



Monitoring Results of Shelters of Human Trade (Trafficking) Victims

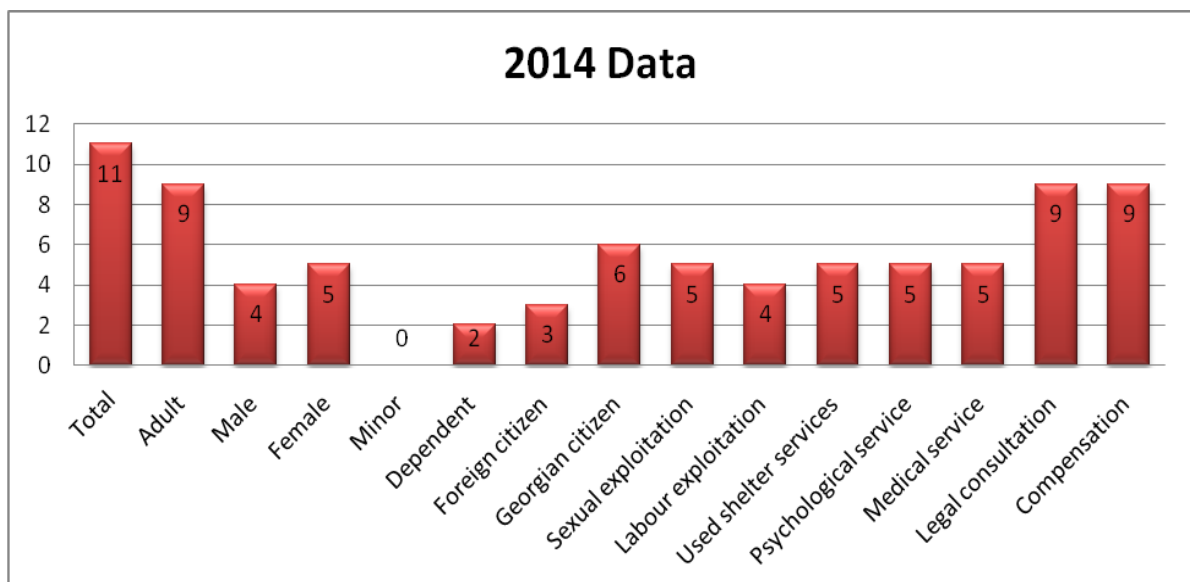
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Introduction

Human trade (trafficking) is a modern form of slavery and represents a grievous violation of human rights. Annually, millions of people become victims of trafficking across the world. Alongside labour trafficking, there are other established forms of women trafficking such as sex trafficking.

Since 2003, trafficking has been punished by the Criminal Code of Georgia¹ and a law on human trafficking has been drafted; an action plan is developed for fight against human trafficking as well as for protection and assistance of trafficking victims. At the institutional level State Fund for Protection and Assistance of Statutory Victims of Human trade (Trafficking) is functioning and offers various services to victims and affected population. The services include hotline, legal aid, medical assistance and provision of shelter. The statistical data² of the trafficking victims of 2014 is as follows:



The Public Defender's efforts in the area of human trade (trafficking) are carried out within the authority granted by the legislation. The Public Defender Parliamentary Reports of 2013 and 2014 reflects the problem of trafficking in the context of gender-based violence. In particular, reports include information about sex trafficking and offers the necessary steps for prevention of the problem and protection of victims.

In 2015, in order to expand the area of activities, the Department of Gender Equality of the Public Defender's Office of Georgia carried out monitoring of the human trafficking service centers (shelters) within the framework of the authority granted by law.

The monitoring was held in Tbilisi and Batumi shelters and was aimed at revealing strengths and weaknesses of the service as well as at defining the needs of the beneficiaries.

¹ The Criminal Code of Georgia , article 143¹ and 143²

² Information can be accessed on the following webpage:

<http://www.atipfund.gov.ge/images/stories/pdf/statistika/2014/statistika2.pdf>

Monitoring methodology

Special questionnaires were prepared for getting general information from the shelter administration. The interviews revealed the shortcomings and positive aspects of the management process. In addition, the shelters were visually viewed in order to check its sanitary-hygienic conditions.

Half-closed questionnaires were used to interview beneficiaries. All beneficiaries of the shelter (2), as well as managers of the Tbilisi and Batumi shelters were interviewed during the monitoring.

For obtaining full data, additional information was requested from the State Fund for Protection and Assistance of Human Trafficking Victims, which is in charge of the human trafficking shelters.

Structure of shelter for the victims of human trade (trafficking)

Two shelters of human trafficking victims are functioning in Georgia: in Tbilisi and Batumi. They represent structural units of the State Fund for Protection and Assistance of Human Trafficking Victims and are funded by the state budget.

A shelter is a service center for protection and assistance of human trafficking victims and ensures protection of beneficiaries' rights and interests. In particular, it promotes health and social protection, psychological rehabilitation and integration in the society, as well as creation of relevant environment for realization of beneficiaries' skills, talent and potential.

Admission – outflow

Beneficiaries are admitted to the shelter on the ground of a reference proving that he/she is an affected person or on the basis of a victim status granted by a relevant group. The length of stay in the shelter is three months, though it may be extended by the shelter administration in case of necessity.

Decisions are made individually and the motive for extension of the term must be indicated. As for the status of a victim, it is granted for an indefinite time, which enables the shelter administration to define the length of victim's stay in the shelter according to the existent needs. The practice shows that almost in all cases the three-month term is extended to 6 months or to one year, which is explained by the specifics of the trafficking crime.

The shelter administration named several motives for the term extension: length of legal proceedings; problems related to documents of foreign citizens, putting in order of which is difficult and lengthy; in addition, there are cases when the victim's whereabouts needs to be kept

anonymous due to interests of the investigation or when the victim's presence in the shelter is necessary for security reasons; the rehabilitation process is also often lengthy.

The Tbilisi shelter can serve 10 beneficiaries simultaneously, though in case of special necessity, the number of beneficiaries can be increased. As for the Batumi shelter, it can serve 10 adults together with dependent persons. None of the shelters is adapted to the needs of persons with disabilities.

It should be noted that the shelters of trafficking victims are authorized to serve victims of domestic violence in case of need. This leads to some difficulties. The centers do not have enough staff, since the victims of domestic violence need different rehabilitation and socialization plans. Consequently, it is difficult to render two different kinds of services simultaneously.

According to the data of 2014-2015, services of the Tbilisi and Batumi shelters were used by more victims of domestic violence than of trafficking. Therefore, it is needed to strengthen the shelter services in this direction; in particular, promotion of efforts of social workers, psychologists and rehabilitation specialists is necessary.

Statistical data is presented below:

Trafficking victim data (constant users)	2014 data	2015 data
female	5	2
male	0	1
dependent	2	1

2014 domestic violence victim data (constant users)	2014 data	2015 data
female	12	6
male	1	0
dependent	18	16

In 2014, 4 adults and 2 dependent persons were admitted to the trafficking victims' service center. 3 out of them were recognized as affected persons as per the rules established by the criminal procedural law, while one of them was granted with the status of a victim by a special permanent group. In 2015, 2 adults and one dependent person were admitted to the center, which were granted with statuses by a special permanent group.

The number of victims of forced labor is higher in the Tbilisi shelter, while the Batumi center mostly serves victims of sex trafficking.

The Public Defender reflected the above-mentioned problem in his Parliamentary Report 2014. In particular, there is extremely high number of sex trafficking cases in tourist places, including Batumi.

According to the information provided by the State Fund for Protection and Assistance of Human Trafficking Victims³, 6 people left shelters on the basis of personal applications in 2014. 2 out of them returned to their homelands, one of them returned to her family and one went to live with relatives.

Service assessment

According to the internal regulations, the shelter provides 24-hour services to shelter inmates; is responsible for the inmates' feeding and their health. At the same time, it provides psychological support, both individual and group therapy, legal assistance and, if necessary, judiciary representation.

It should be noted that the Tbilisi shelter does not have a psychologist. Accordingly, instead of a psychologist, one of the social workers and the director of the institution, which is a psychologist by profession, provide psychological service. The director noted in the conversation that he successfully performs that function. However, it would be better for the beneficiaries if the institution had a psychologist in order to make the service more systematic. Also, it should be taken into account that the head of the shelter has many other responsibilities as well and his efforts in this direction cannot be enough for effective rehabilitation of beneficiaries. It should be noted that conversations with a psychologist are confidential, during which beneficiaries may discuss topics that they would not wish to share with others. Given the above-mentioned, the director cannot be a right person for providing psychological consultations.

Shelters provide information to beneficiaries in an understandable language, while in case of necessity – interpretation service is available. Sometimes language specialists are hired at shelters, since inmates are often foreign citizens.

The shelter can address the State Fund for Protection and Assistance of Victims of Human Trafficking in case of need of judiciary representation.

The evaluation of the service quality may not be full, since during the monitoring there were only two beneficiaries in the shelter. However, the inmates said that the attitude and services of the staff were favorable.

Living conditions

³ The letter (#07/630 / 12.06.2015) of State Fund for Protection and Assistance of Victims of Human Trafficking

Living conditions are satisfactory in both shelters. Hygienic norms are observed. The Tbilisi shelter has 5 living rooms, 2 toilets and a separate bathroom.

It should be noted that the facility does not have certain standards of arranging living rooms or rules of service provision. Existence of standards is important in order to establish how many beneficiaries can be served in the facility, as well as to define necessary conditions for ensuring favorable living environment and security. Non-existence of standards is conspicuous, since the state policy encourages observance of certain norms in any institutions. There exist standards for small group homes, shelters, day care centers and all other state service centers. The interviews with the administration revealed that they cannot see any necessity for existence of such a document and that they even think that it can somehow restrict them. However, living standards are necessary for checking the state of human rights, since facilities should not act on the basis of personal decisions and should not be depended on the will of the administration.

It must also be noted that the shelter yards are not properly arranged. They do not have high fences or other safeguards that would enable shelter inmates (especially children) to use yards. Provision of security of the territory is especially important given the risks that might be related to the victims' early lives.

Feeding

The list of products, provided by the State Fund for Protection and Assistance of Victims of Human Trafficking, is not diverse. The listed products might be insufficient for persons with special needs – children and pregnant women, especially in case of long-term stay in the shelter. Therefore, it would be better to add some seasonal vegetable, fruit and fish to the list of food products, which do not include vegetable that is necessary for a person and, at the same time, is easily available in Georgia. As for the list of fruits, it includes only apple, banana, kiwi and orange, quality of which is questionable in summer. The interests of the beneficiaries must be taken into account and the list should include healthy products that are essential for human health.

Special food for infants is brought from other facilities – infants' care houses - according to the existent necessities. The administration considers that this rule is justified and does not lead to difficulties.

Medical service

Beneficiaries undergo medical examination during and after entering the facility.

We were informed that according to the rules, the head of the facility sends a letter about the need for medications to the central office of the State Fund on the basis of a prescription issued by a family doctor or a doctor-specialist following beneficiaries' stationary or ambulatory visits. If medications cannot be found in other structural/territorial units or among medications provided

by a relevant agreement on state procurement, they are purchased and provided to the facility as per the rules prescribed by law. The facility has emergency medications.

Children are vaccinated in a nearby polyclinic after they pass registration. However, there were a few cases of delayed vaccination, when parents did not want to take their children to a different polyclinic and it took much time to persuade them that papers would be sent back to the initial polyclinic again.

Admission of persons with contagious infectious diseases is a problem in the shelter. According to paragraph “b” of article 6 of the internal rules, shelter cannot receive a person if he/she represents a potential risk to other beneficiaries. As the head of the Batumi shelter told us, they have only one bathroom, due to which they cannot isolate the above-mentioned persons from other beneficiaries that may lead to the spread of infection. The trafficking victims represent a high risk of infectious diseases. In addition, it should be taken into view that some of the victims are not citizens of Georgia and many of them are left without a shelter. Consequently, shelters must provide conditions for serving persons with similar problems.

Children

As the schedule above shows, the number of dependent persons is much higher than of beneficiaries. Therefore, it is clear that evaluation of the service rendered to children is one of the important parts of the monitoring.

The internal rules envisage specifics and characteristics of bringing up and feeding of children. However, on the basis of the list of food products, presented by the State Fund, we can presume that the provided vegetables and fruits are not enough for children. The list does not include seasonal fruits and vegetables that are necessary for juveniles.

Attention was also paid to the ways of providing formal and informal education to juvenile beneficiaries. As a rule, after getting to shelters children are admitted to local schools. However, in many cases they find it hard to engage in the educational process since they don't have even primary education. Therefore, the children are given lessons through engagement of the shelter staff and social workers/psychologists for deepening of their general knowledge and developing their skills, values and attitudes, while in some cases for developing their elementary, everyday skills. If necessary, children are admitted to day centers which provide opportunities for getting informal education.

The shelter administration uses all its resources to provide children with educational and entertainment services. However, the interviews showed that allocation of certain amount of money would be reasonable for children's engagement in entertainment events that is necessary for their full development.

According to the rules, beneficiaries are obliged to supervise their children day and night. However, practice shows that many of them cannot take care of their children or even satisfy

their elementary needs. Therefore, the shelter staff members have to supervise children's hygiene and food issues. The existent situation creates the need for teaching parental skills through some trainings and workshops.

The shelter administration supervises beneficiaries' children during parents' absence, when beneficiaries have to leave their children in the shelter for some time due to emergency reasons. However, in similar cases beneficiaries have to notify the administration in advance, after which nurses take care of children in turn.

Conclusion

The shelter administration does not spare efforts to ensure prosperity of beneficiaries. However, it is clear that some measures must be taken for strengthening and sophisticating the services. It is necessary to distribute responsibilities and respective remuneration between the staff members in a right way, as well as to improve food and medication supply and sophisticate rehabilitation activities.

Recommendations

To the Ministry of Labour, Health and Social Affairs of Georgia:

- ▶ To provide shelter services to persons with disabilities;
- ▶ To develop and cultivate service standards for victims of human trafficking, which will improve the functioning of shelters;
- ▶ The Tbilisi trafficking service center to hire a psychologist in order to ensure proper fulfillment of obligations envisaged by the facility's provisions;
- ▶ To revise the rules of medication supply and to eradicate shortcomings in the process of supply;
- ▶ To revise the list of food products supplied to the structural units of the State Fund and to complement it with seasonal fruits and vegetables that are necessary for adults and especially for juveniles;
- ▶ To provide a position of a child's caregiver that will be available in case of parents' illness or their engagement in rehabilitation activities;
- ▶ To provide services to persons with contagious infectious diseases, through provision of individual accommodation or a separate shelter;
- ▶ To put in order the shelter yards and provides security standards.