and now.
- (3) Asses the problems encountered by the returnee and the family. (Problems assessed should cover all the following areas; problems with family members, problems with community members, health or emotional problems, economical problems, housing problems, schooling problems, etc)
- (4) Observe any other difficulties or issues where support may be necessary.
- (5) Elicit the returnees' plan for the future.
- (6) Discuss with the returnee (and or with the family) how to solve each problem.
- (7) Develop an action plan together that includes information on when concrete action will be taken. It is important to asses what returnees themselves see solutions to the problems and in the implementation of identified strategies. It is helpful if these issues are recorded.

Social Worker:

Can provide information that the returnee can use in making decisions and taking action. Inform the returnee on how the organization can assist him/her. **(Should be careful not to make any false promises!)**

Can assist in linking the returnee with available resources /projects (e.g. skills training, income generating activities, etc) The social worker can discuss the possible referral options and how the returnee and/or the family may get access to these services.

- Summaries what actions will be taken to assist and/or refer family members to other organizations that might give them assistance.
- Affirm achievements of the family
- At the end of each month sent a progressive report on each case to the organization.

ABBREVIATIONS

| | |
|----------|---|
| CoE | Council of Europe |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CRC | Convention on the Rights of the Child |
| EU | European Union |
| HIV/AIDS | Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome |
| HR | Human Rights |
| ILO-IPEC | International Labour Organization-International Programme for Elimination of Child Labour |
| IOM | International Organization for Migration |
| NGO | Non Governmental Organizations |
| SEE | South East Europe |
| UN | United Nations |
| UNHCHR | United Nations High Commissariat for Human Rights |
| UNICEF | United Nations Children's Fund |
| VoT | Victims of Trafficking |

BIBLIOGRAPHY

Ekberg. G, (2002) “*Palermo Protocol*”, NIKK, Volume 1, 2002.

UNHCHR, (1999) “*Principles and Guidelines on Human Rights and Human Trafficking*”, UNHCHR, Geneva; January 1999

Fakleabast, (2002) “*Drafting a National Action Plan to All Scandinavian and the Baltic Countries - a Follow- Up of The Joint Information Campaign*” launched in 2002.

Kartusch, A., Knaus, K, G., Reiter, G., “*Combat of trafficking in women for the purpose of forced prostitution. International Standards*”, Ludwig Boltzmann, Institute of Human Rights, Vienna 2000,

UN, (2001) “*Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children*”, Palermo, December 2001.

UNICEF, UNHCR, and OSBE/ODHIR, (2004) “*Human Trafficking in Southeastern Europe*”, 2004, Barbara Limanowska.

UNICEF, UNHCR, and OSBE/ODHIR, (2005) “*Human Trafficking in Southeastern Europe*”, March 2005, Barbara Limanowska.

Mamonova.T, Women, (1994) “*Glostmost versus Noglost–Stopping Russian Backlash*” Begin and Garvey, Westport and London, 1994.

Baban, Adriana (2003) “*Domestic Violence against Women in Albania*” UNICEF and ISOP, Tirana 2003.

UN, (1989) “*United Nation Convention on the Rights of the Child*“, General Assembly Re.No.44/25, November 20th 1989

UN (1979) “*Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)*” General Assembly Re.No 34/180, December 18th 1979.

UNICEF, March 2003 “*Guidelines on the Protection of the Rights of the Children Victims of Trafficking in South Eastern Europe*”

OSCE, (2005) “*A Review of the Albanian Legislation in the Area of Human Trafficking,*” OSCE Presence in Tirana, Office of the Legal Counselor, January 2005.

IOM, (2000) “*Trafficking of Human Beings and the Role of Education in its Prevention –A Manual for High School Students*” IOM, Tirana 2000.

Raymond, A., (2001) “*Guideline of United Nations’ Protocol on Trafficking*” Geneva 2001

Council of Ministers (2004) “*National Strategy for the Fight Against Child Trafficking and the Protection of the Child Victims of Trafficking*” Albanian Government, Tirana 2004

Kusi, Suela (2001). “*Advocacy and the Role of Social Workers,*” Fountain House Tirana, Tirana, July 2001,

Dhamo, Milika (2005) “*Ethical issues regarding the youth friendly services,*” University of Tirana 2005.

Save the Children (2004) “*Measures Against Child Trafficking. Introduction manual on children rights based intervention- based on experiences of Save the Children in South East Europe,*” Tirana 2004,

Terre des Hommes, (2004) “*Solutions identified in Albania on accompanying children victims of trafficking*” Tirana, November 2004

Terre des Hommes, (2003) *“Trafficking of Albanian Children in Greece”* - Terre des Hommes Foundation Lausanne, Pierre Philippe, Vincent Tournecuillert, January 2004.

UNIFEM, (2002) *“Trafficking in Human Beings: A gender and human rights perspective”* UNIFEM Regional Office in East and South-East Asia, 2002.

Department of Social Work, Faculty of Social Sciences, Albanian Center for Mental Health Development, (2003), *“Code of Conduct for Social Workers”*, Tirana University, June 2003

ILO (199) *“ILO Convention on the Worst Forms of Child Labour, No 182”*

Institute of Pedagogical Studies, (2004) *“Child Labour- A Training Manual for Teachers”* International Program for Elimination of Child Labour, Tirana 2004.

Joana Apap and Felicita Medved, (2003), *“Protection Schemes for Victims of Trafficking in Selected EU Member Countries, Candidate and Third Countries”* IOM, Madrid 2002.

Anelise Araujo-Forlot (2002) *“Prevention, Protection and assistance schemes to victims of trafficking: Policy and examples of IOM prevention and return and reintegration programmes,”* Conference- Deviation, violence and victimization in CEE, Ljubljana, September 2002.

OSCE-ODHIR, (1999) *“Trafficking in Human Beings: Implications for the OSCE,”* Background Paper 1999/3.

IOM (2004) *“Psychosocial Notebook: Psychosocial support to groups of victims of human trafficking in transit situations,”* Vol.4, February 2004.

IOM Kosovo Counter Trafficking Return and Reintegration Program (2003) *“Trafficking in human beings: Unacceptable”* IOM-KOSOVO, March 2003.

Riga, Styliana (2003) *“They are sold like a doll. Trafficking in women in Greece for purpose of sexual exploitation,”* European Masters’ Degree in Human Rights and Democratization, Vienna 2003.

Save the Children (UK), UN-IAP and IOM (2001) *“Training Manual for Combating Trafficking in Women and Children,”* Myanmar, March 2001.

UNICEF, (2005) *“Combating Child Trafficking,”* UNICEF and Inter-Parliamentary Union, 2005.

