

ANNUAL REPORT 2016

“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”
Article 4 of the Universal Declaration of Human Rights (1948)



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A LETTER FROM THE PRESIDENT

Since its inception in 1994, the *Comité Contre l'Esclavage Moderne* (CCEM) has played an important role in exposing the existence of slavery around us in everyday life. Our work on behalf of more than 600 victims, continues to motivate us. With a team of ten staff members and more than 50 volunteers – mostly lawyers - we are particularly dismayed, however, as we confront ignorance in the enforcement and justice system. We have seen very often how the system more readily supports punishing undocumented workers than investigating abusive situations in the workplace, impoverished and forced working and living conditions, or human trafficking.

In 2016, we handled 167 cases for victims of trafficking for labour exploitation - 125 women and 42 men. The CCEM team dedicated more than 8,200 hours to studying 351 alerts. The number of new cases we undertook increased 48% this year. In addition, we offered 2,038 nights in our “emergency apartment” to victims with no lodging. This apartment is completely supported by private donors and foundations for lack of public financing.

While our legal team assisted victims by obtaining testimonies, assembling documents and guiding them through administrative and legal proceedings, our social services team worked to find them housing and help them through the emotional trials of integrating into “normal” social life. Our daily work aims to free victims from their abusers, and help them regain their human rights and dignity.

Consciousness-raising and training expanded this year as well through CCEM projects. Our national poster campaign, made possible by the City of Paris and JCDecaux, was well received. In the fall, we mounted an open-air photography exhibition around the Tour Saint Jacques in Paris on domestic slavery. We also conducted 18 workshops during the year, on professional work sites and for the general public, reaching more than 700 people.

Highlights of our work on a national level this year include participation in the first evaluation report on the fight against trafficking by the *Commission Nationale Consultative des Droits de l'Homme* in March, as well as an official visit by representatives from the Group of Experts on Action against Trafficking in Human Beings (GRETA). Our active participation in these ventures and others continues our support in the evolution of combatting human trafficking for labour exploitation.

On the legislative level, ordonnance 2016-413, under France’s labor laws 2013-1088 (the Macron Law) enlarged the scope of workplace inspections to include identifying situations of trafficking for slavery. The 201- April law reinforced the combat against human trafficking and victim protection; however, it is limited as it focuses only on victims of forced prostitution and not on other situations of labour exploitation. The 126-274 law granted trafficking victims the right to a residence permit and formally banned repatriation.

Despite the evolution of the laws, we must still highlight such problems as the identification of victims, the criminal qualification of offenses, informing victims of the status of their cases, and victim protection. These issues are addressed in the following report in more detail. At the core, however, is the need for victims of human trafficking to be protected whether they file a complaint or not. They should be entitled to enjoy basic human rights such as having a residence permit during an investigation or case, and being informed of their rights in general and the status of their case in particular. All victims of human trafficking for all types of exploitation must have full access to their rights.

The fight against human trafficking is much more than an issue of sexual exploitation. As such, CCEM calls for the Prime Minister to treat the problem of human trafficking in a specially dedicated department instead of in the ministry of women’s rights as it does currently. We invite French authorities to focus on this issue effectively and seriously and not to abandon it solely to underfunded humanitarian organizations.

David DESGRANGES, President

Lawyer, Paris Bar Association

HUMAN TRAFFICKING FOR LABOUR EXPLOITATION IN 2016

7 March Law no. 216-274 amends provisions for entry and residency in France of foreigners including victims of trafficking. The law grants victims of trafficking the right to a residence permit, and excludes them from a ban to re-enter French territory if the residence permit is not renewed or if it is withdrawn; however, the law precludes them from receiving a multiple year permit at the end of a first year of legal stay, or if they can prove five uninterrupted years of legal stay in France, a right offered to non-trafficked foreigners.

10 March The National advisory committee on human rights (*Commission nationale consultative des droits de l'homme* – CNCDH), a national independent rapporteur, issues its first report evaluating the fight against trafficking and exploitation of human beings in France. CNCDH condemns the insufficient implementation of the French National Plan of Action (2014-2017) (as well as the primary focus of French policy on trafficking of women for sexual exploitation, ignoring other forms of exploitation. The report also points to the lack of support to NGOs, and it recommends putting the fight against human trafficking directly under the authority of the Prime Minister.

“At the time this report was published, France has still not adopted a full public policy to fight against the traffic and exploitation of human beings.” CNCDH, March 2016

7 April Labour Code 2016-412 widens the authority of the Labour Inspector to determine infractions relating to human trafficking, forced labour and servitude. In the remit of labour law no. 2016-1088, the modernisation of social dialogue and the securing career paths, Labour Inspectors are given the authority to identify infractions linked to human trafficking, forced labour and servitude as defined in the French penal code.

13 April Adoption of the law to strengthen the fight against prostitution and to give legal support to persons subjected to prostitution. Despite the significant progress to protect victims, the law mainly targets prostitution and trafficking for sexual exploitation, and calls into question equal rights of all trafficking victims.

19 May Distribution of the European Commission’s report, based on data from the member states and European NGOs, on progress in the fight against human trafficking under article 20 of the directive 2011/36/EU. This report raises concerns about the low rates of legal proceedings and convictions as well as the lack of resources available to fight trafficking on a national level - to identify, protect and support victims in all types of exploitation.

5 to 9 September The Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA) carries out its second evaluation of the progress in France after the Council of Europe’s anti-trafficking convention. Along with representatives of other institutions and civic groups, CCEM was interviewed and presented detailed observations based on their experience in the field, analysis and implementation of laws, and difficulties encountered.

9 November Additional protocol of the Forced Labour Convention No. 29, ratified by France on June 7, 2016, comes into force in all 187 member countries of the International Labour Organization (ILO). The protocol requires its members to put in place a plan of action to prevent forced labour and to protect victims thereof. It confirms moreover the need to train legal and criminal justice practitioners as well as to raise public awareness.

21 December The United Nations Office on Drugs and Crime (UNODC) publishes its third report on human trafficking. This report is based on data gathered between 2012 and 2014 in 136 countries. It highlights the increase of victims of forced labour: 4 out of 10 people identified are victims of forced labour, and 63% are men. The report emphasizes the need for additional resources to identify and support trafficking victims, and to improve the criminal justice system to identify victims, investigate cases and successfully bring exploiters to justice.

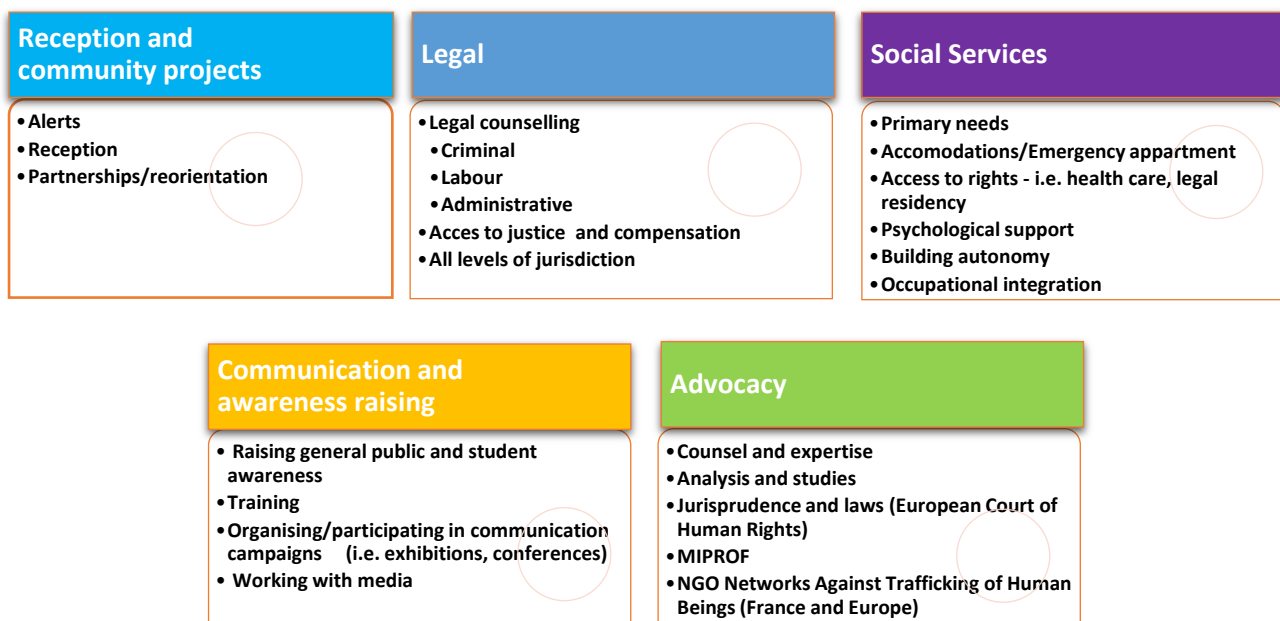
CCEM'S MISSION

According to the International Labour Organization (ILO), nearly 21 million people are victims of forced labour around the world – 11.4 million women and girls, and 9.5 million men and boys. Nearly 19 million are exploited by individuals or in the private sector, and about \$150 billion US dollars in illegal profits is generated by the activity in general. Domestic work, agriculture, construction, manufacturing and entertainment appear among the sectors where modern-day slavery primarily takes place.

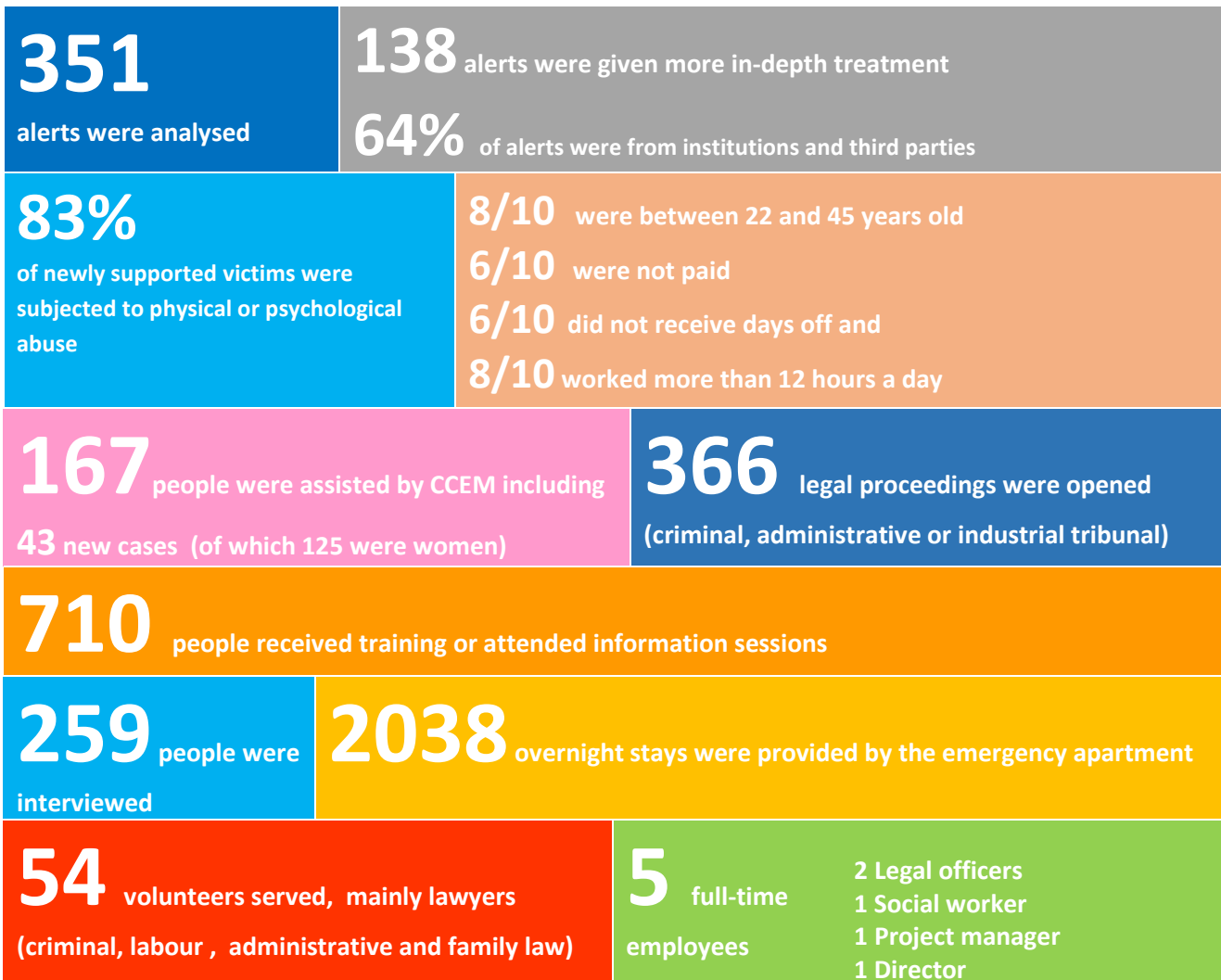
These crimes do not spare western countries. As receivers of victims of trafficking, they must take steps to combat such abominations. For example, after it was convicted in 2005 and 2012 by the European Court of Human Rights (cases supported and followed up by CCEM), France modified its legislation to attempting to meet international commitments. It then went even further, introducing slavery, servitude and forced labour into the Penal Code. This was both a symbolic and material recognition of the reality of these infractions; however, there is still a lack of resources to implement the National Plan of Action against human trafficking.

Created in 1994, the *Comité Contre l'Esclavage Moderne* (CCEM - Committee against modern slavery) was quickly recognized for its action and expertise in the fight against human trafficking for labour exploitation in France, including trafficking for forced begging and criminality. The majority of our supported victims are women and young girls trapped in situations of domestic servitude, but we also assist male victims of human trafficking for labour exploitation in construction, food service, commerce, hand labour, small business or agricultural sectors. These situations of exploitation are all contemporary forms of slavery, and are found in all socioeconomic levels - in affluent neighbourhoods and housing projects in disadvantaged suburbs, in rural areas and in diplomatic households - yet they remain hidden to the public eye. We offer comprehensive support to victims: social, legal and administrative. We also work to raise awareness in the professional sector and in the general public as well as advocate for victims and push for legislative protection.

CCEM'S ACTIONS:



CCEM IN 2016



CCEM IN FEW DATES

- 1994** Creation of the *Comité Contre l'Esclavage Moderne*
- 1996** CCEM assists first victim of domestic slavery
- 1999** CCEM brings first lawsuit for a victim of slavery before the *Tribunal de Grande Instance de Paris* (Paris court of first instance)
- 2001** CCEM participates in a Parliamentary information session on modern slavery and human trafficking
- 2005** First conviction of France by the European Court of Human Rights (ECHR) in a domestic slavery case
- 2006** First conviction of an exploiter by a criminal court
- 2009** CCEM and CNCDH (*Commission Nationale Consultative des Droits de l'Homme*) work together on fighting trafficking and exploitation of human beings in France
- 2012** Second conviction of France in a domestic slavery case by the European Court on Human Rights
- 2014** CCEM participates in forming a French National Plan of Action against trafficking of human beings and in the implementation of the August 2013 law against human trafficking.
- 2016** CCEM contributes to the second evaluation and monitoring visit of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA)

I- IDENTIFYING VICTIMS

It is often very difficult to detect victims of human trafficking for labour exploitation. They may be found in a neighbouring building, or at the school gates, or wandering aimlessly in the street after having run away. For years, social workers, associations, neighbours, shopkeepers, gendarmes, police, emergency services, even simply attentive passers-by, have alerted CCEM of possible victims, hidden from most people’s eyes.

Program Execution

CCEM receives many alerts of situations of exploitation and its intervention is nationwide in France. Based on past experience and analyses, we have developed the following three-step process to determine whether an alert is appropriate for our support and whether it should go to legal proceedings:

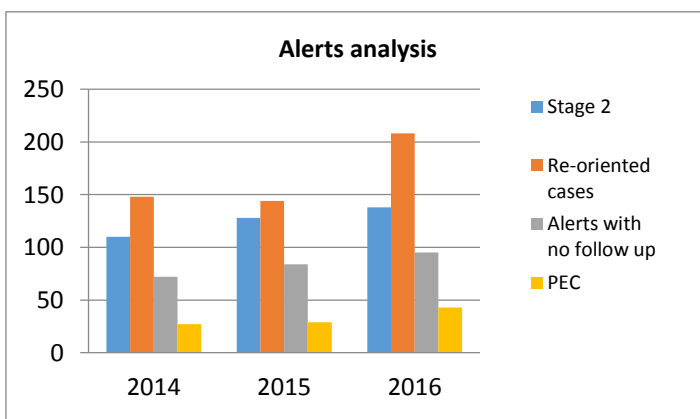
- **Step one – assessing alerts:** Our reception staff tries to identify possible facts that show human trafficking, forced labour or servitude, and redirect alerts that do not correspond to our mandate to more appropriate organisations. When this first assessment is successfully completed, the case undergoes a second level of examination.
- **Step two – in-depth assessments:** We then study the case in more detail to confirm the first level of examination by meeting with the potential victim either at the CCEM offices or close to the place of exploitation.
- **Step three - Undertaking a case:** The last step involves deciding whether a potential victim will receive social or legal support or both from CCEM. If a case passes the scrutiny of the second step, it is presented to the CCEM team at its weekly meetings, and social support is considered. A decision to undertake legal proceedings is discussed and may be officially approved at a bimonthly legal meeting. At this point, the victim can receive full assistance (legal and social) or partial (legal or social).

351
Assessments of alerts

138
In-depth assessments

Observations

An ongoing issue remains that the phenomenon of victimisation is largely invisible. Thus its identification is an essential and difficult step in assessing a situation. Identification becomes even more complex when the victim is still being exploited. Victims also do not always know how to explain their situation and experience or speak French, and they are often unaware of their fundamental rights.



Sources of alerts :

- 36% the victim him/herself
- 26% a third person (Outside of the victim’s workplace)
- 36% a in the workplace of the victim
- 2% anonymous

Why cases are not followed up:

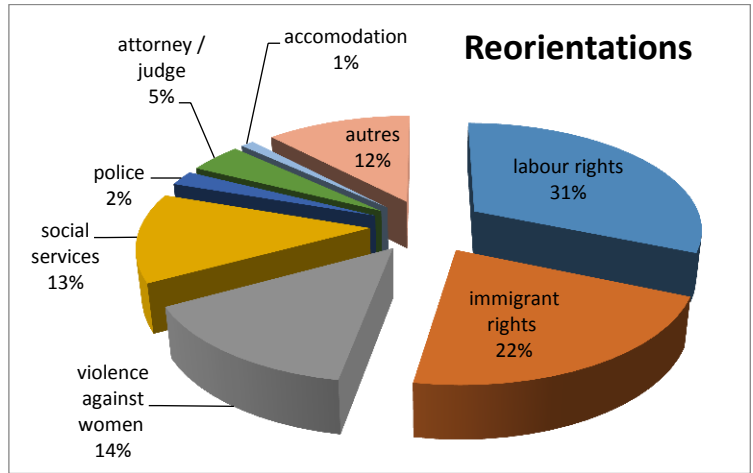
48% no news from the referral source

23% no news from possible victim

4% referral sources do not wish to follow up

6% possible victims do not wish to follow up

19% other reasons



In 2016, we saw a 48% increase in the number of referrals. This is perhaps linked to a wider knowledge of human trafficking for labour exploitation, possibly as a result of information on our website. We also dispersed more information in 2016 to the public with more awareness raising/training sessions and with a poster campaign with the city of Paris.

We also saw that 31% of our referrals were related to employment issues and labour law (compared to 40% in 2015). In such cases, we do not take the matter and reorient it to more appropriate organisations. This drop, if confirmed in the next years, shows a better understanding of the difference between human trafficking for labour exploitation and simple labour law issues.

II- VICTIMS ASSISTED IN 2016

To determine what kind of support an assisted victim can receive at CCEM, we study each person's history as well as his or her present situation to create a comprehensive framework for assistance (legal, administrative, social). The average time period between an alert or a referral and actual support is one-to-three months depending on our information. Sometimes a matter is decided expeditiously when a person has experienced or is at risk of violent abuse and needs immediate shelter. On average, we provide assistance to victims for four-to-five years.

Program Execution

In 2016, we supported 167 people including 43 news cases. The majority of those receiving support wished to initiate legal proceedings against their exploiters. Those who did not wish to file a complaint were offered social assistance.

A number of victims do not file charges against their exploiters for fear of retaliation, in particular against their family in their country of origin. Others are prevented due to the status of their "employers" (diplomatic or otherwise). Still others arrive at CCEM after the limitation period, thus no legal action can be taken anymore. Finally, it may be very difficult to produce evidence of what took place behind the closed doors of private homes or in isolated places such as small businesses or construction sites.



Statistics of our cases remain relatively constant with some developments to highlight:

- Most victims are between 22 and 45 years-old (81%) of which 49% are between 22 and 35 years-old.
- Men represent 44% of those newly supported in 2016 compared to 28% in 2015 and 15% in 2014. Women, however, still represent 75% of the total number of victims assisted (167 in total of which 125 are women).
- We saw an increase in the number of victims who did not receive any salary from 65% in 2015 to 68% in 2016.
- A new indicator was introduced in 2015 related to 'deceit based on false promises for accommodation' (33% in 2016 and 37.8% in 2015). Work and salary (65% compared to 58% in 2015) followed by accommodation, and then legalisation, are still the three primary false promises made by exploiters.

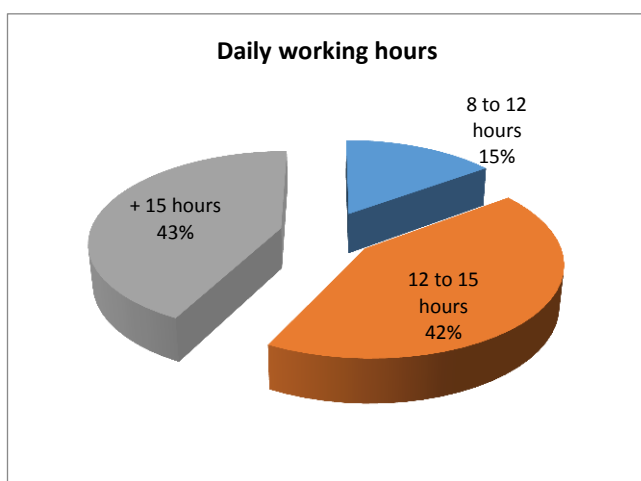
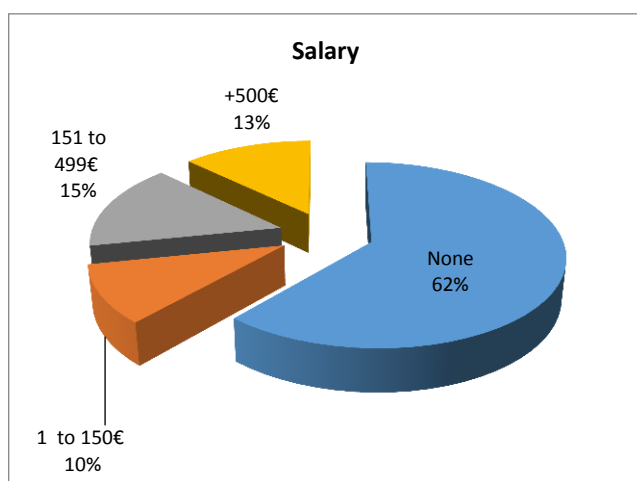
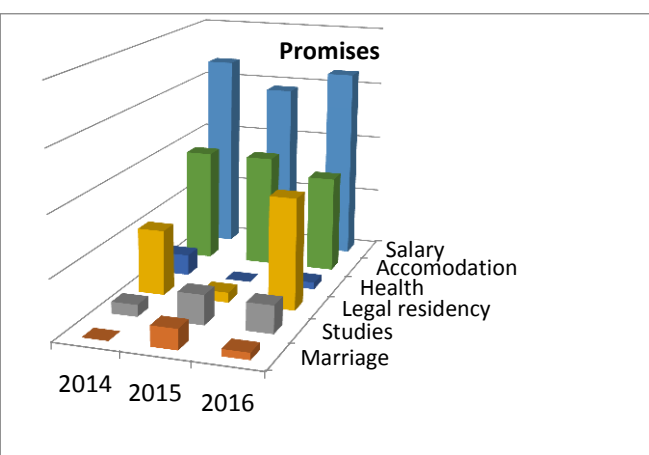
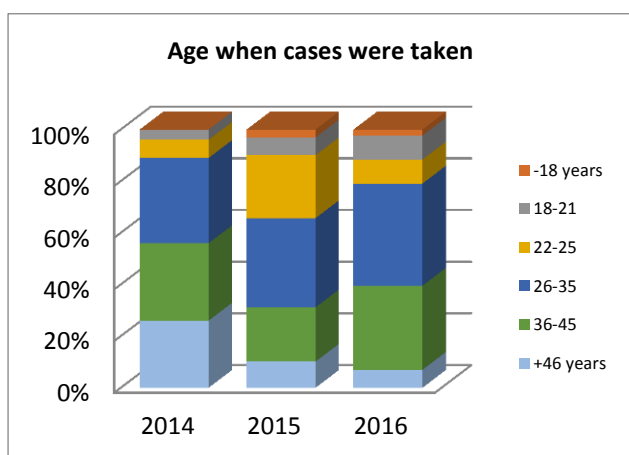
- The number of hours of work remains generally over 12 hours per day (87%) coupled with an absence of salary in 62% of cases.
- Interaction with the outside world remains to a large extent controlled (55%) or impossible (23).
- Abuse and mistreatment are mainly psychological (57%) or physical (26%). Psychological violence is not measured by the victim's subjective perception but with concrete facts (i.e. harassment, insults, devaluation).

These developments point to a tendency to recruit vulnerable people from within a closed social circle and in particular those in need of accommodation. We see the last indicator often in the cases of people recruited after their arrival in France. This suggests that migrants are highly at risk of being exploited when they do not speak French and/or their residency in France is legally precarious.

Owing to the increase in the number of male victims of human trafficking for labour exploitation, the 'occupations' or tasks carried out as part of exploitation have changed considerably.

	Domestic work	Child, elderly or disabled care	Work in small and medium-sized businesses
2016	46%	35%	47% including 18% in construction and 27% in very small businesses (grocery, bakery, restaurant, butchers...)
2015	65%	34%	41%
2014	85%	59%	26%

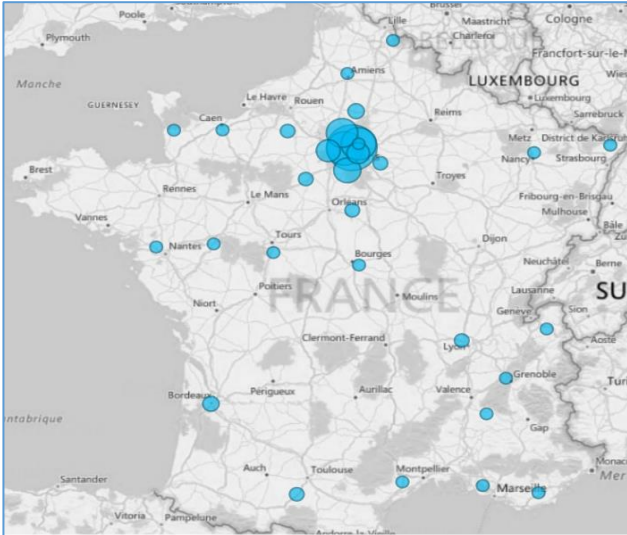
Some people carry out several tasks simultaneously and/or are exploited in homes and in family businesses.



VICTIMS' COUNTRIES OF ORIGIN

In 2016, the victims assisted by CCEM came from 45 different countries, the majority from North and West Africa, in particular from Morocco (23%), Ivory Coast (7%), Senegal, (6%), Algeria (6%), Democratic Republic of Congo (4.4%), Cameroon (4%) or else from Pakistan (4%) and the Philippines (4%).

The exploiters often come from the same countries as the victims - 70% in 2016 compared to 62% in 2015.



PLACES WHERE VICTIMS ARE EXPLOITED

The places where victims are exploited vary from affluent districts, to the housing projects in disadvantaged suburbs, to rural areas. 77% of our cases exist in the Ile de France region, 15% in Paris itself, and 8% were exploited in more than one department. Some victims do not know the location where they were exploited, and several victims were exploited abroad before their arrival in France.

How France deports a victim of trafficking and provides a service to the exploiter! Jawad's story

We were notified of Jawad's situation in mid-November 2016 by an ex-employee of a business. His exploitation in the work place had lasted two and a half years: long working hours, insufficient salary, and inhumane living conditions. Jawad worked as a guard in a transportation company, plus unloaded baggage and cleaned the company's workplace. His exploiter did not provide sufficient food and he lodged Jawad in an 'Algeco' (modular) style housing with no running water or heat. Jawad was paid no more than 300 euros per month and worked 7 days a week with no leave.

Even though Jawad did not speak French, CCEM obtained facts from several people who confirmed his work and living conditions. As his employer did not give him any time to off, CCEM planned to go directly to Jawad's workplace on December 29, 2016 and physically usher him out of his exploitive situation.

However, on December 26th, Jawad was arrested and placed in the Mesnil-Amelot detention center following a denunciation of his employer whose sole aim was to get rid of Jawad who had become a "nuisance".

Jawad's deportation was confirmed by the judge and administrative court, despite the disclosure of his situation and a complaint filed for human trafficking the day before his deportation. He was sent back to his country of origin, as arranged by the Prefecture, on January 4, 2017.

III- SOCIAL SUPPORT

The months or years after escaping exploitation are long and difficult. Exciting prospects for the future may open up, but challenges are particularly frightening (i.e. coping with the prospect of a trial, finding housing, or just daily life demands).

CCEM works to ensure that their victims are supported in a social network and receive help to become autonomous. Our social support program is determined by the victim's level of independence.

Program Execution

Social intervention is most closely followed for victims who have come out of abusive servitude for less than a month, as they suffer difficulties directly related to the imprisonment and mistreatment they experienced. These difficulties are mainly linked to:

- not knowing the French language and culture,
- the absence of support from friends and family,
- the inability to find their way around geographically, impacting their ability to move around,
- the lack of lodging,
- an inability to independently provide for their basic needs.

CCEM endeavors to provide victims with what they need to rapidly establish autonomy and to manage their daily lives with their own personal resources. At the same time, CCEM's social section helps them gain access to their social rights and connects them with nearby charitable organisations that will provide them with more long-term support.

Victims supported by CCEM build a "personal support contract" with a social worker that is adapted to objectives and needs identified in interviews during the identification and selection process. This contract is the first step to an integration process from a situation of extreme exploitation to an independent life. It also allows us to measure progress step-by-step. Support includes:

- listening, giving moral support and motivating,
- establishing an administrative address (for legal and social procedures),
- finding emergency housing and searching for permanent lodging,
- responding to primary needs,
- providing access to and maintaining social fare rights,
- accessing health services,
- finding psychological support,
- seeking professional reintegration.

Social support begins with listening to our clients - essential to understanding past sufferings and present difficulties, and to better support victims who are still anxious about their future. In addition to being a comfort, listening builds moral support that encourages and motivates victims to create a foundation of support that addresses objectives and identifies priorities.

CCEM also organizes a "domicile" for victims through an agreement with the Paris Prefecture. This gives them an official, administrative, mailing address - a prerequisite for beginning the processes of accessing crucial services such as banking, social security, and the health care insurance fund.

CCEM also has access to an emergency apartment with 6 places for women. This shelter allows victims to "settle down" in a proper lodging and to begin their personal support contract. It is intended for 6-month stays, but it can be renewed depending on individual circumstances. In 2016, the emergency

67 VICTIMS ASSISTED

19 VICTIMS NEWLY ASSISTED BY THE SOCIAL SERVICE IN 2016

49 housing provisions

2038 nights in the emergency apartment (11 people)

21 nights stayed in hotels charged to the CCEM

52 requests for accommodation, 13 of which were granted

apartment housed 11 people for an average of 185 days per person and a total of 2 038 nights.

In other cases, for men in particular, CCEM seeks help through the national hotline for emergencies for the homeless (115) or SIAO 75 (*Services Intégrés d'Accueil et d'Orientation* - Integrated Welcome and Orientation Services), or AcSé (*Accueil Sécurisé* - Secured shelter) if exploiters pose a danger and there is a need to house the victim far from the location of exploitation. For some victims, there is no other option than to stay in a hotel, found with the help of a social service agency and paid for by CCEM.

CCEM has two types of financial aid: short-term, on-going support for victims who are isolated when they escape exploitation, and one-time payments in exceptional circumstances (for example, payment of certain administrative or medical costs or the costs of promoting occupational or social integration). In 2016, CCEM allocated €19 845 to financial aid. The amount of aid that was allocated for transport nearly tripled compared to 2015 due to a financial cut from regional government previously granted for this activity.

2016	FINANCIAL AID "FOOD" 34	FINANCIAL AID "TRANSPORT" 149	EXCEPTIONAL FINANCIAL AID 37
2015	32	56	74
2014	15	35	26

CCEM’s social support helps people access their human rights depending on their legal, administrative situation. One of the first rights sought is health care and treatment made possible by AME (*Aide Médicale d’Etat* : state healthcare for undocumented people), or by CMU (*Couverture Médicale Universelle* : Universal healthcare for people with legal residency in France). Health care is essential for victims who have been exploited for months or years – neglected, undernourished, overworked, enduring no rest and deplorable living conditions. The effects of psychological or physical violence remain the most difficult to manage and treat.

Activities that encourage autonomy are particularly helpful to victims new to CCEP’s services - especially the most isolated and those who arrived in the country with their exploiters. In 2016, CCEM helped 43 victims receive healthcare, and we directly assisted 99 people with health monitoring, finding living accommodations, and accessing other basic human rights.

Other activities involve helping victims find their way around, navigate public transportation, know where to go to follow administrative procedures or receive food assistance or health treatment, open and use a bank account, and above all, learn French. In 2016, 38 people took French classes, and 23 people learned to use public transport, 10 of which attended a workshop set up by the workers’ foundation *AGIR Sa Vie* from the RATP (Paris public transport network).

CCEM volunteer and employment counselor, Michèle Gilet, manages occupational integration for victims who have received a residence permit with work authorization, and who have a sufficient command of the French language. Her main objectives are to help them develop professional skills through training, obtain a diploma, find supplemental income and new employment perspectives, as well as to help with various administrative and professional procedures. In 2016, 15 people were given interviews as part of their occupational integration, 8 of which are now employed either full- or part-time (fixed term contract or temporary work). One person received a refresher course in French before joining a DEAES (State Educational and Social Accompaniment Diploma) training program.

CCEM began providing psychological support at the end of 2015, and it continues thanks to the support of a volunteer psychologist, Catherine De Manet. One half-day a week, she takes on victims at their request to monitor, and help them to cope with trauma from exploitation, but also to help them find the stability needed to endure legal proceedings and social reintegration. The sessions are held in French, English or Spanish, or with the help of a translator when

Patient sent to the CPOA by the association “Comité Contre l’Esclavage Moderne” (████) beginning the 04/02 following the filing of a police complaint against his previous employer. The patient reports having been attacked by the latter (stab wound recorded by the casualty department). He appeared yesterday reporting symptoms of acute anxiety with several days of insomnia and nightmares as well as hypervigilance (his old employer would threaten him with death). Seeking treatment but not showing a need for hospitalisation, he asks for a follow-up to tend to his anxiety.

An extract from a statement by a state psychiatric center

necessary. 15 people were monitored by the Catherine in 2016 (43 sessions). In more complex situations, CCEM directs victims to psychiatric centres or specialised associations (i.e. Centre Minkowska, *Comité pour la Santé des Exilés, Parcours d'Exil*).

Térésa

Térésa arrived in France in July 2015 from Venezuela. A distant relative of her mother invited Térésa to come to France and live with her to look after her children and give Spanish lessons. In return this lady would help Térésa restart her studies. In reality, Térésa worked 11 months for this family including tending to all the household tasks. She had to look after the house, do the cleaning, prepare meals and look after the children, including a baby (night and day). Moreover, Térésa was not allowed to leave the house. She worked more than 15 hours a day, without a day off, and was paid for only 200€ per month the last four months. The work she had done for the first seven months was counted toward reimbursing Térésa's exploiter for her plane ticket to France.

After police entered the family's home, Térésa was taken into care by CCEM in July 2016. Since then she has taken French classes, has a request for housing in progress, and continues to wait for her residence permit to work while waiting for the results of a criminal proceedings.

Difficulties

Suspension of transport aid

In January 2016, the Regional Council suspended government financial assistance for transportation for AME recipients (*Aide médicale de l'Etat* provides medical care to undocumented people in France). Without this aid, victims of exploitation can no longer travel, for example, to take French classes or look for work while waiting to receive additional support and a residence permit to work. Despite its own budgetary constraints, CCEM has increased financial aid to address this hardship.

Lodging capacity and suitability - particularly for men

Male victims of trafficking find themselves excluded from various housing options when they are in precarious situations on French territory, and legal lodging systems are practically inaccessible to them. CCEM tries to resolve this through 115 (France's emergency hotline for homeless people) and SIAO (*Services Intégrés d'Accueil et d'Orientation* : Integrated Welcome and Orientation Services) which are sensitive to the issues of human trafficking but face a significant shortage of accommodations, most particularly in the Ile de France region (Paris and its suburbs). As a result, some victims are vulnerable and at risk of once again of being exploited. More seriously, when CCEM finds no solution for accommodations, some of the victims are unable to escape exploitation.

Access to treatment - psychiatric/psychological in particular

The process of gaining access to support from AME requires proof of at least three months presence on the French territory. This is of course, especially difficult for people who have been shut away and whose identification documents are confiscated. Thus, AME support can be delayed and access to treatment and healthcare can be limited. Even recipients of AME have difficulties obtaining medical check-ups, and psychiatric treatment and psychological support can be even more delicate and vital. Not only are psychological and psychiatric diagnoses indispensable for legal proceedings, but victims need special monitoring that is sensitive to cultural issues and the impact of very traumatic experiences.

The need and lack of resources for translators

Having lived in isolation during their exploitation, the majority of victims who we help do not speak French well enough to be autonomous. This is a major obstacle to becoming independent quickly and requires translators. With no financial support for this service, CCEM has to resort to less-than-ideal measures using free internet translation tools and volunteers. Despite translation help from PUPSF (Partners for a Planet Without Borders), this resource shortage makes CCEM's job even more difficult

IV- LEGAL ASSISTANCE

CCEM's legal advice covers several needs of victims of human trafficking, forced labour, servitude and slavery:

- informing victims of their administrative situation and the offences committed against them;
- analysing cases, identifying proof of abuse and possible legal obstacles, and formulating a case strategy;
- initiating legal proceedings in court and advising victims throughout the process;
- following-up on legal proceedings.

Program Execution

CCEM's most important task in the legal department is to inform victims of human trafficking and exploitation of their rights on French territory. All efforts are made to work with the victim in his or her native language.

Before initiating any legal action, our legal team analyses **the feasibility of the case** under French law. We examine the facts and try to find proof of perpetrators and offenses. At the same time, we identify possible legal obstacles (i.e. a procedural order that delays an action under the French Penal Code, immunity of perpetrators).

Based on this legal evaluation, CCEM's legal team presents the victim with one or more **case strategies**, helping the victim decide whether to initiate legal proceedings. Article L.316-1 under the *Code de l'entrée et du séjour des étrangers et du droit d'asile* (Code for the entry and residency of foreigners and for the right of asylum) offers the possibility of a residence permit if a victim cooperates with law enforcement authorities in human trafficking proceedings. This helps convince victims to file criminal complaints, as well as possibly benefit from protective civil procedures or negotiated compensation agreements down the line (i.e. under labor law, industrial law, or referrals by CIVI : *Commission d'indemnisation des victimes d'infractions*).

When CCEM undertakes **criminal proceedings** for a victim, our work has two phases;

1. First, we conduct a series of examinations to help a victim most accurately remember and tell his or her story, giving precise and meticulous details of criminal events. The minutiae that comes from multiple interviews is often the key to success because the majority of convictions of human trafficking for labour exploitation are based on precise, detailed and reiterated statements by the plaintiff, as opposed to vague explanations which contradict the defence.
2. Second, we accompany the victim to file a complaint or to send a final report with an alert to the Federal prosecutor. This report is generally followed by a preliminary investigation and the police who is referring the case summons the victim to file a complaint in court.

Following a court referral, CCEM's legal team faces a number of tasks:

1. prepare and personally accompany the plaintiff victim to the summons,
2. request a residency permit and manage the follow-up with the relevant prefecture, personally accompanying them to said prefecture,
3. in the case of litigation, manage papers and pleadings in administrative courts
4. assign a lawyer from CCEM's network for legal proceedings,
5. provide all support work to the acting attorney
6. produce written submissions, memoranda, filings and pleadings.

147 people accompanied by the legal section

39 new people taken on in 2016

282 interventions in cases taken to criminal court

14 new criminal procedures begun in 2016

84 administrative acts

In all cases, we not only seek prosecution of the perpetrators and compensation for damages, but we also want to officially establish facts showing human trafficking. This guarantees the recognition of the victim's rights, the possibility of long-term legal residency in France, and access to a compensation fund.

The victims of human trafficking, servitude or forced labour whose cases CCEM's legal department undertake, remain with CCEM until a definitive legal decision is handed down. This arduous process may last between five to ten years.

Considering that it is due to these elements, that the defendant recruited, transported, sheltered and welcomed Mr. ■■■ to France, that he was entirely in control of the length of his stay in France, that he paid for his tickets, provided him with accommodation and food in a country in which he ■■■ had never had any connections, that consequently he was supplied with virtually unpaid labour abusing the situation of vulnerability of an isolated foreigner, without papers, without money, living in fear of being caught by the police or the gendarmerie,

Considering all of this it appears that crime of human trafficking is established.

An extract from an examining magistrate's deliberation

NOTEWORTHY FACTS FROM CCEM'S LEGAL WORK IN 2016

CCEM's legal department handled a total of 147 cases in 2016. Among the 39 new cases undertaken, hearings (personal testimonies) were completed for 17 people and 9 are in process. Cases initiated in prior years have led to the following results in 2016:

- three prosecutions for human trafficking, 2 of which are on appeal;
- 31 preliminary enquiries, 18 cases went before an examining magistrate and 6 were dismissed;
- six complaints filed with the Federal Prosecutor, 8 people formally filed complaints with investigating services and 3 people filed civil complaints with the senior investigating judge;
- 39 criminal procedures are in progress, including 10 before the *Tribunal de Grande Instance* (equivalent to High Court), 7 before the Court of Appeals, 2 before the *Cour de Cassation* (France's court of last resort), and one summons to the European Court of Human Rights;
- nine cases before the Industrial Tribunal, 7 of which are on appeal;
- two liability actions before the Administrative Court of Appeals, 1 before the *Commission d'indemnisation des victimes d'infractions* (Commission for compensation for victims of offences), 1 before the *Cour Nationale du Droit d'Asile* (CNDA - National Court for the Right of Asylum) and 3 other procedures (family, protection).

CCEM also helped 65 victims establish legal residency, including 38 under article L.316-1 of the CESEDA. Of these 38, 13 assisted victims finally received their first residence permits and 3 received their first residence permits with the right to work. In addition, 24 victims received temporary residence permits based on other justifications. Two received a residence permit for exceptional reasons before the administrative judge even though they did not want to begin a legal procedure. Their situation as victims of trafficking for labour exploitation was such that they were given residence permits.

KARIM

After working for several years on rural Italy, Karim came to France and met a compatriot who offered him work in his grocery shop for €600 a month. Among his duties, he had to unload delivered goods from a lorries, empty shelves, remove expired products and restock them, watch over the shop, clean, and tend to the cold room. He also prepared meals for his employer and his employer's family.

Karim was given lodging in the false ceiling of the shop and could only take a shower once a week. He was not allowed to come down from the false ceiling between 11am and 6pm to avoid any inspections from the *Inspection du Travail* (labour inspection). Karim worked from 7am to 11am and then from 6pm to 3 or 4 in the morning. Sometimes he had to do food shopping between 11am and 6pm. He ate expired canned food.

It was during an *Inspection du Travail* when Karim was discovered and directed to CCEM for help to file a complaint. His employer disappeared and closed the grocery shop.

Observations and difficulties

Based on CCEM's daily legal work for victims of human trafficking, we consistently find issues in the following activities:

- identifying victims,
- recognizing the criminality of offenses,
- informing victims of the progress of procedures and the transmission of documents,
- protecting victims.

Identifying victims is fundamental and central to their protection. The choice to officially identify a victim, however, is left solely to the police and gendarmerie services. This is inadequate because it often excludes victims who cannot or do not wish to file a complaint. Thus a significant number of victims are left with no protection and the problem continues surreptitiously. In addition, we note a lack of specific training in law enforcement and an understanding of the issues with the exception of certain specialized services such as OCLTI (*Office central de lutte contre le travail illégal*: Central office of the fight against illegal labour).

The April 7, 2016 ruling of article 261 of the law 2015-990 (*Loi Macron*) expanded the authority of the *Inspection du travail* (labour inspection) to cover offences of human trafficking, forced labour and servitude. However, it is deplorable that consequences seldom result when the *Inspection du travail* makes an official identification of such activities. Such shortcomings deprive many victims of their lawful rights.

After identifying a victim, it is important to understand the elements of human trafficking as a crime. Indeed, protecting victims is based on recognizing that human trafficking is against the law. Most law enforcement officials, however, are not aware of human trafficking as a crime. This ignorance causes a long and complex legal struggle for victims who must have specialized support in order to regain their freedom. Additionally, information about human trafficking is full of prejudices and errors as a result of a lack of training and political biases. For example, authorities confuse human trafficking with migrant smuggling in order to apply a more restrictive, and incorrect, migration policy.

Compounded to a general lack of awareness, the French government limits its recognition of exploitation to primarily human trafficking for sexual exploitation, and ignores other forms of exploitation. For example, the organization MIPROF – Mission for the protection of female victims of violence and the fight against human trafficking (*Mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains*) operates under the Minister for the Rights of Women focusing on violence against women. CCEM is against this categorization because it limits the perception of human trafficking and exploitation of women only. Therefore CCEM implores the Prime Minister to recognize that the fight against human trafficking includes a fight for all humans.

Another issue involves how to keep victims of human trafficking informed. Victims must be informed of the progress of their cases to exercise their rights. Victims must continually be up-to-date with investigation services or prosecution and can be severely jeopardized if they cannot get answers. For example, a victim may learn that his case is already closed only when he files a renewal for his residence permit. The investigative services do not always give notice, and the victim has no recourse to contest the decision. In addition, obtaining the relevant legal papers is laborious and difficult when a case is closed. Thus CCEM must face the routine dysfunctions of the judicial system, especially during the preliminary enquiry phase, where the victim's procedural rights are limited, causing even a breach of the victim's rights at times.

Lastly, all human trafficking victims deserve to be protected. As such, it is essential to separate protection from legal procedure in order to ensure that human rights apply to all victims, not just to those who file complaints against their exploiters. The system where victims access to their accorded rights must be improved. Whether procuring a residence permit, obtaining lodging or psychological support, or receiving an allowance, victims are confronted often by total ignorance or simply a shortage of means.

CCEM is pleased that French legislation prohibits banning re-entry into the country of victims of human trafficking whose residence permit would not have been renewed or was taken away. However, it excludes victims from receiving the new multiyear permit at the end of a first year of legal residence, whether under a long stay visa or residence permit, or under a temporary residence permit under article L.313-17 of CESEDA. This is particularly unjust, as trafficking victims are excluded from receiving a residence card like other foreigners who can prove residency in France

for at least five consecutive years. In fact, the March 7, 2016 law modified article L314-8 of CESEDA specifically provides that victims allowed a residence permit under CESEDA L.316-1 may not receive a new residence permit after five consecutive years in France. This denial keeps the victims in a state of administrative instability throughout the generally very long duration of cases, and it prevents trafficking victims from starting over serenely with no worries about their administrative situation.

Given these observations, CCEM can only lament the lengthy judicial procedures forced on victims recalling painful events over several years, limiting their recovery, and resulting in a far too slow prosecution of exploiters.

V- RAISING AWARENESS/COMMUNICATION

CCEM works to raise general public awareness and to train professionals through information sessions. To this end, we organise direct interventions for people in the workplace, participate in collective action, in particular hosted by Collective Assembly Against Human Trafficking (*Collectif Ensemble Contre la Traite des Etres Humains*), and we speak at symposiums and seminars for the general public. Our aim is to reach people who can support the fight against human trafficking for labour exploitation.

Raising awareness and training

Since its creation in 1994, CCEM has endeavoured to make the existence of human trafficking for labour exploitation known, in particular that of domestic servitude and contemporary forms of slavery. We also share our expertise and our actions to fight this exploitation and to help victims integrate into society by regularly speaking across France about these issues.

Our workshops for people in the workplace aim to raise awareness about trafficking with a focus on how to identify victims. In 2016, our information and awareness-raising sessions reached 171 social and legal professionals in 8 organisations: La Clairière Community Centre, Aurore Association, *Espace solidarité Famille* (Family Support Space in the 15th arrondissement, Paris), *Du côté des Femmes* (Siding with women), *Paris Aides aux Victimes* (Paris Support for Victims), *Inspection du Travail* (Labour inspection in the 12th arrondissement, Paris), social workers from the mobile units of the Samu Social (emergency medical service in the Ile de France Region), and *Partenaires pour une Planète sans Frontières* (Partners for a Planet without Borders). We also participated in several symposiums with other associations including RHSF (Human Resources Without Borders in Toulouse), ECPAT (fighting sexual exploitation of children), and *Hors la Rue* (helping minors in difficulty in Paris).

CCEM has increased its programs for the general public, as well, in particular for youth. In 2016, 205 young people attended information sessions in Paris, Saint Seine Denis and Grenoble. We have received numerous requests for documentation and information about the hands-on work by students of all ages. CCEM also spoke in Nantes at the May 10th Commemoration of the abolition of slavery (Cinéma Bonnegarde), the *Maison de la négritude* in Champagny in Haute Saône, and the Médiathèque de Rambouillet in October. Lastly, we participated in an awareness session at the Colombian Consulate in Paris for Colombian nationals after alerts had been received by the Consulate's social service department.

8 training sessions

10 conferences for the general public

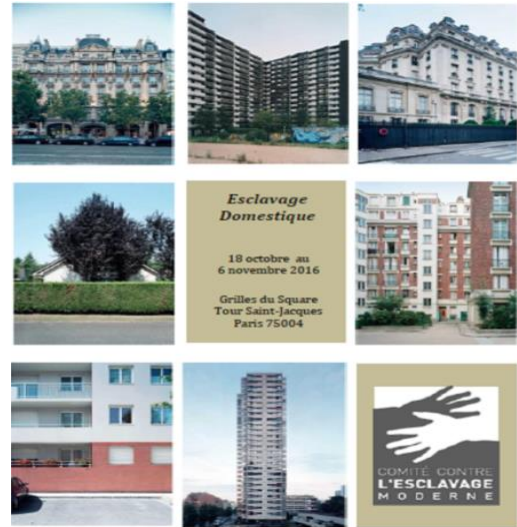
More than **710** people reached directly including **171** professionals

Communication

Communication to the public

The public is still ignorant about modern slavery in France and its victims. CCEM therefore strives to inform and alert fellow citizens.

For example, with the city of Paris's support, we participated in the European day against human trafficking, by mounting a public exhibit of photographs by Raphaël Dallaporta, entitled 'Domestic Slavery' (*Esclavage Domestique*). This show ran from October 18th to November 6th around the Tour Saint Jacques, on the rue de Rivoli. There thousands of Parisians and tourists saw photographs of buildings and houses in Paris and Île de France where victims had been exploited, and read their stories as written by journalist Ondine Millot for the exhibition. This very sober event highlighted the banality of these locations ranging from buildings in affluent districts to housing projects in disadvantaged suburbs.



With the help of photographer Ed Alcock, and the photography and marketing agencies, Myop and Terre Bleue, we also produced a national poster campaign. Initiated in Paris in November, under the authority of the city of Paris, we then received support from outdoor advertising company, JCDecaux, in December to be rolled out across France. The project continued over the course of January 2017.



Media and social networks

CCEM has been recognized for a long time in all forms of media (print, audio visual, digital) as an expert on issues related to modern slavery and human trafficking. Reporting regularly on political decisions, current legal affairs or international events, we work to fulfil our mission while being careful to not expose victims.

The following is a partial list of articles, radio reports:

- 16 January: Radio Canada
- 10 March: France Inter, La Croix and Sud Radio as part of the release of CNCDH's report on human trafficking
- 29 March: LCI interview of CCEM Vice-President, Sylvie O'Dy, with Christine Lazerges, President of the CNCDH

- 10 May: Sud Radio and France Inter about the antislavery day
- 26 May: Le Monde, following the ECPAT/Hors la Rue seminar: Child trafficking, a reality in France (*“La traite des enfants, une réalité en France”*)
- 1 August: Le Monde, The ordeal of the dancers of Koffi Olomidé, star of Congolese Rumba
- 27 August: Radio Canada
- 24 October: Campus radio
- 2 December: Bourges trial on France Culture (12:30 news broadcast) and RMC BFMTV
- 17 October: Interview with Olivia, a former-victim helped by the CCEM, on the Secours Catholique site
- 24 December: Bourges trial debated in Le Parisien, MSN, Le Berry Républicain, Ouest France

Lastly, we launched our website www.esclavagemodern.org which is not just a showcase of our actions, but also a source of general information on modern slavery and human trafficking (i.e. the global situation, legislation, trials, victim protection, and news) to explain the global impact of this problem. In 2016, the site had 60 000 visitors for 175 000 pages, or 480 pages were seen per day. We also set up a Facebook group in 2009 (<https://www.facebook.com/groups/17662599210/>), now having more than 800 members. Through these portals, we post information about programs hosted by CCEM to inform the public about trafficking and exploitation of human beings in France and the world.

VI- ADVOCACY AND PARTNERSHIPS

Collaboration and advocacy

Collaboration is essential for CCEM to better assist and protect victims as well as inform victims and follow-up on their cases

The Collective “Assembly against human trafficking”: A member of this Collective since its inception in 2007, CCEM participated actively and effectively in 2016 in the network actions, most importantly emphasizing the fight against all forms of trafficking beyond trafficking for sexual exploitation. Participation included collective work on improving tools of communication or intervention, meetings on a ministerial level, and press releases.

The Central office of the fight against illegal work (OCLTI: *Office central de lutte contre le travail illégal*) and Labour inspection: Our collaboration with OCLTI and *Inspection du travail* was reinforced in 2016 with working meetings on over fifteen cases and monitoring of two cases connected to victims who have been exploited by criminal networks. *Inspection du travail* directed two people to CCEM, following an alert of trafficking for labour exploitation. CCEM also participated in an intervention organised by the OCLTI in June between Nimes and Bretigny. Additionally, two complaints were filed with support of OCLTI in order to be referred to the police.

Developing and reinforcing partnerships: Developing and reinforcing partnerships allow us to find opportunities and solutions to better support victims through the long process of regaining their dignity and maintaining their rights. Such work is carried out equally on a social level as on a legal level. This year partnerships were reinforced with such associations as CIMADE, Hors la Rue, ECPAT, AcSé, SIAO 75, Aurore, Paris Aides au Victimes, Aux Captifs la Libération, le Bus des Femmes, la Plateforme des migrants à Calais.

Legal support partnership: In 2016, the CCEM developed two new partnerships for legal analysis and support:

- *Alliance des Avocats pour le Droits de l’Homme* - AADH (Lawyers for Human Rights Alliance) on three matters: image reproduction rights for one supported victim; an appeal before the Human Rights Commission of the United Nations; and the right to pension for victims of trafficking.
- *Enseignement universitaire clinique du droit* - EUCLID (a university educational legal clinic) in Nanterre on the interpretation of the international definition of forced labour under article 225-14-1 of the penal code.

Advocacy on a national level

The following are two organizations with which we have worked in our advocacy on a national level.

Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA): CCEM has testified and advised experts at GRETA offering detailed observations based on experience in the field, analyses of legislative developments, and our implementation of programs. The long list of difficulties we described to GRETA included identification and protection of victims, the legal establishment of facts, informing victims about procedures, housing, the lack of coordination among organisations, the recognition of the role of non-profit organisations, and the general absence of sufficient resources to fight against trafficking.

Interdepartmental mission for the protection of women from violence and for combatting human trafficking (*Mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains-MIPROF*): CCEM continues to encourage MIPROF to increase its recognition of trafficking for economic gain in its work. In August 2016, CCEM became a member of the coordinating committee to revise France’s National Plan of 2014-17.

CCEM also participated in a MIPROF working group on labour exploitation and trafficking through the workplace and in the project Human Trafficking Watchdog (*l’Observatoire sur la Traite des êtres humains*), put in place by MIPROF and ONDRP (*Observatoire national de la délinquance et des réponses pénales* : National Delinquency and Penal Response Watchdog).

Actions on an international level

In 2016, CCEM became a member of the European NGOs Platform against Human Trafficking. We participated in a number of symposiums and meetings organised by or with already existing partners, the Council of Europe in Strasbourg, and various European or international associations involved in the issue of trafficking including the following:

- 11 and 12 April: OSCE (Organisation for Security and Co-operation in Europe) Vienna, Criminality and Human trafficking
- 20 and 21 April: FLEX project, London, 'Proactive identification and support for people trafficked for labour exploitation'
- 1-2 June: Belgrade, conference organised by ASTRA, 'Balkans against the Crime of Trafficking'
- 13 October: Meeting with the Coordinator of the Moroccan Ministry of Justice's fight against human trafficking
- 31 October: Visit by representatives of Caritas Lebanon and meeting with the migration and human trafficking coordinator
- 17 November: Intervention at the Colombian Consulate in Paris
- 22-23 November: European Network of legal professionals, Council of Europe, Strasbourg
- 23-24 November: Consultation of NGOs organised by the OSCE, Guide to the national mechanisms of referrals
- 25 November: 'New Ways to Tackle Human Trafficking for Forced Labour along Migration Routes' conference organised by the OSCE and DCAF (Democratic Control of Armed Forces) in Geneva
- 6-7 December : Platform of European NGOs against Human Trafficking, Brussels and PAGASA visit
- 14 December: Meeting with program officers from the United Kingdom diplomatic mission.

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