

DIGNITY

An interagency initiative working to deliver quality services for victims of sex-trafficking in Ireland

Dublin Employment Pact
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DIGNITY TRANSNATIONAL VISIT: MADRID OCTOBER 8th 2009

DAY ONE: MINUTES

Attendance: (see signed attendance sheet from meeting)

Introductions & Welcome

Madrid Council involved in several projects re social integration. Trafficking is an issue that affects us all and therefore developing policies and working in an inter-agency system is vital.

Presentation 1 – Legal Framework.

Paloma Soria, Lawyer with Women's Link Worldwide

Overview of European framework, including Palermo Protocol and overview of Spanish National framework. *Please see presentation for full details.*

Points to note:

Witness Protection Law . this law is applied based on risks facing the witness. The police recommend to judiciary who has the power to invoke the law. However VoT do not benefit from this law because the law is not established enough. Spanish law does not currently allow for %trafficking+so there is no clear context in which to work with a VoT.

Immigration Law, Article 59 . non-deportation of VoT who reports and/or collaborates with authorities. Application of this Article and issue to permit does not necessarily follow as rules are very precise and a lot can depend on findings of investigating police. Article 59 states that the trafficking must be within a network so at least 2-3 VoTs are required.

Integral Plan to Combat Trafficking . awaiting implementation of this law for years, finally being implemented. First time there is a focus on human rights, centred on protecting the VoT and allowing a period of transition. However no proper consultation by Spanish Government with relevant organisations, will only apply to non-EU countries, no definition of what a VoT is or what an %alleged+victim is.

Questions:

Q: Expand on formal complaint and application of Witness Protection law.

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A: This happens when a network (e.g. in a club) is broken up, the Victims of Trafficking are taken to police station to assess their situations. There are no clear protocols for identifying VoT so not just police issue, also responsibility of Spanish government.

No support services for women so when they arrive in police station they are interrogated as to their role in club etc. so women does not issue a complaint formally and therefore a deportation order to drafted immediately.

The witness protection law is applied on formal complaint by victim. It is applied by the police in order for them to investigate complaint, then police must bring their evidence to a judge who makes the final decision whether law is to be applied to victim.

Duration if time is short, and often police don't have the necessary means to fully apply the protection to the victim for example no separate place in court where victim can wait testimony.

Q: Access to Recovery/Reflection Period.

A: No identifying protocols at present, organisations such as APRAMP can help the women identify herself as a victim of trafficking and explain her options to her. Then she must lodge a formal complaint and then rights can be applied.

Reflection period is maximum 30 days. Unsure if reflection period is granted without express cooperation.

Q: What rights does an illegal immigrant in Spain have? Access to labour market?

A: No access to labour market, if a deportation order has been drawn up against a person but for some reason it is not executed then the person is in limbo. They can however register for Health benefits.

Q: How is prostitution viewed in Spain?

A: Spanish penal code talks about forced prostitution, therefore unless person can prove she was forced the law may not apply to them. Prostitution is not legal but it is also not regulated by law.

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Presentation 2 – Good Practices Dealing with VoT in Human Beings.

Jose Nieto Barroso, Chief Inspector of the CNP

Slave Trade and Human Trafficking is difficult to keep definitions apart. Madrid police sectioned out by nationality, as each country has its own MO aim is to have specialised police.

People involved in trafficking are termed ~~per~~ delinquents+by police.

General Aimō

1. Find VoT
2. Provide judges with information on people who organised the trafficking. Judge will require more than one declaration from one victim.
3. Protect victim (victim must be identified/victim may not id herself as a VoT)
4. Work with NGOs to support victim.
5. Must feel empathy (try to use female officers/victim must feel protected/victim must see the solution)
6. Training for police

White Slave Trade:

For example regarding prostitution. If there is consent then this can create a difficulty. These people may not have crossed a border, they may come from Spain.

For full details please see presentation.

Questions:

Q: How many women in witness protection and how may deported in the same time period?

A: no figures but some partial data. Police feed their statistics into the civil guard and Centre for Trafficking.

Q: Is there any collaboration with police in country of origin?

A: This is difficult and complex, most cooperation is with Brazilian police. There is a member of Spanish police in nearly every country of origin so Madrid police deal with that person & not the local police. He/she decides who to give the information to and how much information due to links between exploiters and police in some of these countries.

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Q: Based on estimate of earnings per month and number of women involved it would appear the industry is worth billions. How does Spain tackle demand as obliged to do under Convention?

A: The police have a team they work with re funds generated and so they are trying to have an integrated approach with this org.

Q: Are police stations equipped to deal with VoT?

Stations are generally not prepared, attempting to train police working with the victims to increase their awareness of the victims needs, emotional state and risks to safety. The problem is prostitution is not perceived as a social problem the way drugs are.

If police have raided a brothel or club and taken e.g. 30 women to a station for questioning they may not be prepared then to make a complaint. If taken to a centre where they can have time and access to information they may in time formally complain.

There is a new specialist governmental & judicial role to protect the rights of foreigners, however the burden of proof is still on police in order for them to continue in-depth investigation (phone tapping etc). The judge will still require more than one declaration from one victim.

Q: What arrangements are there for immunity to prosecution for testimony?

A: This is up to prosecution not judge. The NGO helps victim by trying to settle them into society. No courthouse has proper facilities in order to keep testimony private.

Q: What is the extent in terms of caseload of Labour Exploitation?

A: Police create integral plan similar to sex exploitation (same backbone) with trade union/agricultural organisations as in many cases labour exploitation is more fraud. There must be a restriction of liberty (conditions of hygiene, safety, living etc) all must exist for court to consider labour ex. Difference is people working for very little remuneration, court will deem this fraud.

Q: Arranged Marriages . are the illegal & what is extent?

A: It is not an offence in Spain (it is in Portugal). Nigerian is historically most prevalent, payment can be upward of " 4,000.

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Presentation 3 – APRAMP **Rocío Nieto, Director of APRAMP**

Overview and brief history of Apramp. Work with prostitutes and victims of trafficking for sexual exploitation. Has projects internationally with countries of origin.

Direct Identification . mobile unit with outreach team is priority here and is how APRAMP reaches so many women (250 daily) mainly Brazilian, Romanian, Paraguay and Nigeria.

Apramp also offers emergency shelter/housing/24 hour support line/information & guidance/training & employment (in partnership with AE Madrid).

Works to have coordination between ngos, embassy, private organisations (taxi etc).

Model of Intervention:

- Identification/reception
- Individualised plan
- Lasting solutions

Prostitution is considered as a consumption object for men, however must change this perspective to admit this is slavery of women and a violation of this human rights. For many women prostitution means survival.

EU has requested all countries give a figure based on GDP . 1st Spanish estimate will be available in 2011.

APRAMP's aim by participating in these international projects to inform policy in Spain.

For full details please see presentation.

Questions:

Q: What is offered under Legal services?

A: Inform woman of her rights & give her support during her reflection period as she decides whether to lodge complaint. Some women have already received an expulsion order when we first meet them and other do not have a passport so they assist women throughout these issues also.

The woman has two options:

- 1) Lodge complaint, give enough information to Judge, move into witness protection programme, get residency permit.

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- 2) Not lodge complaint, victim has no right to any state services except the Health Card, APRAMP assists the women in this situation as much as possible, although the state views them as labour exploitation

Q: Helpline . how does APRAMP Market?

A: They put the number inside small makeup compacts and give those out to women. The number is a regular mobile number and is run 24 hours per day. APRAMP try to coordinate service with the police so they can intervene if necessary to assist the women. It is confidential and given only to women who have previously linked with the mobile unit.

Q: Helpline . how many languages are covered?

A: APRAMP have people of 34 nationalities that are available and they try to have people on hand to respond.

Q: Can a court use transcript of telephone call to helpline?

A: That is a decision only a judge can make.

Q: How does the mobile unit operate?

A: They originally operated in public places only but they are more and more attending women in closed places (e.g. apartments) through links with the women, this is because APRAMP is now known to the exploiters and are not welcome in clubs and brothels etc.

APRAMP is comprised of professional but they also in their outreach/mobile unit have a group of workers who are ex-prostitutes. These women are invaluable in reaching those women still in prostitution. The mobile unit lets women know there is an alternative and without the ex-prostitutes working as part of the APRAMP team many of these women wouldn't open up and engage with APRAMP.

Q: Housing . what types of housing are offered at the different stages e.g. initial/emergency stage, reflection period?

A: 1st stage is ID with police and social agency, the woman is housed in a shelter. Most important is to try to normalise life for the woman as generally her utmost concern is earning money to send home to family.

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The reflection period is for 30 days, the woman is housed in a secret location, always with qualified staff on hand. In the morning the woman will attend the training centre for workshops and other courses depending on her skills e.g. language/IT.

Evaluation by psychologist / social agency, once this is completed APRAMP will direct woman based on her needs.

Once 30 day reflection is up, victim must make decision to complain. Police go to the training centre and takes the woman through her complaint. An agreed protocol with police for this stage does not exist and is needed.

Q: Statistics show a 50% rise in women contacted by outreach unit between 2007 and 2008, is there a reason for this?

A: Prostitution has risen in the past year, but for the last three years there has been a decrease in the number of complaints and prosecutions, the reason for this is unknown however Spanish legislation & penalty for organising prostitution (e.g. the mafias who run the clubs & brothels in Madrid make huge sums of money are not being prosecuted and so they are changing their main activities from drugs to prostitution, human exploitation).

Q: What is the perception of Prostitution and how is demand tackled?

A: Demand is in consideration and APRAMP have started work on an awareness campaign. They have carried out studies which show the profile of users have changed from 40+ to 18 . 40 year old, the women are considered as an object of consumption. Prostitution is not viewed as a social problem at the same level as drugs and other crime is.

Q: What is the ideal?

A: That prostitution and trafficking are eradicated. However ideally in the world we live in all organisations would work together, the government would enact stronger laws and more stringent penalties. Ensure the victims feel the full protection of the state and get the state to invest in these women. That police, government and social agencies would continue to work to break the trafficking networks.

Q: How are men being made aware of the problem?

A: One of the goals of the mobile unit is to contact men using prostitutes. APRAMP have found that this person is next to invisible, they are trying to build

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a profile. In 2008 APRAMP spoke with 400 users of prostitutes under the age of 40, these people perceived it as a leisure activity and appeared totally unaware of any human rights breaches. They also do not want to hear about STDs and other health risks and do not use condoms. APRAMP are now looking at the female condom as an alternative.

Also study showed that many of these people use drugs when they are with a prostitute and often insist the woman uses drugs with them.

Q: Have there been any specific research projects into prostitution and trafficking for sexual exploitation in Spain?

A: None that are very trustworthy as they are based on a very small number of interviews. Glasgow delegates will share research by Melissa Farley focusing on people who purchase sex in several different cities including Glasgow, London and Madrid.

Q: Does APRAMP or any other org run prevention programmes to women perceived to be at risk?

A: Different courses are offered through APRAMP, although this group of women are becoming more invisible. With input from doctors APRAMP run courses such as STD prevention/prevention techniques/drug prevention/help for people dependant on drugs including if necessary detox/psychological support/violence awareness and prevention of recurring violence.

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Presentation 4 – Labour Policies AE Madrid (Madrid’s Public Employment Agency)

AE Madrid . mgt of municipal employment policies.

Develop employment for marginalised groups (e.g. women, 45⁺, ethnic minorities, early school leavers). Guarantee insertion into market of marginalised (or at risk) groups.

- Labour Itinerary: plan to assist persons entry to market.
- Structured measures that are adapted to person
- Orientation/guide to programme offered
- Working (workshops) with APRAMP
- After training AE Madrid will try to place them in labour market.

Developing Employment:

Pilot projects with social aspects, based on specific training blocks e.g. literacy/IT etc.

Goals 2009:

- 18 different programmes
- 1,400 people participating
- Orientation & labour intervention
- Work with individual to design training, help & accompany person in developing their own skills enabling them to secure and hold employment.

Users classified on basis of demand for their services, also need to make sure person is ready for labour market.

Commitment from Participants:

- Participation is voluntary
- Tasks & courses set out for participant, participant must commit to follow courses and do tasks set for them.
- Difference between participants who are short-time and capable of finding their own work to people that need intensive support (usually low level education & under-developed skills).
- Must sign contract with AE Madrid

AE Madrid will place the person in employment after training completed, this is a free service. They send the person’s profile to potential employer and then follow up with employer.

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Also provide training and support for self employment, including motivational and information sessions, start your own business courses, and assists with financial matters (micro loans and AE Madrid has a special agreement with two banks).

Statistics

- AE Madrid run 220 tutorials a year
- They carried out surveys with 11,000 companies interesting in collaborating identifying 10,000 potential jobs.
- They have trained 3,000 over 60 tutorials regarding self employment.

Projects aimed at unemployed in Madrid range from practical and vocational training, including literacy, social activities, environmental services and start your own business.

All participants have a work contract with AE Madrid, they also receive payment when in training.

Workshops for people involved in Prostitution and Victims of Trafficking with APRAMP

Since 2004 6 different workshops run, with 15 participants per workshop.

High labour market insertion rate (8 out of 15 employed).

The 6 workshops cost Madrid City " 1.4m

Methodology

- Success is judged by number entering labour market.
- Employment Expert in each workshop
- Orientation & Mediation . participants are informed that they will, along with training, receive full support when training is completed and they are entering the labour market (e.g. interview skills and linking them with experts on specific difficulties e.g. communication/CV layout)
- Evaluation is carried out on a quarterly basis with teaching and expert staff to ensure training objectives are being met. Final evaluation identifies the participants who are ready for labour market and those who need further training.
- Survey of companies which are in the sector participants are being trained in are carried out & initial contact is made.

Conclusions (from teachers/expert staff)

- Women are vulnerable and require support
- Women are driven by basic economic needs such as money for childcare, risk they may return to prostitution as they can earn more money.

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- Some of the training is not to the standard required by the labour market
- Some students feel they are not prepared for the labour market at the end of training.
- They would prefer not to have a contract

Questions:

Q: What stage is VoT given access to training & labour market? Is a particular permit required in order for them to work?

A: VoT can do certain courses in APRAMP but in order to work with AE Madrid their residency papers must be in order.

Q: What is the duration per workshop?

A: 8 to 16 months, but this can depend on financing.

Q: What is amount of payment per month?

A: Once contract with AE Madrid is signed participants received " 1,050 per month (1.5 of minimum salary)

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DAY TWO: Notes of Visit to APRAMP Training Centre

On day 2 of visit delegates from Scotland, Dublin & Lithuania visited an APRAMP training centre.

The centre is funded by AE Madrid (training) and Madrid City. APRAMP pay for rent of building themselves through fund raising and private donors.

Participants receive training in both hard skills (sowing etc) and soft skills (cultural, interview skills, gender equality etc). In this centre the participants receive training in sowing, design and dress making. The dresses that are produced are not sold to the public, instead the participants can take them for themselves. They provide an alterations service to the public however that they charge for.

Currently working for Apramp are social worker (1), coordinators (2), outreach (7). These are former prostitutes that work on mobile unit, Overall Apramp Project Coordinator (1).

The organisation also has subsidiaries in other parts of Spain.

Identifying as VoT is difficult as the women themselves don't see themselves as VoT but as prostitutes. It is important that specialist trafficking groups in Justice and police are set up in order to assist with properly identifying women as VoT.

Apramp do not work with under 18s. There is a special branch of police for minors and they are dealt with there. Glasgow colleagues informed group that there is a Young Women's Programme in Glasgow which recently had a review carried out. Glasgow can share this review and further info about the project.

In Madrid African women are high proportion of prostitutes and possible VoT, approx 50% of these women are thought to be under 18.

Q: Do women respond to the outreach/mobile unit?

A: The unit operate morning, afternoon and evening and through the amount of time spent on street and also former prostitutes working in the Unit there is a close relationship with women.

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Q: How is staff of mobile unit kept safe & are police supportive?

A: It is difficult to guarantee security and it is a worry but during 20 years of operation there have been no serious incidents. Police are supportive but a specialised group within the police would be much more effective.

Q: What is the attitude of community (e.g. local businesses etc) to APRAMP's presence?

A: Generally very positive, and local people avail of the alterations service regularly.

Q: What are emergency accommodations like & how long can women stay?

A: APRAMP have emergency accommodation available for 7 women. The apartments are 130sqm with 2 bedrooms, the women share common (living) areas. If granted R&R period woman has 30 days, which APRAMP believe to be too short. Often VoT will stay in R&R accommodation for up to six months while her legal status is sorted out. After that time they are progressed to witness protection programme and APRAMP works with them to find other accommodation.

Q: How is shelter secured?

A: Only security is that which they provide themselves through staff. They have a safety plan for staff to refer to in difficult or dangerous situations.

Q: Is there an interagency working group overseeing approach and services offered to VoT?

A: There is a platform of different orgs that work together and meet monthly . they mainly deal with gender based violence and sexual exploitation.

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