



Tool 7.7 Mechanisms for the safe return and reintegration of victims

Overview

This tool provides examples of mechanisms (such as bilateral agreements and collaboration with non-governmental organizations and other international organizations) which can facilitate the return and reintegration of victims.

Where victims of trafficking are not returned to their country with due regard for their safety, they can fall back into the hands of traffickers, or be revictimized through reprisals. The returned victim may still be traumatized and suffering from medical and psychological problems as a result of the experience and/or still fear retribution from the trafficker. In relation to the return of victims to their country of origin, the question also arises as to who bears the cost of their safe return and reintegration.

The essential elements to address these issues include:

- Cooperative bilateral efforts between the destination State and the State of origin, and the provision to victims upon their return of protection from the danger of retaliation by their traffickers
- Cooperation with non-governmental organizations that can assist the victim while in the destination State and can continue to do so in the State of return

Effective support programmes in the State of return that complement the assistance provided in the destination State are also critical for the success of reintegration.

Article 8 of the Trafficking in Persons Protocol (see Tool 7.4) requires States to cooperate in the course of the return procedure. Upon a request of the receiving State, States of origin must verify whether the trafficked person is a national or had the right to permanent residence in their territory at the time of entering the receiving State. If the person has no proper documentation, States of origin must also issue necessary travel or other documents to enable the person to travel and to re-enter their territory. Receiving States are obligated to guarantee that the return is with due regard both for the safety of the returnee and for the status of any legal proceedings related to the fact that the person is a victim of trafficking.

Anti-Slavery International recommendations regarding return and reintegration of victims of trafficking

Recommendation 40

The authorities, i.e. immigration and police services, should not remove trafficked persons to a country of origin where there is reasonable suspicion they may suffer further harm, through stigmatization, discrimination or risk of reprisals.

Recommendation 41

Immigration services should support and make use of existing voluntary repatriation programmes involving local organizations in countries of origin. For example, IOM coordinates such programmes, characterized by a holistic approach to return and recovery.

Recommendation 42

Immigration and police services in countries of destination should not reveal to authorities in countries of origin that a person has been trafficked, without their explicit consent. This is especially important where there are concerns regarding corruption of local officials or, for those trafficked into prostitution, because of stigmatization associated with prostitution.

Recommendation 43

Immigration and police services should make available to trafficked persons contact information and telephone numbers of non-governmental organizations, lawyers and social welfare agencies that can assist them in their country of origin. This should not only be in the country's capital, but also any relevant regional centres. They must ensure that this information is authentic and up to date (i.e. latest telephone numbers) by reviewing it periodically, by contacting organizations themselves and also through local non-governmental organization networks in the country of destination. Non-governmental organizations should assist the authorities in collecting such information and ensure that it is given to the authorities, and not simply made available through websites.

Recommendation 44

For trafficked persons who wish to go home, immigration services should ask if they wish to be met by a local non-governmental organization and, in accordance with their wishes, contact local non-governmental organizations in countries of origin to assist those who return home.

Recommendation 45

In returning trafficked persons who want to go home, immigration and police services should provide them with contact information for a law enforcement office in the country of origin that they can contact if a trafficker threatens them.



Source: Anti-Slavery International, *Human Trafficking, Human Rights: Redefining Victim Protection*, available at:

www.antislavery.org/homepage/resources/humantraffichumanrights.htm

The role of non-governmental organizations in destination States

Local non-governmental organizations have taken on the role of assisting and supporting victims of trafficking and facilitating their return. Extensive and well-developed non-governmental organization programmes, coordinated with Governments, are in place in many States.

To ensure respect for the spirit of the Trafficking in Persons Protocol and the safe return and rehabilitation of trafficked victims, programmes of assistance in destination States should be followed up with complementary intervention in the State of origin. In the destination State, victims may be more inclined to report the crime and participate in programmes of assistance if they understand that support and assistance will also be available when they return to their State of origin.

The support provided to victims in the States of destination allow them to begin to move towards recovery. It is critical to the success of the restorative objectives of this assistance that it should continue when the victims return home. Wherever possible, communication and agreements should be developed between the States of destination and origin, with monitoring, case management and feedback built in. The victims should be informed of the assistance that will be available when they return home and provided with information on how it may be accessed.

Promising practice

Government response

Bilateral agreement between Nigeria and the United Kingdom

A memorandum of understanding between Nigeria and the United Kingdom was signed in November 2004 with a view to improving bilateral cooperation to prevent, suppress and punish trafficking in persons. The objectives of the memorandum are:

- To facilitate international cooperation, develop common goals and prevent, suppress and punish trafficking in persons
- To protect victims of trafficking and to provide them with assistance to enable them to reintegrate into their original environment
- To provide mutual support, capacity-building and strengthening of institutional capabilities to effectively prevent, suppress and punish the offence of trafficking in persons
- To promote cooperation between the two countries with a view to attaining the above-mentioned objectives

Regarding the return and repatriation of victims, the two countries agreed to facilitate and accept without undue or unreasonable delay the return of victims to their country of origin, having due regard for their safety. The country repatriating a victim of trafficking will have regard for the safety, human rights and well-being of such a victim and will allow the victim, subject to legislative provisions relating to the proceeds of crime, to return with their property and possessions.

Bilateral agreement between Greece and Albania

On 27 February 2006, the Governments of Greece and Albania signed a bilateral agreement aimed at protecting and assisting Albanian children trafficked into Greece and at preventing the trafficking of children in Albania.

International organization response

Pilot project to assist victims of trafficking at São Paulo International Airport, United Nations Office on Drugs and Crime, Brazil

UNODC designed an innovative pilot project to provide special assistance to potential victims of trafficking among migrants returning to Brazil, implementation of which began in December 2006. The initiative is the result of technical cooperation between the Ministry of Justice of Brazil and UNODC, and draws upon staff of the Brazilian Association for the Defence of Women, Children and Youth (ASBRAD), with initial funding provided by the Netherlands non-governmental organization Cordaid. Under the project, a secured formal presence has been established in a restricted area of the airport in order to meet arriving migrants who have been denied entry abroad or have been deported back to Brazil. The initial success of the project has been largely owing to the project team's sympathetic and individualized reception of returnees, focusing on offering assistance to help them reintegrate. The assistance provided ranges from assistance with filling out immigration forms, changing money and helping with onward flights, to offering information about medical, housing and other essential services. Another reason for the success of the project is the integration of the project team with airport officials, airline personnel, federal police and other airport services. This enables streamlined re-entry of often traumatized victims and also sensitizes the airport authorities and other personnel to human trafficking issues and the rights of victims.

The pilot project has already received commendation for its innovative approach to victim assistance. Through the project, critical data regarding trafficking flows have been gathered, which will contribute to the work of profiling traffickers and trafficked persons for use in developing strategies to combat the crime.



More information about the work of UNODC in Brazil is available at:
www.unodc.org/brazil/index.html

International Organization for Migration assistance programmes

Victims of trafficking are seldom granted permanent residence status on humanitarian grounds and, eventually, most trafficked victims must return to their State of origin or move to another State. Many of these victims need help in returning home. IOM is one of

the resources available to assist victims in the pre-departure, departure, reception and integration stages of the rehabilitation process.

In countries of origin and destination, IOM offers immediate protection in reception centres in collaboration with local non-governmental organizations. Health-care facilities at rehabilitation centres provide psychological support, as well as general and specialized health services.

In accordance with local laws, IOM provides voluntary and dignified return assistance to victims of trafficking. Such assistance includes counselling, education and vocational training for income-generating activities in countries of origin in order to reduce the risk of revictimization. See also Tool 7.8.



More information about IOM assistance programmes can be obtained at:

www.iom.int

Non-governmental organization response

La Strada network

The Dutch Foundation against Trafficking, known since 2007 as the Coordination Centre Human Trafficking (COMENSHA), is one of nine member organizations of La Strada, an international network that aims to prevent trafficking in human beings, with a particular focus on women in Central and Eastern Europe. COMENSHA functions as a national reporting and registration point for trafficked persons. Once a client returns to his or her country of origin, COMENSHA coordinates return and reintegration steps in that country through La Strada or other local organizations to ensure the provision of shelter for returned victims and of support towards their reintegration. COMENSHA also supports clients who do not want to return to their country of origin.



More information about the La Strada network is available at:

www.lastradainternational.org/