

Strategy of assistance and mobilization of support resources for Victims of Trafficking in Persons and their dependents: integration, reintegration, repatriation, voluntary return and resettlement



Coalición Nacional contra el
Tráfico Ilícito de Migrantes
y la Trata de Personas
CONATT

REGULATIONS

- Palermo Protocol
- Law against Trafficking in Persons and Creation of the CONATT Regulation
- Immediate Response Team Protocol (ERI in Spanish)
- Migration Law
- Comprehensive assistance manual for victims of human trafficking

OBJECTIVE OF THE STRATEGY

Develop social assistance processes that are individualized, comprehensive, sensitive and sustained over time that contribute to the construction of life projects free of violence and facilitate the reintegration of victims of trafficking in persons and their dependents.

Target population of the strategy

- Victims of the crime of trafficking in persons who are accredited or are in the process of being.
- People who depend directly on the victim of human trafficking, regardless of whether they are elderly or underage. They can be dependents who meet the victim at the time of identification or who enter the country through family reunification.

Stages of the Assistance Process and access to support resources

Alert of possible victim of human trafficking

The ERI should be informed by e-mail about the alleged situation of Trafficking in Persons. From the moment that this alert is generated and during the research and reflection period of the ERI, funds from the CONATT may be allocated for the assistance of the victims.

Identification and accreditation

- Primary assistance measures that are defined as:
- *Immediate actions aimed at providing assistance and protection to a person who is the victim of the crime of trafficking and specifically refer to the assistance that must be provided in basic needs, safe housing, comprehensive health care, legal advice and physical protection measures*

Assistance

- Secure and properly equipped accommodation.
- Food, including special food needs for health or cultural reasons
- Clothing (clothes, shoes)
- Personal hygiene items (pads, toothpaste, toothbrush, bath soap, shampoo, disposable diapers, cloths, deodorants, comb)
- Transportation coordination for emergency medical care

Assistance

- In case of sexual violence, gynecological medical evaluation, antiretroviral medication and emergency contraception.
- Access to telephone cards for contact with relatives once risk has been discarded
- Cash for transfers to appointments or other travel needs.
- Legal representation expenses

Stage of Local reintegration

- Article 6 of the Regulation of Law No. 9095 states that *"in case the victim decides to stay in our country, these measures include economic assistance, access to work and formal and vocational education, definition of the migratory status and provision of the documentation, prolonged medical and psychological assistance, when required; the above, in search of adequate social reintegration.*

Types and terms of assistance

- First level assistance may last up to one year. And the second level up to 5 years. In exceptional cases, it may be possible to reassess the extension of assistance to a period greater than 5 years.

Monitoring and evaluation of the local integration process

- Management and results based on the approved plan
- Obstacles and identified risk in the victim's attention.
- Strengths and advances.
- Analysis of the psychosocial situation of the VdTP (victim of trafficking in persons) and its dependents at the time of the report
- Conclusions and recommendations

Criteria for access of victims to financial assistance

- Attendance to follow-up appointments: the victim may not accumulate more than three unexcused absences.
- Willingness to provide accurate information about their social conditions and those of their dependents at the time of assistance.
- Accept that information about their social conditions be released to public and private institutions and non-governmental organizations in accordance with the objectives of the assistance plan.

Criteria for access of victims to financial assistance

- Breaches of any of the agreements outlined in the psychosocial assistance plan without due justification.
- Present the documents that are requested for the purpose of demonstrating the lawful use of the assigned funds: receipts, invoices, certificates of participation, among others.

Protection and assistance to victims of trafficking in persons and their dependents on voluntary return, repatriation or resettlement

- Coordination with consulates, Ministries of Foreign Affairs, General Directorates of Migration and Immigration, or other instances that are required in the country of origin.
- In case of minors, all coordination with their counterpart should be carried out.
- Coordination with homologous entities of the ERI in the country of origin and / or international human rights organizations.

Protection and assistance to victims of trafficking in persons and their dependents on voluntary return, repatriation or resettlement

- Designation of funds for the payment of expenses corresponding to migratory procedures, air tickets, vaccines, payment of visas, income and departure taxes, per diem and money for subsistence in the country of origin during the first days according to valuation.
- Payment of per diem, immigration procedures, air tickets, vaccines, payment of visas, entrance and exit taxes, for the officials who carry out the accompaniments.
- Other actions that respond to the particularities of the situation are considered relevant.

Family Reunification

- The notion of family can differ in its composition and definition by cultural factors and is therefore not limited to the traditional nuclear family. In this sense, the principle of dependency is applied when it is recognized that "family relationships are sometimes broader than inbreeding links and that in many societies the members of an extended family, such as parents, brothers and sisters, adult children, grandparents, aunts and uncles, nieces and nephews, etc., are economically and emotionally linked to the main breadwinner or head of the family group "(UNHCR, 2001, p.5)

For the purpose of the realization of this stage funds will be allocated for the following activities:

- Payment of the litigation, in case legal representation is required.
- Transportation, food or other expenses required for the safe entry of family members to the receiving country.
- Payment of visas, stamps, passports or others that allow regular entry.
- Others not contemplated and that are required.

Resettlement

- Establish the selection criteria, the duration of the procedures, the integration tools.
- Select beneficiaries of the program considering the particularities and interests of the victims.
- Establish international coordination with recipient countries, as well as ensure that the country provides follow-up and compliance with guarantees.
- Document and present the cases before the possible host country.
- Build legal routes of transfer of the victims that guarantee the international protection of the victims of trafficking.

Funds Request

- Access to FONATT funds will require, in all cases of reintegration, assessment by the ERI as a collegiate body, prior psychosocial report from the institution in charge of monitoring. Based on this authorization, the Technical Secretariat will release the funds will make the relevant arrangements before the fiduciary.
- State institutions are primarily responsible for assisting the victims of trafficking in persons.
- When dealing with emergency situations in both primary assistance measures and secondary assistance measures, the Technical Secretariat may apply what is stipulated in the regulations for the Acquisition of Goods and Services and the Use of Debit Cards, in order to attend promptly to the needs of survivors-victims and their dependents

Records management

- All the procedures must be documented and incorporated into the file that custody of the Illicit Trafficking in Migrants and Human Trafficking as coordinator of the ERI, as established in article 19 of Law 9095.
- All the information regarding the victim of human trafficking that is benefited through the FONATT, must keep the principle of confidentiality stipulated