



Handbook for Victims of Human Trafficking

A guide for individuals who have been or could potentially become victims of human trafficking.

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As a collaborative project between the Women’s Rights Foundation and
Victim Support Malta.

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“I’m ashamed as a woman that girls can have their bodies sold and used as battlefields...I’m ashamed as a human being that we can ignore their cries for help.”

–Amal Clooney

What is human trafficking?

Human Trafficking is the movement of adults and/or children within the same country or from one country to another, with the intention of exploiting them. It is the movement of a person from one place to another (recruitment, transportation, transfer, harbouring or receipt of persons) to conditions of exploitation, by using deception, coercion, the abuse of power or abuse of someone's vulnerability. The trafficker that recruited the exploited person would benefit by often making financial gain from them.

The victim would usually be recruited by what they would know as their employer and the work they engage in would often be for prostitution or , labour, domestic servitude, agricultural work, begging, manufacturing, construction, and organ harvesting amongst a host of other exploitative purposes.

Human trafficking can take place in any kind of community and can happen to anyone, irrelevant of their age, race, nationality or gender, although those who come from backgrounds of poverty and have a weaker social safety net or suffer from mental and psychological difficulties, are more susceptible to falling victim to a trafficker's tactics.

Traffickers use a variety of schemes and tricks in order to lure in their victims - from violence, to manipulation to false promises. Some traffickers can even fake a romantic relationships with their victims in order to lure them into trade.

Human trafficking is an offence against a person's dignity and their freedom and for this reason we must put an end to it!



Schemes and tricks used by traffickers to lure in their victims.

People are often recruited using deception. Some of the schemes used by traffickers to capture their victims are the following:

Seduction and romance

The trafficker would seduce another person (often women and female adolescents) into forming a romantic relationship between them. This is often done through grooming and abuse, however the victim is not aware of this yet.

The relationship quickly forms into one of psychological and emotional abuse. The trafficker would use blackmail and violence to intimidate their victims. Contrary to this, the aggressor could also make false promises of living a great life together by moving to another country. This is done in order to isolate the victim from their family and friends in order to maximise control.

This method of recruiting makes it easier to move the victims across the country or countries

False Job Advertisements

This is possibly the most cunning and complex tactic. Traffickers offer attractive job and travel opportunities to vulnerable victims, with the intention of exploiting them.

Sometimes, traffickers would post advertisements for employment in the newspaper or online using registered businesses as a front, or through social media portals where people are looking for a job. These adverts would at times target countries which are experiencing civil unrest and poverty, as those citizens would be the perfect target for traffickers. The turmoil being experienced in their home country would give them all the more reason to want to leave their home and make a living elsewhere.

The jobs are often for care givers or nannies but can also they would also relate to the hospitality, construction, sports and tourism business.. Upon arrival, the traffickers would take their documents and start to abuse the victims psychologically and even physically.

Sale by Family

Parts of the world which are ravished by unrest and destitution, sees families selling their own children to traffickers in exchange for money. This is often done as the families feel like they have no choice left in order to try and generate some income. However, there are also families that do this with malicious intent and act as a front to convince other families to sell their offspring.

Other methods could be promises of:

- educational opportunities;
- family reunification;
- marriage;
- adoption;



How are trafficked people controlled?

Traffickers use various techniques control their victims.

These could be all or some of the following:

- **Physical abuse** e.g. beatings or sexual violence;
- **Threats** to the trafficked person or their family in their country of origin;
 - **Deception** - people are just lied to about where they are going and what will happen;
 - **Isolation** for example they cannot speak the language of the country that they are trafficked to or are not allowed to speak to family and friends;
 - They are made to become **dependent** on the trafficker by being given drugs and/or alcohol;
 - **Removal** of documentation such as passports, Identity cards, immigration papers;
 - **Debt bondage** - people are indebted for large sums of money which they can't repay. Often they be charged money for 'arranging' their work or travel arrangements which are then deducted from their wages;
 - **Control** the personal freedom and movement;
 - **Lack of understanding** of where they are. For example they do not know the city where they are made to work in
 - **Fear of authorities** - they may mistrust state agencies, and be told that they will be badly treated if they approach the authorities;
 - **Criminalisation** - fear of being arrested/threats of deportation by reporting their irregular immigration status.

According to the Maltese criminal code trafficking takes place when there is the exploitation of a person of age (18 years and over) would have to take place by means of:

- violence or threats, including abduction;
- deceit or fraud;
- misuse of authority, influence or pressure;
- or the giving or receiving of payments or benefits to achieve the consent of the person having control over another person.

• The victim is then trafficked to Malta and exploited for the following activities:

- the production of goods or provision of services;
- or slavery or practices similar to slavery;
- or servitude forced labour
- or. activities associated with begging;
- or any other unlawful activities

The above mentioned is just an inclusive list of some of the horrific tasks trafficked people face. There are many other illegal activities which trafficked people are forced into which are not mentioned here.

Children can also be victims of human trafficking.

According to Maltese law if the victim is under the age of 18 and has been recruited and transported to Malta, the person who has abused this victim, can be said to be a trafficker even if they don't use the threats and violence mentioned above.

Consent of the victim to work in exploitation is irrelevant.



General Indicators of Trafficking

Victims of trafficking:-

- Believe that they must work against their will;
- Are unable to leave their work environment or are made to feel that they cannot leave;
- Show signs that their movements are being controlled;
- Show fear or anxiety;
- Are subjected to violence or threats of violence against themselves or against their family members and loved ones;
- Are distrustful of the authorities;

- Are threatened with being handed over to the authorities;
- Are afraid of revealing their immigration status;
- Are not in possession of their passports or other travel or identity documents, as those documents are being held by someone else;
- Have false identity or travel documents;
- Are usually unfamiliar with the local language;
- Do not know their home or work address;
- Allow others to speak for them when addressed directly;
- Act as if they were instructed by someone else;
- Are forced to work under certain conditions;
- Are disciplined through punishment;
- Are unable to negotiate working conditions;
- Receive little or no payment;
- Have no access to their earnings;
- Have no cash of their own.
- Work excessively long hours over long periods;
- Do not have any days off;
- Live in poor or substandard accommodation;
- Have no access to medical care;
- Have limited or no social interaction;
- Have limited contact with their families or with people outside of their immediate environment;
- Are unable to communicate freely with others;
- Are under the perception that they are bonded by debt;
- Are in a situation of dependence;

- Have had the fees for their transport to the country of destination paid for by the trafficker , whom they must pay back by working or providing services in the destination;
- Have acted on the basis of false promises;
- Are escorted whenever they go to and return from work and other outside activities.

The most common forms of trafficking in Malta is for:-

- Prostitution and activities related to prostitution such as the making of pornographic films, escorts, dancers in strip clubs
- Force labour, especially in the industries related to hospitality, cleaning, construction, fishing and even sports
- Domestic servitude, such as live in care givers



If you feel that you have been a victim of human trafficking or are going to be trafficked, here are some questions to ask yourself:

Are you in possession of your travel documents? If not, who has control of your documents?

Are you scared of being deported by the local authorities if you are arrested for doing something?

Is your freedom of movement restricted?

Did you come to Malta recruited to work one particular job, then upon your arrival were told that you would be working in another possibly less pleasant job?

Are you currently working your job in order to pay back debt to the people who brought you to Malta?

Have you been threatened or feel forced by your employer to work?

Do you feel that you have been forced to perform sexual acts related to your job by your employer?

Do you feel that you are deprived of basic needs such as medical care/treatment and other necessities?

Are you allowed to communicate freely with your friends and family back home?

Do you feel that you are living in proper and safe accommodation? Are you being forced to live at the same place where you work?

If you are a minor, do you feel that the work you are doing is suitable for someone your age?

As a minor, are you allowed to go to school?

Do you feel like your employer has forced you to live like a slave?

Are you working for very low or no pay at all?

Are you working without a contract of employment?

Are you being consistently overworked and have no time off?

If you think you've been trafficked, be aware that

First and foremost, do not panic. You have not done anything wrong.

It is important to know:

- The police will help you
- You'll be protected from anyone you think might hurt you
- You don't have to give evidence in court unless you choose to

If you do not want to contact the police you can contact other NGOs and authorities that will help you.





What are my rights as a Victims of Human Trafficking?

If you have been identified as a victim of trafficking you have the right to:-

- Not be removed from Malta
- receive information, advice and support in a language you understand;
- have a maximum 2 months reflection period to see whether you would want to co-operate with the police;
- return to your country
- Information about or direct referral to any relevant specialist support services;
- Psychological support;
- Shelter and material support
- Access to medical care
- Access to work and education if you are a child
- Free legal aid
- To seek compensation from you trafficker

What happens if I decide to cooperate with the police and testify against my trafficker?

The police will take your declaration and consult with you further if it is necessary for their investigation.

After the investigation is complete, charges will be issued against the trafficker and they are taken to court.

Once the court starts hearing the case, you will be asked to come and testify against the trafficker.

You will testify via video conference and would NOT be in the same room with the trafficker. You will be asked questions by both the prosecution and the defence lawyers in that same sitting and you will not be asked to go to court again.

The court will issue a protection order in your favour to ensure that the trafficker cannot contact you or come near you. If he breaks the protection order, then make sure to inform the police immediately so that they take action against the trafficker.

Sometimes a court expert may contact you to take any data from your mobile or electronic devices.

During the trial you have a right to a lawyer to assist and represent you, an interpreter if you cannot speak Maltese or English.

You also have the right to be informed about the trial and its outcome.

During this period you will be issued with a residence permit and can access work employment and you cannot be removed from the country.

If as part of your exploitation you were doing something illegal and criminal, you CANNOT be prosecuted for the crime unless it is a crime that was different to that related to the exploitation. By way of example, if you were being sexually exploited and as part of the exploitation you were soliciting (which is a crime in Malta) then you cannot be prosecuted for soliciting.

How can I recover my salary that was not paid to me?

This can be done by either starting a civil court case against your trafficker or contacting the Department for Industrial and Employment Relations (DIER) that will then compute how much earnings you are owed and contact your trafficker to forward the payment to you. They can also start court proceedings against your trafficker and then the trafficker will be ordered to pay by the court.



Maltese Agencies which help victims of Human Trafficking

If you are scared, there are many Maltese associations which can help you in a private and confidential manner.

Women's Rights Foundation

WRF aims to ensure that women's rights are protected through policy and law reform, raise awareness and offer training to end violence against women. WRF also provides free legal advice and initial legal representation to women who are survivors of domestic violence, sexual assault, human trafficking and discriminated against due to their gender.

E-mail - info@wrf.org.mt

Website - <https://www.wrf.org.mt/contact>

Contact - 80062149 or 79708615

Victim Support Malta

VSM is a registered Non-Governmental Organisation which provides support and assistance to victims of crime. The services provided by VSM include the provision of emotional support to assist victims in overcoming trauma following a crime; information and support pertaining to the relative criminal procedures and practical assistance.

E-mail - info@victimsupport.org.mt

Website - <https://victimsupport.org.mt/about-us/>

Contact - +356 2122 8333

Victim Support Agency

Victim Support Agency is the national contact point for victims of crime.

Website - <https://stophate.gov.mt/en/About-Us/Pages/Aims-and-Objectives.aspx>

Telephone - 25689700

E-mail - vsasupport@gov.mt

Victim Support Unit (VSU)

Police unit specifically set up to help victims of crime within the Victim Support Agency (VSA). VSU Provides a single point of contact for victims of crime shortly after lodging a police report.

Website - <https://pulizija.gov.mt/en/police-force/police-sections/Pages/Victim-Support-Unit.aspx>

Telephone - 21224001

Email - victimsupport.police@gov.mt

Violet Support Online (VSO)

Violet Support Online is an online emotional support service provided by professional staff and trained volunteers, through chat and email, for people affected by gender-based violence. This is done in an anonymous and confidential manner.

Website - <https://vso.org.mt>

Emergency Cases

Emergency number 112 is used among the European Union countries. 112 can be dialled both from fixed telephone lines as well as from mobile phones. 112 is to be used in cases when urgent assistance from the Police, Civil Protection or an Ambulance is required.

Non-emergency calls on the 112 line may endanger the life of other people who may require urgent assistance.

Incorrect use of the emergency line may lead to prosecution.

Agenzija Appogg

Appogg DV Unit provide Social Worker services for those who have been through domestic violence. Social worker can help arrange shelter for those experiencing domestic violence.

Website - <https://fsws.gov.mt/en/Pages/FSWS%20Forms/report-abuse-human-trafficking-form.aspx>

Telephone - 22959000

Legal Aid Malta

Legal aid Malta ensures that the low-income persons are professionally and legally represented in a broad spectrum of litigation, defence and advocacy in a democratic society.

Website - <https://justice.gov.mt/en/legalaidmalta/Pages/home.aspx>

Telephone - 22471500

Email - info.legalaidmalta@gov.mt

Report a Crime to the Police

You are entitled to an efficient and fair service from the Malta Police Force. You may complain if you feel that we have not met these expectations, or if you wish to report unethical behaviour allegedly committed by a police officer.

Location - Police General Headquarters in Floriana

Contact - +356 2294 4001

Emails - professionalstandards.police@gov.mt

Website - <https://pulizija.gov.mt/opres/home.asp>

OPRES Police Complaints

You are entitled to an efficient and fair service from the Malta Police Force. You may complain if you feel that we have not met these expectations, or if you wish to report unethical behaviour allegedly committed by a police officer.

Location - Police General Headquarters in Floriana

Contact - +356 2294 4001

Emails - professionalstandards.police@gov.mt

Website - <https://pulizija.gov.mt/opres/home.asp>

Cyber Crime Unit

Telephone Number - 2294 2231

Website - <https://pulizija.gov.mt/en/police-force/police-sections/Pages/Cyber-Crime-Unit.aspx>

Email - computer.crime@gov.mt

