

# ROAD TO RECOVERY

## ASSESSING STATUTORY COMPENSATION SCHEMES FOR SURVIVORS OF HUMAN TRAFFICKING



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# CONTENTS

## INTRODUCTION

INTERNATIONAL LAW AND HUMAN TRAFFICKING .....	3
COMPENSATION AND THE HUMAN TRAFFICKING VICTIM .....	4
THE REPORT .....	6

## EXECUTIVE SUMMARY

CRIMINALISATION OF HUMAN TRAFFICKING .....	8
COMPENSATION SCHEMES.....	8
ELIGIBILITY TO APPLY .....	9
CROSS-JURISDICTIONAL TRAFFICKING AND ELIGIBILITY .....	10
RELATIONSHIP TO CRIMINAL AND CIVIL PROCEEDINGS .....	11
INJURIES RECOGNISED AND COMPENSATION AVAILABLE .....	11
ADDITIONAL REQUIREMENTS: ASSISTING POLICE AND PROSECUTION .....	12
EXCLUSIONS BASED ON CHARACTER, ILLEGAL ACTIVITY OR IMMORAL BEHAVIOUR .....	12
REQUIREMENT TO PROVE THE CRIME AND INJURIES .....	13
IMMUNITY FROM PROSECUTION AND DEPORTATION.....	13
EXAMPLES IN PRACTICE .....	14
BEST PRACTICE .....	14
CONCLUSION .....	16



# INTRODUCTION



# INTRODUCTION

Human trafficking is the procurement of individuals by improper means, such as force, fraud, coercion, abuse of power, for the purpose of exploitation. Individuals may be trafficked for sexual exploitation, forced labour, slavery, domestic servitude, forced marriage and organ removal among other reasons. It is a serious breach of human rights and can have devastating long term effects on victims and their families.

The problem of human trafficking is global: according to the United Nations Office on Drugs and Crime (“**UNODC**”), between 2010 and 2012 victims with 152 different citizenships were identified in 124 countries across the globe. Most victims are trafficked within the one region or sub-region, generally from poorer to more affluent countries, while trans-regional trafficking is usually towards rich countries in the Middle East, Western Europe and North America and generally stem from East and South Asia and Sub-Saharan Africa.<sup>1</sup>

There is no agreed upon methodology for estimating the number of trafficking victims worldwide and so the scale of the issue is unknown. As a guide, the United States reports that in 2014 over 44,000 victims were identified, representing only a small fraction of the number of people who are currently in trafficked situations.<sup>2</sup> The International Labour Organization estimates that 21 million people are victims of forced labour and of those, 4.5 million are victims of forced sexual exploitation.<sup>3</sup>

Until 2000, no one international instrument covered all aspects of human trafficking. The United Nations, recognising this gap, drafted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (“**Palermo Protocol**”).<sup>4</sup> The Palermo Protocol contains rules and practical measures to prevent trafficking, punish traffickers and protect victims, including by protecting their human rights.

The obligations to provide protection to victims are a recognition of the incredible vulnerability and injury suffered by victims of human trafficking, many of whom are displaced and suffered significant damage, physically, psychologically and financially. Under Article 6 of the Palermo Protocol, countries are specifically called upon to ensure victims have access to compensation for damage suffered. This report reviews the compensation scheme in twenty jurisdictions globally, providing an analysis of their accessibility and acceptability for victims of human trafficking.

The jurisdictions reviewed in this report are Australia (New South Wales and Victoria), Belgium, Canada (British Columbia and Ontario), China (Hong Kong, SAR), France, Germany, Greece, Italy, Japan, Netherlands, Philippines, Republic of Korea, Romania,

South Africa, Thailand, the United Kingdom and the United States of America (California and New York). The twenty jurisdictions cover origin, transit and destination countries and a wide variety of compensation schemes.

## INTERNATIONAL LAW AND HUMAN TRAFFICKING

International treaties and protocols relating to organised crime, trafficking, human rights, child rights, migration and forced labour all impose obligations upon states to combat and respond appropriately to human trafficking.

The Palermo Protocol, created under the *UN Convention against Transnational Organized Crime*<sup>5</sup> ("Convention"), is the first international binding treaty specifically aimed at human trafficking. It sets out the first internationally agreed definition of human trafficking:

*"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, servitude or the removal of organs."*<sup>6</sup>

Consent of a victim of trafficking is irrelevant where any of the means above, such as fraud, abuse of power etc are used. Where the victim is under eighteen years of age, they will be considered to have been trafficked even where none of the means outlined above are used.

The Palermo Protocol requires each state party to criminalise trafficking in persons, take steps to prevent trafficking and provide protection and assistance to victims of trafficking in persons, including respect for their human rights.

As at March 2016, 169 countries had ratified the Palermo Protocol and another three are signatories. All jurisdictions reviewed for this report, with the exception of Japan and Hong Kong, have ratified both the Convention and the Palermo Protocol. Japan is a signatory to both and has accepted them at a domestic level, while Hong Kong has ratified the Convention but not the Palermo Protocol.

### International law and compensation

Both the Convention and the Protocol require states to ensure victims have access to compensation. Under Article 23(2) of the Convention, state parties



must establish procedures to ensure access to compensation and restitution for victims. Article 14 of the Convention also requires state parties to consider returning confiscated proceeds of crime or property to a requesting state party so it can use it to provide compensation to victims. Under the Palermo Protocol, Article 6(6) specifically requires states to *“ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered”*.

Regional instruments may impose additional obligations upon states. One such instrument is the Council of Europe Convention on Action against Trafficking in Human Beings (**“European Convention”**), which entered into force in February 2008. Article 15 of this instrument calls on states to provide for the right of victims to compensation from the perpetrators and to:

*“adopt such legislative and other measures as may be necessary to guarantee compensation for the victims in accordance with the conditions under its internal law, for instance through the establishment of a fund for victim compensation or measures or programmes aimed at social assistance and social integration of victims, which could be funded by the assets resulting from (sanctions imposed upon perpetrators)”*.

## COMPENSATION AND THE HUMAN TRAFFICKING VICTIM

Compensation for survivors of human trafficking plays a variety of roles that are not necessarily addressed by more readily available short-term services such as emergency shelter and the provision of basic necessities.

Compensation can act as a form of restorative justice for victims of crime: financial assistance helps provide for financial losses and may also help a survivor to recover from physical, emotional and psychological harm as a means for paying for treatment. Compensation can also empower survivors by offering them a level of financial autonomy and tangible recognition of the fact that they were a victim of a serious crime, and are deserving of justice.

Compensation can also play a preventative role. A financially independent trafficking survivor, who has had a positive experience with the justice system, is more likely to make greater progress towards recovery.<sup>7</sup> Compensation can also help to prevent re-victimisation by countering an individual’s vulnerability to being re-trafficked.<sup>8</sup> On a practical level, many trafficked persons are in debt which can persist even after they have escaped exploitation. Compensation can therefore assist the survivor to clear outstanding debts, provide a new start and alleviate some of the pressures of needing to find an immediate source of income; a need which may otherwise make that person vulnerable to further abuse.



The way in which compensation schemes are established and implemented can significantly affect how accessible they are for human trafficking victims. The UNODC advises states to ensure any procedures are simple, accessible and well outlined. Difficult, lengthy or cumbersome procedures can frustrate or discourage victims from making a claim and therefore defeat the purpose of compensation. Barriers and obstacles are also likely to result in victims losing confidence in the justice system, and lessen the likelihood of their engagement and cooperation.<sup>9</sup>

Victims of human trafficking often face distinctly different issues and hurdles to accessing compensation compared to victims of other crimes. According to the UNODC, more than 60% of all victims are foreigners in the country where they are identified as victims, and in destination countries, perpetrators themselves are generally foreigners.<sup>10</sup> Where the victim is a foreigner, they may face difficulties with immigration, language and accessing support services. Working with the authorities may also lead to retribution by the perpetrators, either to themselves or to their family back home. Where the perpetrator is a foreigner, their assets may not be within the jurisdiction, or they may have fled, making perpetrator-funded compensation more difficult.

Human trafficking is not necessarily physically violent, nor does it necessarily result in physical injury. This is increasingly the case as the rates of non-sexual trafficking increases, particularly for forced labour.<sup>11</sup> Almost a third of all trafficking victims are also children (under 18 years of age).<sup>12</sup> Convictions for human trafficking are also very low, with only 40 per cent of countries recording more than ten convictions.<sup>13</sup> In 2014, the number of convictions actually decreased compared to the year before, despite an increase in prosecutions.<sup>14</sup>

While many states provide for restitution or civil claims to enable victims to obtain compensation from a perpetrator, in practice it is not always so easy. The perpetrator may be unknown, have fled or be impecunious, particularly in cases of cross-border human trafficking. State run and funded statutory compensation schemes that take into account the particular needs of human trafficking victims are therefore important tools in guaranteeing compensation to victims. The UNODC recognises the advantages of state-administered schemes as they provide a guaranteed payment to victims without the need to locate or identify a specific perpetrator.<sup>15</sup> Statutory compensation schemes can therefore be of great benefit to victims of human trafficking, provided they are set up in a manner that takes into account the particular issues faced by such victims.

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## THE REPORT

The report examines the availability of ROAD TO RECOVERY in 20 jurisdictions around the world. The focus of this report is on administrative statutory schemes managed by the state to provide financial compensation to victims of human trafficking. These statutory schemes may involve seeking money from the perpetrator or from a state funded scheme, and they may be specific to human trafficking crimes or general compensation schemes for all victims of crime.

The report identifies the relevant legislation relating to human trafficking and compensation. It also provides a detailed outline of the compensation scheme and some of the barriers that human trafficking victims may face in accessing compensation, the support services and best practices in each jurisdiction. For each jurisdiction the report sets out:

- which conventions and protocols the jurisdiction is party to;
  - relevant national laws relating to criminalisation of human trafficking and statutory compensation schemes;
  - how the compensation scheme functions: eligibility, application and assessment processes, compensation available, requirements and exclusions;
  - an analysis of the barriers that human trafficking victims may face and key support services that are available;
  - case studies of successful or unsuccessful applications where available;
  - recommendations for improvement; and
  - alternative avenues for seeking compensation, such as criminal restitution or civil claims.
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# EXECUTIVE SUMMARY







# EXECUTIVE SUMMARY

This report identifies and summarises the statutory compensation schemes available in 20 jurisdictions around the world. It analyses their suitability and accessibility for victims of human trafficking. There is a wide variety of compensation schemes in this review; some are specific to human trafficking victims, while others are more general. Given the specific needs and characteristics of victims of human trafficking, this report analyses how well the relevant schemes are suited to the particular needs of human trafficking victims. A summary of our findings is below.

## Criminalisation of human trafficking

Under the Palermo Protocol, all parties must introduce domestic legislation criminalising human trafficking as defined in the Protocol. All jurisdictions reviewed had criminalised human trafficking in one form or another, with many, such as Canada and Australia, amending or introducing new legislation specifically to meet the international criteria. Most, but not all, definitions of human trafficking met international requirements. For example Hong Kong and Japan, who are not party to the Protocol, have more limited definitions of human trafficking than that required. Others, such as the United Kingdom, have been drafted to accord with international obligations but have been criticised for failing to include a separate offence for child exploitation.

## Compensation schemes

Through this report it is apparent there are as many types of compensation as there are schemes. That being said, the compensation schemes fit into two distinct categories: judicial and administrative. In judicial systems, compensation may be accessed as restitution through a criminal trial or as damages in a civil claim or employment tribunal. In contrast, administrative processes usually take the form of a state-administered scheme, often known as statutory compensation, wherein the state is responsible for providing compensation or obtaining compensation from the perpetrator on behalf of the victim. Statutory compensation may be funded by the state, or by fines and penalties obtained from perpetrators. Some jurisdictions have a combination of judicial and administrative schemes in which the administrative scheme is used as a 'back-up' system for victims who are otherwise unable to obtain compensation through the judicial process.

All jurisdictions reviewed, except South Africa, have established a form of statutory compensation scheme for victims of crime. South Africa, rather than an administrative compensation scheme, has a specific restitution scheme for human trafficking victims



that enables victims to apply for restitution from the perpetrator through the criminal justice system.

The majority of jurisdictions reviewed, including Belgium, Canada and Hong Kong, have a general victims compensation scheme which victims of human trafficking can access, while others, such as Thailand and Italy, have compensation schemes that are specific to victims of human trafficking. The general compensation schemes do not always cater to the unique characteristics of human trafficking cases; for example, they may only be in one language, or may only apply to crimes which involve physical violence or where the perpetrator can be identified. A number of jurisdictions have resolved this issue by identifying 'human trafficking' as a crime that qualifies for compensation under the scheme, and, as in the case of California, making exceptions for victims of human trafficking where they fail to report the crime to the police in time or at all. Schemes that are particular to victims of human trafficking, such as in Thailand, are often better suited to the particular concerns and needs of victims of human trafficking and are often part of a larger support service programme for victims. We have outlined below the main aspects of those statutory compensation schemes and the findings of this report.

### *Eligibility to apply*

Under each scheme applicants must meet a number of eligibility requirements. Applicants need to demonstrate that they are either the direct victim or an eligible secondary victim, and that they have suffered the requisite form of damage as a result of a particular form of crime. The requirements can be categorised as the general who, what, when, where, how:

- who is the victim (or dependant) and what is their immigration status?
- what injuries have they suffered?
- when did it happen, what are the time limits?
- where did the crime occur and where is the victim now? and
- how did it happen: was it a recognised crime?

There are also additional requirements, such as reporting to police and exclusions which are also discussed below.

The jurisdictions reviewed differ as to whom can apply for compensation. In some jurisdictions, only the primary victim may apply while in others, dependants, relatives and witnesses to the crime may also apply. In terms of dependants, some jurisdictions, such as Hong Kong, will only allow dependants to seek compensation if the primary victim is deceased, while in others, dependants can apply if they can show they too are affected.

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While all jurisdictions reviewed allow a primary victim to apply for compensation, a few jurisdictions only recognise criminal injuries where the crime itself was violent and there is a physical or psychological injury. For example in Victoria, the primary victim can only apply if they were injured as the result of a violent crime. In such cases, the individual would not be eligible for compensation unless a violent act occurred in the course of the human trafficking. In Belgium, the requirement for there to be an intentional act of violence has led to the denial of compensation claims by human trafficking victims. Other jurisdictions have recognised this issue and included human trafficking as a specific crime for which compensation can be paid.

Time limits also differ and often there is a time limit for reporting the crime and a second time limit for applying for compensation. In Romania for example, the crime must be reported to the Police within sixty days of it occurring but applications for compensation can occur at a later date. Generally across the jurisdictions, time limits are between one and three years from the date of the crime; extensions can be given if there are reasonable excuses for a delay in applying. However, for foreign victims, a more limiting factor may be the amount of time they are allowed to remain in the country prior to deportation. In the United Kingdom, individuals are only given 45 days for recovery and reflection before they may be deported, leaving them a very short amount of time to apply for compensation.

The requirements regarding the location of the individual and the crime can have a significant effect on who can apply and in what circumstances. For example, in Victoria, the fact that the individual does not need to be resident in the jurisdiction means that the victim can apply for compensation after they return to their home country. Where relatives do not need to be resident in the jurisdiction, as is the case in California, the family of a victim who has been trafficked to California can apply for compensation regardless of where they are living.

### *Cross-jurisdictional trafficking and eligibility*

All jurisdictions reviewed require some connection between either the victim or the crime and the jurisdiction where compensation was being claimed. Often the victim has to either be a citizen of, or lawfully resident in, the relevant jurisdiction. Jurisdictions vary as to whether the crime has to take place within the jurisdiction, or, if it is outside the jurisdiction, whether the victim has to be a resident or citizen. There are exceptions to this. For example, in California, an individual who is residing in the state unlawfully may still apply for compensation so long as the crime occurred within California. In Romania, if the crime occurred outside Romania but is being prosecuted within Romania and the applicant is lawfully in the country, they may apply for compensation.

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### *Relationship to criminal and civil proceedings*

A number of jurisdictions, including Greece, Italy, Thailand and Romania, will only provide compensation once all other attempts to obtain damages or restitution have been exhausted. This will often mean individuals must attempt to obtain restitution through criminal proceedings and/or by lodging a civil claim. While this is theoretically in keeping with both the Palermo Protocol and the European Convention, the complexities, delays and costs that can surround these processes can act as an effective barrier to obtaining any compensation at all.

### *Injuries recognised and compensation available*

Jurisdictions vary in how they calculate the amount of compensation to be awarded. Approaches included:

- a set amount for victims of human trafficking;
- set amounts for particular categories of injuries;
- reimbursement for expenses incurred, such as medical expenses or lost income;
- set amounts based as a percentage of the lost income of the victim; and
- moral damages, or damages for pain, suffering and loss of enjoyment.

All jurisdictions reviewed have a cap on compensation. In many jurisdictions if the victim is able to obtain funds from another source, such as a civil claim or insurance, this is deducted from their final amount.

For those jurisdictions that base the compensation on types of injuries and expenses incurred, it is common to list the types of expenses and damages that are compensated. Each jurisdiction is different and only a few, such as the Netherlands, provide compensation for loss of enjoyment of life. The types of damages and expenses that are compensated can include:

- Medical and psychological expenses;
  - Funeral expenses;
  - Relocation expenses;
  - Job training;
  - Income loss;
  - Home security improvements;
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- Emergency financial relief;
- Legal costs;
- Care and support assistance for individuals who have suffered permanent disability; and
- Property damage.

### *Additional requirements: assisting police and prosecution*

The vast majority of jurisdictions reviewed require victims to report the crime to the police or relevant authorities, and to assist in the prosecution of the perpetrator. Only a few jurisdictions make exceptions for extenuating circumstances. In California for example, the legislation specifically states that a victim of human trafficking should not be denied compensation solely because they delayed in reporting the crime. A victim is also not required to report the crime if there were valid reasons not to do so, such as psychological issues or fear of retaliation. In lieu of a police report, individuals can also provide medical records documenting their injuries consistent with human trafficking, or an affidavit from a human trafficking caseworker. In other jurisdictions, such as NSW, Australia, a failure to report the crime or participate in the prosecution of the perpetrator will disqualify the victim from accessing compensation.

### *Exclusions based on character, illegal activity or immoral behaviour*

Most compensation schemes, particularly those that are general in nature, will exclude individuals who have either participated in the crime that led to the injury, or who have an extensive criminal record. Italy, for example, will not award compensation to individuals with a conviction for a serious crime (for example, murder, rape, kidnapping) or who were initially complicit in the crimes they were injured in. This is particularly problematic for human trafficking victims who may be seen as initially complicit in the trafficking regime, or who may have been forced to participate in illegal activities while a victim of trafficking. As such, some, although not many, jurisdictions will make exceptions for victims of trafficking. For example, in California involvement in sex work should not be considered a barrier to compensation for human trafficking victims.

Jurisdictions may also exclude victims on the basis of unsavoury or immoral character. Given that victims of human trafficking may be involved in illegal work or work that is stigmatised, such as sex work, this can pose a significant problem. In the United Kingdom, individuals may have their applications denied on the basis of unsavoury character, and there is evidence to suggest that victims trafficked for forced labour or sexual exploitation have indeed been denied compensation on these grounds.



### *Requirement to prove the crime and injuries*

Generally individuals are required to prove that they have been a victim of a crime and to provide evidence of injuries and expenses they have incurred. The types of evidence required vary significantly between jurisdictions and can, in some cases, be incredibly onerous upon the victim. For example, in Romania the onus is upon the individual to prove that the perpetrator is missing.

In most cases the level of proof is on the balance of probabilities. However, in most jurisdictions where compensation will only be paid out upon the finding of guilt of the perpetrator, the proof required is beyond reasonable doubt. In some jurisdictions, however, it is possible for individuals to apply for compensation even where the perpetrator is acquitted, such as NSW and Victoria, Australia.

### *Immunity from prosecution and deportation*

While the Palermo Protocol does not specifically address the non-punishment and non-prosecution of trafficked persons, the UN Working Group on Trafficking in Persons recommended that states should consider not punishing or prosecuting trafficked persons for unlawful acts committed by them as a direct consequence of their situation as a trafficked person. For European countries, Article 26 of the European Convention requires states to provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so. Certainly from a victim's perspective, protection from prosecution will increase the likelihood of them reporting the trafficking to police and seeking out assistance as well as compensation. Protection from a conviction can also assist them with the exclusions relating to criminal records outlined above. A number of jurisdictions, including Greece, Italy and Thailand, have provided for non-prosecution in legislation, although often these are reliant upon the victim cooperating fully with the police and prosecution in the investigation of the perpetrator. The immunity may be mandatory, or, as in the case of Germany, at the discretion of the prosecution.

Victims of human trafficking are often in the relevant country illegally and may face deportation upon contacting the authorities. The risk of being deported can act as a significant barrier to accessing compensation, particularly as most jurisdictions require the crime to be reported to the police. Article 7 of the Palermo Protocol urges states to consider adopting measures to permit victims of trafficking to remain in its territory, temporarily or permanently, in appropriate cases. European countries are required under the European Convention to provide victims with a period of recovery and reflection to recover and escape the influence of the traffickers and to decide whether to assist in the prosecution of the perpetrators. Visas are often only provided on the proviso that the individual assist with the criminal trial, as is the case in Germany and Greece.

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Deportation can make it difficult for individuals to access compensation, as they may need to be present in the country to complete all aspects of the process. Often the suspension of deportation is only until the criminal trial has concluded which often occurs before compensation is awarded. In the Republic of Korea, however, the prosecutor can request the immigration office to suspend deportation under certain circumstances, including for the purpose of obtaining compensation. In Germany, compensation is reduced if the individual is expelled or deported.

Unfortunately even where there are robust laws, there are reports of people being deported without being screened to determine trafficking status, as is the case in Japan and Romania. This is often an issue where there is a lack of awareness and training of authorities, or stigma and prejudice towards trafficking victims.

### *Examples in practice*

Very little information is available regarding applications for and success rates in compensation claims for victims of human trafficking. Many of the processes reviewed in the jurisdictions are administrative and results are not published. For those jurisdictions that do publish information, the number of successful cases is small. In Belgium, only two files between 2011 and 2012 were successful, while in Italy only one application had been made at the time of writing. In Germany, NGOs have stated that compensation is rarely sought and, when it is, it is infrequently granted. Only the Netherlands appears to have a significant number of claims, processing 58 cases in 2013 and 61 in 2014, with a 75% success rate. In other jurisdictions, NGOs have reported that very few applications are made or granted.

## **BEST PRACTICE**

In reviewing the 20 jurisdictions in this report, a number of best practices emerged. As noted above, it is crucial that the procedures for claiming compensation are as simple, accessible and well outlined as possible. International law also requires states to consider non-prosecution and non-deportation of victims, and to protect their privacy. General compensation schemes may not take into account the particular needs and experiences of human trafficking victims and so unwittingly throw up barriers and obstacles to obtaining compensation. The better schemes identify this as an issue and make clear exceptions for victims of human trafficking.

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Statutory compensation schemes were more accessible, acceptable and appropriate for victims of human trafficking in situations where:

- Human trafficking is specifically identified as a crime for which compensation is available;
  - Physical injury is not a requirement for obtaining compensation;
  - Application for compensation is free;
  - The time taken to process an application is short and emergency funding and counselling is available;
  - Victims as well as their dependants and witnesses can access compensation;
  - Victims can apply whether or not they are still within the jurisdiction;
  - Information is available in multiple languages and in places where victims of trafficking can find it.
  - Social workers and police are trained to inform individuals about compensation and assist them with applications;
  - Individuals can apply directly to the state for compensation without the need to use judicial processes or face their perpetrator;
  - Failure to report the crime to authorities in a timely manner or cooperate with the investigation are not automatic barriers to receiving compensation, nor are criminal activities committed while a victim of human trafficking;
  - Individuals are immune from prosecution for any criminal activity undertaken while being trafficked;
  - Foreign victims are given sufficient time to recover within country, with appropriate services and are given the option to apply for humanitarian visas;
  - Services such as free legal aid and assistance are provided as part of a wider support system of services and benefits for victims of trafficking, including free legal aid to assist with compensation applications; and
  - The privacy of the individual is respected and all efforts are made to protect the victim's identity, particularly from the perpetrator.
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## CONCLUSION

Compensation schemes come in a wide variety of shapes and colours. The rules and implementation of schemes can have a significant effect on their accessibility for victims of human trafficking. It is hoped that this report will provide readers with an insight into the types of compensation schemes available, the barriers that particular rules and practices may create for victims, and examples of best practice that can be emulated when reforming systems.

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# ENDNOTES

<sup>1</sup> UNODC *Global Report on Trafficking in Persons 2014* available at [https://www.unodc.org/documents/human-trafficking/2014/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf) accessed 17 March 2016, p7

<sup>2</sup> US Department of State *Trafficking in Persons Report July 2015* available at <http://www.state.gov/documents/organization/245365.pdf> accessed 17 March 2016, p48

<sup>3</sup> International Labour Organization, 'Forced labour, human trafficking and slavery' available at <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm> accessed 17 March 2016

<sup>4</sup> UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000 available at <http://www.refworld.org/docid/4720706c0.html> accessed 18 March 2016

<sup>5</sup> Adopted 8 January 2001, A/RES/55/25 available at <http://www.refworld.org/docid/3b00f55b0.html> accessed 17 March 2016

<sup>6</sup> Article 3, Palermo Protocol

<sup>7</sup> Anti-Slavery International *Opportunities and Obstacles: Ensuring Access to Compensation for Trafficked Persons in the UK 2009* available at [http://www.antislavery.org/includes/documents/cm\\_docs/2009/t/trafficking\\_and\\_compensation2009.pdf](http://www.antislavery.org/includes/documents/cm_docs/2009/t/trafficking_and_compensation2009.pdf), accessed 1 April 2016, p3

<sup>8</sup> Anti-Slavery International and La Strada *Persons Findings and Results of the European Action for Compensation for Trafficked Persons 2012* available at [http://www.lefoe.at/tl\\_files/lefoe/report%20final\\_COMP.ACT.pdf](http://www.lefoe.at/tl_files/lefoe/report%20final_COMP.ACT.pdf) accessed 1 April 2016, p5

<sup>9</sup> United Nations Office of Drugs and Crime *Anti-human trafficking manual for criminal practitioners 2008*, Module 13, p2

<sup>10</sup> UNODC *Global Report on Trafficking in Persons 2014* available at [https://www.unodc.org/documents/human-trafficking/2014/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf) accessed 17 March 2016, p8

<sup>11</sup> UNODC *Global Report on Trafficking in Persons 2014* available at [https://www.unodc.org/documents/human-trafficking/2014/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf) accessed 17 March 2016, p9

<sup>12</sup> UNODC *Global Report on Trafficking in Persons 2014* available at [https://www.unodc.org/documents/human-trafficking/2014/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf) accessed 17 March 2016, p11

<sup>13</sup> UNODC *Global Report on Trafficking in Persons 2014* available at [https://www.unodc.org/documents/human-trafficking/2014/GLOTIP\\_2014\\_full\\_report.pdf](https://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf) accessed 17 March 2016, p13

<sup>14</sup> US Department of State *Trafficking in Persons Report July 2015* available at <http://www.state.gov/documents/organization/245365.pdf> accessed 17 March 2016, p48

<sup>15</sup> United Nations Office of Drugs and Crime *Anti-human trafficking manual for criminal practitioners 2008*, Module 13

<sup>16</sup> Working Group on Trafficking in Persons *Report on the meeting of the Working Group on Trafficking in Persons*, 14-15 April 2009, CTOC/COP/WG.4/2009/2

