

Best practices In tackling trafficking Nigerian Route (BINIs)

NATIONAL
REPORT
AUSTRIA



Herzwerk -
Initiative for People in Prostitution



Funded by the European Union

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BY CAROLINE SANDER
2018



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Best practices In tackling trafficking Nigerian Route (BINIs)

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1. INTRODUCTION

Austria is affected by human trafficking both as a transit and destination country. Male, female, and child victims are trafficked for the purpose of sexual exploitation, labor exploitation, and slave-like situations of domestic servitude with the sexual exploitation of women and girls being the predominant form of exploitation (*BMEIA, 2018*).

Austria is a signatory to all relevant international legal instruments to combat human trafficking, including the Palermo Protocol, and has transposed the European Union directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which was adopted in 2011 (*BMEIA, 2018*).

In order to coordinate and intensify anti-trafficking measures in Austria, the “Task Force on Combating Human Trafficking” was set up in a 2004 decision by the Austrian government. Relevant ministries, government bodies, federal provinces, social partners, and some of the NGOs who are working in the field of human trafficking are represented on the Task Force. The Task Force develops “National Action Plans,” monitors their implementation, and publishes annual implementation reports, as well as three-year reports to the government and the parliament. Currently, the fourth National Action Plan (2015-2017) is being implemented (*BMEIA, 2018*).

Since prostitution is legal in Austria according to the ruling of the Supreme Court, the Task Force on Combating Human Trafficking differentiates between the needs of persons who voluntarily offer sexual services for monetary reward and those who are victims of human trafficking or other forms of sexual exploitation (*BMEIA, 2018 and BMGF, 2018*). It is believed that a legal market provides the government with the chance to influence and monitor working conditions, and to more easily identify and support potential victims of sexual violence or coercion, including trafficking (*BMGF, 2018*). The Working Group on Prostitution, chaired by the Federal Ministry for Health and Women’s Affairs, has been in charge of making recommendations for improv-

ing the living and working conditions of people in prostitution since 2006 (*BMEIA, 2018*). However, the conditions under which sexual services may actually be offered fall under the jurisdiction of the federal states. The provincial legislature regulates the personal requirements (most importantly the minimum age), the permissible places of work, and the requirements for operating a brothel (*BMGF, 2018*).

According to the latest Austrian Police Crime Statistics (2016), a total of 72 victims of trafficking were officially identified in Austria in 2016. 68% of the identified victims were female, over 95% were foreigners, and five of them had come from Nigeria. As in previous years, most officially identified victims were either from Romania or Bulgaria. The very low number of identified victims from Nigeria was even lower in the years before. According to the latest report by the Federal Ministry for the Interior (BM.I), 87% of the 119 victims of human trafficking who were identified in 2015 came from EU-member states, and only 13% were citizens of third countries, China being one of the main countries of origin (*BM.I, 2015: 9*). There was not even a single Nigerian woman officially identified as a victim of human trafficking in 2015 or 2014. Only one Nigerian woman had been identified in 2013 and four in 2012 (*Austrian Police Crime Statistics, 2016*). This could lead to the assumption that there are hardly any Nigerian victims of human trafficking in Austria.

This report analyzes the situation of Nigerian trafficking for the purpose of sexual exploitation in Austria, showing that the actual magnitude of this problem is in direct contrast to the legal and statistical data that is available. Since Italy—a major destination and transit country in Europe regarding the Nigerian human trafficking for the purpose of sexual exploitation—has noted the biggest increase in the arrival of Nigerian women through the Mediterranean route in 2016, it becomes urgent to ask the question whether Austria has also noted an increase in the arrival of Nigerian victims of trafficking and what could and should be done about this.

Through desk research and interviews with experts in the field, the following report reveals where identified and unidentified Nigerian victims of trafficking for the purpose of sexual exploitation appear in the Austrian asylum and non-governmental support structure. It also analyzes how Nigerian victims could be better identified and supported, and it concludes with final recommendations that will hopefully help all who are active in the field to improve their efforts to help victims of trafficking from Nigeria.

2. METHODOLOGY

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The research was developed mainly through a qualitative applied methodology based on the analysis of interviews with target groups working with the beneficiaries. Since there is a large dark field in the area of human trafficking due to many unidentified victims, quantitative research methodology was only applied to the official numbers of asylum seekers, unaccompanied minors, and officially identified human trafficking victims.

The qualitative research entailed interviews with experts in the different areas of the Austrian migration and support system, literature reviews, press analysis, and the analysis of the national legal framework regarding human trafficking victims and asylum seekers.

For all national research teams, the target groups for interviews were lawyers, prosecutors and police officers, anti-trafficking associations staff (cultural mediators), social workers working with victims of human trafficking, street units, ethnopsychologists and psychologists specialized in victims of trafficking, gynecologists, unaccompanied minors educators, and – if possible – Nigerian asylum seekers/trafficking victims. Due to the difficulty of having access to the stories of Nigerian women, this option was flexible to the partners.

Over the course of time in which we conducted national research in Austria, we contacted various institutions and experts with the hope of conducting 30 interviews (*section 12*). Based on availability, we actually successfully conducted 26 interviews in all.

3. ROUTES AND TRENDS OF TRAFFICKING OF NIGERIAN WOMEN IN AUSTRIA

As mentioned in the introduction, there have been very low numbers of officially identified Nigerian victims of trafficking in Austria with five Nigerian women in 2016 actually being the highest number of identifications in the course of six years. Most of the officially identified victims are either from Romania or Bulgaria. This could lead to the assumption that there are not many Nigerian victims of trafficking in Austria at all.

Also, at the time of the interviews, many stakeholders registered a steady continuity or even a decline in the number of presumed Nigerian victims of trafficking, and some identified Chinese women as the new majority (*Interviews 11, 12, 14 and 19*). Others argued, however, that the trafficking of Nigerian women is on the rise again and will be noticed in Austria soon (*Interviews 5, 7, 13 and 17*).

It is important to take note of the high likelihood that many victims of trafficking from Nigeria are not being properly identified. According to IOM, it is probable that 80% of the Nigerian women who arrive in Italy are victims of trafficking; other experts estimate that the percentage is even higher (*IOM, 2017:3 and interviews 13, 14, and 16*). IOM has also noticed an increase in the number of Nigerian women and girls arriving in Italy (*Interview 13*). There is no comparable data available for Austria, but it can be noted that while the amount of asylum requests from other nationalities is decreasing again, the amount of Nigerian asylum requests is continually on the rise (*Interview 24*).

Not only the police of Vienna, but also the main victim protection center for female victims of trafficking, LEFÖ-IBF (Intervention Center for Trafficked Women), already registered an increase in the flow of Nigerian women being trafficked to Austria in 2017. LEFÖ-IBF, who also counts victims who do not testify and therefore do not appear in the police crime statistics, attested to a total of 122 Nigerian women between 2014 and 2017. 90 of these women (73%) came to LEFÖ-IBF in 2017 (*Interview 5*).

LEFÖ-IBF reported that the Nigerian women at their shelter in Vienna had already been exploited in different regions of Austria such as Salzburg,

Tyrol, and Upper Austria. The police of Vienna confirmed this observation by reporting that once street prostitution was reduced in Vienna due to a change in the law in 2011, traffickers reacted instantly; and most Nigerian women are now working in brothels and studios all over the country in every province. While police and frontline NGOs like Herzwerk and Footprint are counting less Nigerian women working in prostitution and presumed victims of human trafficking in Vienna, there is an increase of Nigerian women working in prostitution on a national level (*Interviews 4, 12, and 19*). The Austrian Federal Criminal Police Office also blames the so-called European refugee crisis of 2015 for an increase in the number of Nigerians that they recognize since 2016 (*Interview 2*).

The United Nations Office on Drugs and Crimes (UNODC) explains that while trafficking flows generally change a lot over time, the flow of Nigerian trafficking victims to Europe has been constantly alarming for over a decade. The flow of West African – especially Nigerian – trafficking has always been about 15% of the total number of victims. However, in recent years, an increase of the trafficking flow from Nigeria to Europe (including Austria), and actually all over the world, has also been noted by UNODC. UNODC also stresses that when trafficking flows come from far away (e.g., Africa or China) and are sustained for a long time, it is indicative of some criminal structure backing it (*Interview 3*).

In this chapter we will look at the routes Nigerian victims take to come to Austria, the features of Nigerian human trafficking to Austria in general, and the profile of a Nigerian victim – as far as it is possible to stereotype.

3.1 THE NIGERIAN PIPELINE TO AUSTRIA

As is probably the case in other Western European countries, the Nigerian women who arrive in Austria mostly come from the southwestern

part of Nigeria—primarily from the Edo State—directly from or around the state’s capital city, Benin. A few women also asserted that they come from the Delta State, from the northern part of Nigeria, or from the largest urban area of Nigeria—Lagos (*Interviews 2, 4, 5, 11, 12, 14, 16, and 24*).

There are two major routes Nigerian women take to reach Austria. According to most of the women’s testimonies, they left Nigeria, took the ground route to Algeria and Libya, traveled through the desert in trucks, and used inflatable boats to cross the Mediterranean Sea to reach Italy. Later they took a train to Austria (*Interviews 2, 4, and 14*). This is considered the “classic route” today, although it has recently become more difficult to travel due to intensified checks and Libya’s stricter border controls (*Interviews 4 and 5*).

The second major route is the one by plane to Rome and later also by train to Austria. However, only a few of the women indicate having used this route to come to Europe (*ibid.*). Travelling by plane has probably become more difficult due to more checks since the alleged European refugee crisis and is therefore used less nowadays (*Interviews 12 and 14*). However, according to the NGO LEFÖ-IBF, some women first stated that they traveled by land, but they later confessed that they actually took a plane. The reason some women did not admit to having come by plane in the first place is that they feared the legal consequences for having traveled with false documents since this could be retraced later (*Interview 5*).

Apart from these two major routes, a very small percentage of women also came to Austria through France (Paris), Greece and Turkey, or even through one of the Nordic countries. In the last case, however, the women were usually returning to Austria because of the Dublin Convention, and the original route had been one of the two aforementioned routes (*ibid.*).

Before coming to Austria, many women had already been exploited in Italy, Spain, or Greece; some had even been moved from country to

country by their madam (*Interviews 11, 14, 18, and 19*). Apparently, there are many cases in which Austria is not the first country where exploitation took place, and therefore some of the women have also previously applied for asylum in another country as well (*Interview 18*).

3.2 THE FEATURES OF NIGERIAN HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION

When women have traveled the “classic route,” they usually traveled in groups of 50 or even more (*Interview 14*). Many spent at least a few days, if not several weeks, in intermediate stations along the way. They were usually gathered in camps/houses in a central place in Nigeria and stopped again later close to the Libyan border where traffickers most likely wait for the right moment to cross over to Libya (*Interviews 5 and 14*). The women were generally not informed about the reason for staying in such places, however. As is the case with many other refugees, Nigerian women sometimes also stayed in Libyan refugee camps for several months or even up to several years. During this journey, many of them already experienced sexual abuse and exploitation (*Interviews 5 and 16*).

While some women might already have known that they would be working in prostitution in Europe and just expected different – not exploitative – circumstances, many had been told that they would be working a different kind of job (usually as a nanny) and also wanted to believe it because they expected a better future (*Interviews 7 and 16*). Additionally, even victims who are being exploited and tell others not to come because Europe is “not good” still represent themselves as rich and well off on social media, posting pictures of nice restaurants, cars, etc.; thereby they demonstrate a different, attractive picture for their contacts back home (*Interview 15*).

The so called “loverboy method” – which describes the phenomenon of human traffickers (usually young men) who try to get girls to fall in love with them in order to later exploit them, for example by forcing them to work in prostitution – is very unusual for Nigerian trafficking cases for sexual exploitation; and most NGOs have never heard of such cases (*Interviews 2, 4, 5, 11, 12, and 14*).

What is used in almost all cases, however, is the juju ritual (*Interviews 4, 5, and 16*). The ritual is usually practiced in the Benin City region before the journey (*Interviews 5 and 16*); but sometimes women are sent on the journey so quickly that their fingernails, hair, and a picture are taken when they arrive in Europe and are sent back to a juju priest in Nigeria to perform the ritual even without the victim being there. Since women are familiar with the practice of juju, the distance and not being part of the juju in person does not lower their strong belief in it (*Interview 5*). They are convinced that if they do not keep their vow (to obey their madam, pay back their debt, hide their traffickers' identity, etc.), they or family members will go mad or die (*Interviews 5 and 16*). Sometimes not just fingernails and hair of the victim are taken, but also of the mother or sister—which is an even stronger motive for the women to remain in the system (*Interviews 15 and 16*).

The juju ritual is seen as an agreement with the traffickers, which is also why many women never speak out. Recruiters promise to take care of everything, and the women believe they only have to pay for the expenses. Victims are not even aware of the fact that they have been deceived and do not consider themselves victims since they believe they agreed to take the journey voluntarily (*Interviews 3 and 16*). Oftentimes, they are still thankful to their traffickers because they brought them to Europe. Also, in the Nigerian culture, there is a lot of respect towards older people, which is why trafficked women obey their madam and often even call her “mama” (*Interviews 2 and 4*). Traffickers work on the women's conscience, reminding them of how “well” they have been treated considering the amount of money the

traffickers have “invested” in order to bring them to Europe, how they have bought them new clothes or even a phone, etc. Also, traffickers try to create a “bond” with victims by telling them how Europeans are different and not trustworthy (*Interviews 3 and 14*).

The juju vow, therefore, remains the strongest leverage against victims, together with the threat to physically harm family members back home or – in case they do not know – tell the family they are working in prostitution, which equals their social death (*Interviews 5 and 16*). Threats to physically harm family members are very real, as the interviewed Nigerian pastor Margaret Makinwa reports. Victims who attended her church have shared with her how their family members would get beaten up or kidnapped and tortured for a few days if they did not pay a certain amount of money to their traffickers at a certain time. Others shared how their parents’ house was destroyed completely and their family members were cut with knives and had to call their daughter in front of the traffickers to pressure her to pay the money she owed (*Interview 14*).

The debt that trafficked women from Nigeria nowadays have to pay back seems to be between 20.000 and 60.000 € (*Interviews 2, 4, and 14*). Still, many women do not actually know how much this is in the Nigerian currency Nira and therefore cannot correctly assess the real dimension of their debt (*Interviews 2 and 4*). According to LEFÖ-IBF, the amount of the debt also depends on the means of transport used to bring Nigerian women to Europe. Women who were taken to Europe by plane have higher debts than those who were taken on the ground route. The debt is even higher if false documents were issued (*Interview 5*). Apparently, most presumed victims of trafficking do not speak about the amount of their debt with NGOs anymore, unless they actually decide to testify against their traffickers and share their whole story, or they do not fear the juju curse or violence against their family anymore because they have already paid off their debt. Since this used to be different, NGOs assume that traffickers became aware and pressured women not to talk about these things with Europeans (*Interviews 11 and 12*).

3.3 THE PROFILE OF A NIGERIAN TRAFFICKING VICTIM

Regarding the profile of a victim, there are indeed some characteristics that many or even all trafficked women from Nigeria who are identified in Austria have in common.

All of the officially registered victims of human trafficking from Nigeria were female, and all of them were trafficked for the purpose of sexual exploitation. There are no other forms of trafficking with Nigerian women or men registered in Austria (*Interview 2*).

When they arrive in Austria, most victims are usually between 18 and 30 and mostly in their early or mid-twenties (*Interviews 12, 14, 23, and 24*). Also, most of them are part of the ethnic group Edo, come from a poor family background, and are Christian. They oftentimes attend one of the many African free churches, although their Christian belief is mostly intermingled with their faith in juju (*Interviews 2, 4, 5, 11, 14, and 24*).

Also, about one third of the women already have children back in Nigeria, although many of them apparently do not always communicate this to officials or NGOs. None of the interviewed experts remember cases of women who brought their children with them (*Interview 4, 5, 11, 12, 21, and 24*).

Some years ago, it was usually the oldest daughter of the family who was sent to Europe. Currently this is not the case, and sometimes even more than one daughter is sent (*Interview 14*). Many women are in good contact with their parents and siblings at home. Others are orphans or were sent away by their family at an early age because the family was not able to take care of them – in some of these cases, exploitation had already started back in Nigeria (*Interviews 2 and 5*).

Many of the women only have low levels of education, and a few are even illiterate (*Interviews 5, 11, 12, and 14*). Most of them went to school for seven to eight years before they had to start working or had to help their mother on the farm, etc., because their family needed the money and could not afford school anymore. However, some experts emphasized that this is not true for all of the women and warned to not stereotype by concluding that only poor, low-educated, and therefore “naive” women fall prey to traffickers. Some of the women are actually well-educated and even attended a college (*Interviews 5 and 11*).

Oftentimes, unfortunately, it is the parents who sell their daughters or pressure them to take the offer of the recruiter and go to Europe (*Interviews 14 and 16*). The Nigerian pastor Margaret Makinwa reports how numerous people usually beg her – and anyone who lives in Europe and travels to Nigeria for a visit – to take their daughter to Europe (*Interview 14*). Parents want their daughters to go abroad because they see how other people who have gone to Europe – including former victims of trafficking who have become madams or got married – are very well-off and are able to afford to build big houses and buy nice cars for their parents in Nigeria. And even though there are a lot of awareness-raising campaigns now, even survivors of trafficking often do not share what really happened to them when they return to Nigeria in order to not lose face—thereby they reinforce the impression that “Europe makes you rich” (*Interviews 14, 15, and 16*).

In the end, any woman can fall prey to a trafficker if she finds herself in an unprotected and financially challenging situation and receives an attractive offer to travel to Europe. Some decide to take such an offer; others do not, depending on individual circumstances (*Interview 5*).

4. THE STRUCTURE OF NIGERIAN CRIMINAL NETWORKS AND THEIR ESTABLISHMENT IN AUSTRIA

Besides the fact that there is a Nigerian criminal network active in Europe with ties in Austria, neither the Austrian Federal Criminal Police Office nor the Regional Criminal Police Office of Vienna was able to provide much more information regarding this topic due to ongoing investigations (*Interviews 2 and 4*). The Regional Criminal Police Office of Vienna shared that there are ongoing investigations probably in every department of Austria involving at least one “criminal group” (Täter-Innengruppierung), a term which refers to at least three perpetrators involved (*Interview 4*).

There is no doubt that the Nigerian criminal network is a worldwide network and new Nigerian groups are probably the reason why African trafficking is spreading more (*Interviews 2 and 3*). Although most Nigerian criminal groups are predominantly female, there are also a lot of Nigerian men involved (*Interviews 3 and 4*). It seems as though Nigerian confraternities are, in fact, very much underestimated. According to research conducted by UNODC, Nigerian confraternities are involved in all kinds of different crimes: human trafficking, drugs, extortions of Nigerian communities, etc. As is common in the case of Nigerian trafficking, trafficked women are usually kept and exploited by a so-called “madam,” an older woman they sometimes even refer to as “mama” (*Interview 4*). Therefore, the confraternities do not carry out the exploitation themselves, but they do acquire money via trafficking. They are very well organized, have good connections, and do the money laundering (*Interview 3*).

Trafficked women in the care of NGOs, such as LEFÖ-IBF, also reported that men are oftentimes responsible for providing false documents, organizing transports, doing the rough work – such as beating women who refuse to do as they are told – or for providing drugs. Although most trafficked Nigerian women were not forced to use drugs themselves, they did watch how their traffickers were involved in the drug trade and other illegal businesses in Italy (*Interview 5*). Nigerian criminal groups in Italy appear to make deals with members of the local organized crime (mafia) and trade their prostituted women and drugs in

exchange for money. Trafficked women are also sold from one trafficker/madam to the other (*Interview 14*). Nigerian traffickers seem to be able to adapt very well to different cultures and move their victims fast, according to UNODC research (*Interview 3*).

Still, as mentioned above, the madams do play a mayor role in the Nigerian trafficking network, and they can be involved in the recruitment as well as in the exploitation. In regards to the profile of the madams, they are all highly recognized back in Nigeria where they have big houses and large properties. They also present themselves as rich by the clothes and jewelry they wear, which naturally facilitates the recruitment of new victims (*Interviews 4 and 14*). Many madams are former victims of trafficking who were able to establish themselves by the time they start to become offenders themselves. Sometimes they joined the criminal network in order to pay off their own debts. They usually have been granted a kind of residence permit (e.g., by marriage to an Austrian) or asylum (*Interviews 2, 4, 12, and 14*). In the former case, victims not only have to work in prostitution but also have to work in the household and take care of the children of the madam, which in fact is true for many registered cases (*Interview 4*). The police have become aware of the fact, however, that the “real madams” of Nigerian trafficking victims in Austria are situated in another country – like Italy or Malta, or even back in Nigeria – while there are apparently female “representatives” in charge of the women here in Austria (*Interviews 4, 14, and 16*). Therefore, the person who recruited a victim is not always the same one who is later exploiting her (*Interviews 2, 4, and 11*). Apparently, Nigerian women are usually tightly controlled in the beginning and are then let go once traffickers are convinced that the mechanisms of pressure – such as juju and threatening phone calls – work (*Interview 7*).

Experiences of Nigerian women in the care of NGOs like LEFÖ-IBF or Herzwirk confirm that pressure is not necessarily applied by a woman’s madam, but also by other people, men and women, who might either be members of the aforementioned confraternities or

just simply members of the Nigerian community (*Interviews 5, 7, and 26*). Women have shared, for example, how they received a phone call by their madam who was situated in Italy telling them exactly where they were at and what they were wearing, threatening to harm them unless they keep paying money back (*Interviews 5 and 26*). These incidents sometimes even occur years after women already thought they were safe, having changed their phone number, etc. (*Interviews 5 and 7*). It is not only victims of trafficking who are threatened this way, but also members of the Nigerian community who want to help victims or speak out publicly as in the example of the Nigerian pastor Margaret Makinwa, who pressured madams to let victims go (*Interview 14*).

This demonstrates how organized and complex the trafficking network in Austria and beyond is and that there are numerous people involved who are not necessarily serious criminals but profit in one way or another. The Nigerian network therefore seems to be much broader than criminal networks of other European nationalities (*Interview 5*). Apparently, even people of trust, such as Nigerian pastors in Austria, are sometimes involved in the trade (*Interview 14*). Also, there are people who provide accommodations for women for a few days, those who simply pick women up from the train station and take them to someone else's place, or those who issue residence registration forms (*Meldezettel*) and receive up to 200–300 € in return for it although the person does not actually stay at their place (*Interviews 4 and 5*). All these people form part of the Nigerian community in Austria, which makes it difficult and even dangerous for trafficked women to attend Nigerian churches or stores and supermarkets frequented by Nigerians once they have made a statement and testified against their traffickers (*Interview 5*). While traffickers of other nationalities often tell the victims that they are working together with government officials/police, and victims cannot trust anyone, this does not happen very often in the case of Nigerian trafficking; it is apparently not necessary since “the eyes and ears” are everywhere in the Nigerian community (*Interviews 5 and 17*).

5. LEGAL FRAMEWORK AND ACCESS TO RIGHTS OF NIGERIAN VOTS

In this chapter, we will first provide an overview of the legal framework regarding human trafficking in Austria, and we will see how many Nigerian human trafficking cases have actually taken place over the past years. Secondly, we will look into where Nigerian victims of trafficking appear in the asylum system and what their possibilities are to be granted any kind of residence permit. Thirdly, we will look at where and how Nigerian victims are usually identified, and what might keep them from being officially identified and given access to the rights they deserve as victims. Finally, we will see what protection programs in Austria are actually able to offer to Nigerian trafficking victims.

5.1 THE NATIONAL LEGAL FRAMEWORK ON HUMAN TRAFFICKING

Austria has two laws that are mainly applied in human trafficking cases. There is §104a of the Austrian Criminal Code (Strafgesetzbuch, StGB) on trafficking in persons, which complies with all of the legal requirements laid out in the international documents such as the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons (*Interviews 1, 2, 4, 13, and 20*). The paragraph which is mostly applied in cases involving trafficking for the purpose of sexual exploitation, however, is §217 StGB on cross-border prostitution trade, which punishes persons who forced others to work in prostitution outside their country of origin. In the case of both laws, the punishment can be a maximum of ten years imprisonment, particularly in cases where deceit was employed for personal gain (*LEFÖ-IBF, 2012*). While §104a was added in order to comply with international standards, §217 StGB is older and was already used in cases in connection to the red-light district. It does not even contain the offense of exploitation in the first section of the law, but only the offense of someone coercing another person to prostitute him/herself in Austria. Exploitation is only mentioned in

section two of the law. Therefore, §104a StGB is more adequate when it comes to trafficking cases because it focuses on exploitation (*Interviews 1, 5, and 20*).

Victims, according to §104a as well as §217 StGB, are considered victims of human trafficking, are treated equally regarding their victim status, and appear in the official statistics of identified victims of human trafficking (*Interviews 1, 2, 4, and 13*).

Although Austria is unique regarding this form of legislation with two relevant paragraphs applied in human trafficking cases, most experts consider it good that both laws exist, as they are “similar, but different” (*Interviews 1,4, 5, 13, and 20*). Experts agree that facts are easier to establish in the case of §217, which is why prosecutors usually decide to apply this paragraph. “Improper means,” which do not need to be proven for minors, but need to be proven for adults when §104a is applied, are many times difficult to establish according to the persons interviewed in the area of law enforcement. The same is true for the act of “deceit” or the “abuse of a position of vulnerability” where it is not 100% clear how this is to be interpreted. All are necessary elements in order to fulfill §104a, though. Unfortunately, it is primarily only the statement of the victim which can be used as proof and which, many times, turns out to be the most uncertain element (*Interviews 1, 2, and 20*). Therefore, it is usually easier to prove that a woman was sold (e.g., by her parents) to a third person who then forced her to work in prostitution in Austria, to fulfill §217 requirements. The police find this paragraph extremely helpful because it makes their work of collecting evidence much easier (*Interview 2*), especially because—based on §217—it is irrelevant if a person has previously worked in prostitution or if s/he was deceived or not. So even if a woman knew that she was supposed to work in prostitution, she can eventually become a victim of exploitation, such as in the case of the so-called “lover-boy method”—although that method is rarely employed in Nigerian trafficking. If deceit was used, however, the punishment will be more severe (*Interview 4*). In order for §217 to be applied a border must have

been crossed; this is not necessary when applying §104a. However, in most trafficking cases thus far, crossing a border has been the reality (*Interview 1*).

If §217 StGB did not exist, only §216 StGB on pimping could be applied, which would result in a much lower punishment. §216 on pimping is still many times added to cases involving §217 StGB on cross-border prostitution trade or to cases involving §104a StGB on trafficking in persons, but only if a victim is freed before actually entering into prostitution. Other articles that are sometimes added depending on the individual case are §99 StGB on deprivation of liberty, §201 StGB on rape, §202 StGB on sexual coercion, §229 on suppression of documents, and also §116 of the Aliens Police Act (*Fremdenpolizeigesetz*, FPG) on exploitation of a foreigner. Therefore, different offences can be involved in one case resulting in stronger punishments for the offenders (*Interviews 4 and 20*).

According to the latest official statistics published by the Federal Ministry of the Interior for 2015, there were 45 successfully concluded police investigations in relation to §104a of the Austrian Criminal Code (*Strafgesetzbuch*, StGB) on trafficking in persons and 42 successfully concluded police investigations in relation to §217 StGB on cross-border prostitution trade, which punishes persons who forced others to work in prostitution outside their country of origin (*BM.I, 2016: 8*). 74 suspects were investigated regarding trafficking in persons and 58 regarding cross-border prostitution trade (*ibid.: 8*). Additionally, 97 suspects were investigated in relation to §216 StGB on pimping (*“Anzeigen und Verurteilungen wegen Menschenhandels 2004-2016”*). In all of the aforementioned cases, charges were filed with the office of the public prosecutor.

However, 2015 appears to have been an exceptional year. Judge Nachtlberger, who has been in charge of proceedings regarding human trafficking in Vienna since 2010, stated that 20 criminal charges in 2015 was quite a lot (*Interview 1*). The same is true for the amount of

convictions in one single case. In the Bulgarian “Haskovo case,” there were 20 convictions as of February 2015, which was a high number compared to previous or following years. Generally, the number of criminal proceedings and actual convictions remains small, with sometimes only three per year (*BMEIA-Task Force on Combating Human Trafficking, 2016: 9 and interview 1*).

In cases with convictions, principal offenders have already received strong punishments of up to eight or nine years of imprisonment; accomplices have, of course, received milder punishments (*Interview 1*). Unfortunately, many legal proceedings still end without a conviction or are swiftly declined by the prosecutor and never even get to court. Due to their high levels of trauma, particular life circumstances, and various dependencies, victims often produce statements that turn out to be only marginally useful. In the successful Bulgarian Haskevo case, police investigated differently, relying heavily on telephone surveillance and observations more than statements of victims (*Interview 1*). The evidence was established very well, and the statements from victims only had a supplementary function, which is the ideal case, according to judge Nachtlberger and Dr. Beclin of the Institute for Criminal Law and Criminology of the University of Vienna (*Interviews 1 and 20*). If cases are only based on a victim’s statement, it becomes very difficult to convict an offender. Dr. Beclin believes that investigations should also focus more on finding witnesses who could testify, such as social workers of NGOs or clients of women in prostitution, instead on focusing so much on victims’ statements (*Interview 20*).

The last Nigerian conviction that judge Nachtlberger remembers was before 2010. The case was successful, and a madam was convicted. Since then, there have not been any cases regarding trafficking with Nigerian victims in Vienna (*Interview 1*). Nachtlberger considers investigations in Nigerian trafficking cases very difficult because the culture is so much different. It is very difficult for officials to establish trust with victims who are very suspicious after coming from such a different culture. It is also very difficult to obtain proof of money flows

because traffickers do not use the bank systems common in Europe. Another issue is, of course, the use of juju and also false first statements in a person's request for asylum. False statements do not make victims unreliable in general, but they do not help in a criminal procedure, either. Statements that are not consistent or obviously untrue are not just a problem in Nigerian trafficking cases, of course, but happen all the time. Therefore, charged suspects can sometimes only be acquitted when indictments are mainly based on a victim's statement (*Interview 1*). LEFÖ-IBF recognizes that legal practitioners are generally well-aware of the impacts that belief in the juju curse can have on testimonies and take it into consideration during criminal procedures (*Interview 5*). A grave problem with Nigerian trafficking cases is, however, that traffickers and madams are often not on location in Austria or even in Europe; instead they rely on their henchmen to watch over the women here. This could potentially impact why cases do not get to court in the end (*Interview 16*).

To improve matters in the area of legal procedures, the special competence unit for human trafficking cases, of which judge Nachtlberger is a member, was established at the Supreme Court in Vienna. This ensures that all human trafficking cases are forwarded to judges who are familiar with and trained regarding this issue (*BMEIA-Task Force on Combating Human Trafficking, 2016: 9 and interview 1*). Other federal states have not established that a judge should have a special competence in human trafficking, however; so this practice is limited to Vienna. While some experts do not consider this as problematic—especially since most criminal proceedings regarding human trafficking take place in Vienna—other experts do see a need for more specialized prosecutors and judges in the whole country and also in the juvenile justice system (where trafficking cases have sometimes been held in the past if one of the traffickers was a minor), although they recognize a positive trend due to trainings that have been offered by IOM and NGOs (*Interviews 1, 5, and 20*). Currently, there are probably around 10 to 20 judges and prosecutors who are familiar with the issue, but only two judges – one man and one woman – are members of the special

competence unit in Vienna. Regarding the special competence unit, it would be ideal if at least one if not two more lawyers would join in case one of the judges is absent (*Interviews 5 and 20*).

Another topic of discussion is the actual application of §104a StGB on trafficking in persons in comparison to the application of §217 StGB. Legal experts cannot recognize a tendency towards an increased use of §104a StGB (*Interviews 1 and 20*). Even though there have been short-term increases, they cannot be interpreted as a tendency regarding the low number of procedures and convictions in general. If a case involves a greater and more structured criminal network, there are of course more procedures or at least more suspects and possibly more convictions, such as with the Bulgarian “Haskovo case” mentioned above (*Interviews 1 and 20*). §217 StGB is used much more, even in cases where §104a StGB could be applied if the police chose to investigate differently. This, of course, distorts the Austrian statistics (*Interview 1*). Since its implementation, however, the NGO LEFÖ-IBF does recognize at least a small tendency towards an increased use of §104a StGB. The article has come to be known, and more case law has been established that prosecutors can relate to when they write an indictment. Also, there have been several trainings and by now; even judges and prosecutors who have already gained experience with the issue have been invited to share. There is, of course, always room for improvement regarding the application of the law, but trainings have been rather successful (*Interview 5*).

Although most experts agree that it helps to have §217 StGB, some also criticize that the current situation is in reality quite problematic and could at some point lead to difficulties (*Interview 20*). Some maintain that the application of §217 StGB could be considered a contradiction and an unjustified restriction on the freedom to carry on a business due to the fact that prostitution is legal in Austria, and one could question why it should therefore be illegal to act as a mediator and transfer women, according to Dr. Beclin of the Institute for Criminal Law and Criminology of the University of Vienna (*ibid.*). She therefore rec-

ommends the establishment of exploitation as a criminal offence per law which requires that a person is underpaid and living and working in unacceptable conditions (e.g., that a woman prostituting herself is not allowed to use condoms). Such a law already exists in the Austrian Aliens Police Act (Fremdenpolizeigesetz, FPG), but only applies to foreigners of third countries because it requires that a person is particularly dependent due to his/her illegal residence in Austria (*ibid.*). §116 FPG reads as follows:

(1) Whoever exploits a foreigner in order to obtain a regular income for him/herself or for a third person by making use of the foreigner's special dependence due to illegal residence in the federal territory, not owning an employment permit or being in a different special position of dependence, shall be punishable with a prison sentence of up to three years.

(2) Whoever causes a foreigner plight through the offense or exploits a greater number of foreigners, shall be punishable with a prison sentence of between six months and five years.

(3) If the offense results in a foreigner's death, the offender shall be punishable with a prison sentence of between one and ten years. (*Jusline, 2017a*)

Dr. Beclin acknowledges, however, that there is always a dependency if a person does not have work and is in financial need, searching for a job – this concerns Austrians and foreigners alike. She asserts that the law should be transferred to the Austrian Criminal Code and should be changed only in this aspect to make it applicable for all cases of exploitation that involve Austrians, EU citizens and third country nationals. If such a law existed, §217 StGB would become unnecessary (*ibid.*).

LFEÖ-IBF also sees a lack in the application of §10 StGB regarding non-punishment for victims of human trafficking who have committed crimes while being exploited and dependent on their trafficker.

Although the Austrian Ministry of Justice has already issued a decree regarding the use of §10 StGB for victims of human trafficking and how it should be interpreted and applied in such cases, it is not often used by judges yet (*Interview 5*).

Following this overview regarding the legal framework on human trafficking, we will look more closely at Nigerian women in the asylum system.

5.2 VULNERABLE CATEGORIES AND ASYLUM REQUESTS

Almost all Nigerian victims of trafficking for the purpose of sexual exploitation who come to Austria first request asylum. Those who have already requested asylum in another country—such as Spain, Italy, or Greece—and come to Austria in search of better working conditions generally make up the exception (*Interviews 6, 11, 14, 15, 16, 19, and 26*). But even if they already have requested asylum in another country like Italy, they sometimes try to request asylum again in Austria because they have been waiting so long in Italy and living under horrible conditions. They then go into hiding once they receive a letter by the Federal Office for Immigration and Asylum (BFA) informing them that they will be sent back because of the Dublin Regulation (*Interviews 11 and 15*). Some Nigerian women who come from Italy have been issued a work permit and come to Austria believing that the work permit from Italy also allows them to work in Austria (*Interview 6*). Women who were first exploited in Greece usually came to Austria during the refugee crisis because they could not endure the situation there anymore. They were able to apply for asylum in Austria again since the Dublin Regulation was suspended during the European refugee crisis (*Interview 24*),

Of the total number of 42,285 asylum requests in 2016, 1,855 (4%) were made by Nigerians (*BM.I 2017: 5*).

5.2.1 ASYLUM REQUESTS AND EXPLOITATION IN PROSTITUTION

Asylum is usually requested with a false, and sometimes even absurd, story invented by the traffickers. The women do not know anything about the Austrian system or about asylum in general, which is why they believe their traffickers and do what they say (*Interview 15*). When Nigerian women first request asylum, they sometimes name rape as a reason, but also family disputes, deaths of family members, land disputes, abuse by stepparents, or even economic difficulties (*Interviews 23 and 26*). Most Nigerians in general, men or women, do not present their real papers or no papers at all – especially if they have traveled by land (*Interviews 2, 5, 11, 14, 23, and 24*). This leads to difficulties when a person is supposed to be deported and prolongs the whole process – which is many times the intention of the traffickers, as suspected by the BFA (*Interviews 23 and 24*). It also turns out to be a problem later, however, when NGOs try to support women in the process of obtaining correct documents such as a passport. Many times, a passport was already issued once and continues to exist somewhere, but was issued with false details such as an incomplete name; or women were even brought to Europe with a complete different identity (*Interview 11*). For Nigerians, it is often difficult to obtain a passport which they need to leave the country. Therefore, it is not unusual for them to travel using the identity of another person who owns a passport (*Interview 14*).

After having requested asylum, Nigerian victims of trafficking get in contact with the person their traffickers had instructed them to call upon arrival in a reception center (Erstaufnahmestelle). They have a telephone number that they call with their own cell phone, or they borrow a phone from somebody else. Based on the instructions they receive, they usually do not check into the accommodation provided by the government (Grundversorgungsquartier), but rather they stay with this person in a private apartment and therefore often lose their

right to basic social services (Grundversorgung), including health insurances (*Land Salzburg (ed.), 2014: 9, interviews 4, 5, 22, and 23*). When they first meet the person outside of the facility, they usually still do not know that this person will be their madam/exploiter. Once they find themselves under the influence and power of this person and have nowhere else to go, exploitation in prostitution begins (*Interview 5*).

As mentioned in the introduction, prostitution is legal in Austria. People in prostitution are regarded as self-employed, regardless of their actual working conditions (*BMFG, 2018*). This makes it easy for asylum seekers to work in prostitution because it is one of the few occupations accessible without the work permit that is required for most other types of employment and with hardly any entry hurdles in comparison to other independent professions that require a trade license. For this reason, some experts—including the Regional Criminal Police Office of Vienna—criticize these legal circumstances as “playing into the hands of traffickers” (*Interviews 4 and 14*). Trafficked women who have had to pay back high debts to their traffickers have often mentioned this very problem to the police later: If they refused to work in prostitution and asked for alternatives, their traffickers told them they had looked for other jobs as promised, but prostitution turned out to be the only legal option for them (*ibid.*).

Since the trafficked women have by this point fallen out of the basic support system mentioned above, they depend heavily on their traffickers and are unable to withstand the pressure applied by the traffickers (*ibid.*). Other women who are first exploited in Spain or Italy are later sent to Austria because the police do not trouble women that much if they are registered and have the so-called “green card” issued by the Center for Sexual Health, which verifies that they are attending their regular health checks and are allowed to work in prostitution (*Interview 14*). Looking at the statistics, there has been an increase in new registrations of Nigerian women for prostitution in Vienna: While there were only around 15 new registrations in 2014 and 2015, there were 45 new ones in 2016 and 33 in 2017 (*Meldestelle für Prostitutions-*

angelegenheiten, 2018). Considering the fact that sometimes up to three Nigerian women working in prostitution apparently use one single „green card“ that allows them to work in prostitution in Vienna, or simply “lose” their card and fake the old one for someone else as they receive a new one, there are probably more women working than there are registered. Although the police know about this problem, sometimes they are simply not able to differentiate between the woman on the picture of the “green card” and the woman in front of them (*Interview 17*).

According to NGOs such as Herzwerk and Footprint who attend to Nigerian women in prostitution and presumed victims of human trafficking, most women live in substandard private apartments or even subleased community housing apartments (*Gemeindewohnung*), mostly in shared apartments together with other women (*Interviews 12, 18, and 26*). Many times victims who requested asylum and are being exploited in prostitution do not know about the status of their asylum request because the letters sent out by the Federal Office for Immigration and Asylum (BFA) never reach them since they stay at a different address than the one for which they are registered (*Interviews 4 and 26*).

As per June 2017, the average duration of an asylum process now is 12.9 months (*Parlament, 2018*). Since May 2016, the asylum law states that the relevant authority needs to decide on a request within 15 months. The Federal Office for Immigration and Asylum (BFA) has therefore tripled the number of employees between 2014 and 2017, but there have never been this many asylum requests before, so old asylum requests made before 2016 are many times still pending (*Salzburger Nachrichten, February 25, 2017*). Many Nigerian women who are in the care of specialized NGOs but have not been officially identified through testifying against their traffickers, have often been waiting for a final decision in their asylum process for several years (*Interviews 11, 12, 19, and 26*).

In the end, most Nigerian asylum requests are denied by the Federal Office of Immigration and Asylum (BFA) – in 2016, 89% were denied and 9% were discontinued – possibly because another kind of residence permit such as subsidiary protection or a residence permit for humanitarian reasons was issued (*BFA, 2016*). Women therefore work/are exploited in prostitution for several months or even years trying to pay back their debts before they find out that they are about to be deported (*Interviews 4, 16, and 23*).

5.2.2 APPEAL PROCEDURES AND ISSUED RESIDENCE TITLES

In 2016, asylum was granted to Nigerians in only 2% of all cases (*BFA, 2016*). The decision regarding whether asylum is granted is based completely on the BFA consultant's assessment of the individual case. BFA consultants have to rely mainly on the statements made during the first interrogation. Therefore, decisions usually depend a lot on the BFA consultant's assessment of the refugee's credibility (*Interviews 15 and 23*).

According to the asylum report for 2016, the BFA granted asylum to 16 Nigerians (8 women); 15 (9 women) were granted subsidiary protection, and 136 (59 women) received a residence permit based on humanitarian grounds (*BM.I 2017: 10+36*).

A residence permit based on humanitarian grounds includes the title "Special Victim Protection" as per §57 of the asylum law (*Asylgesetz, AsylG*). Based on §57(2) *AsylG*, a residence permit should be granted to ensure criminal prosecution of judicially punishable offenses or the possibility of claiming compensation in connection to criminal offenses, *especially for witnesses or victims of human trafficking and cross-border prostitution trade* (*Jusline, 2017b, emphasis added*).

Generally, victims are encouraged to speak out against their traffickers in order to be granted this residence title (*Interview 2*). The law is rather new, and the title can be requested directly with the appointed office of the BFA in Vienna apart from the asylum process. Therefore, the request does not involve much effort and is granted rather quickly once the Regional Criminal Police Office of Vienna confirms that a criminal case has been brought to the attention of the Office of the Public Prosecutor (*Interviews 5, 11, and 23*). And indeed, most trafficked women in the care of LEFÖ-IBF or other specialized NGOs which have been officially identified and actually testified against their traffickers are granted this “Special Victim Protection” (*Interviews 5 and 11*). In 2017, the relevant BFA office in Vienna granted this permit nine times (*Interview 23*). Unfortunately for the trafficked women, the residence permit as per §57(2) AsylG is only temporary; it is usually issued for one year and is prolonged each time for another year as long as legal proceedings are ongoing. Once legal proceedings are finished, the permit can no longer be granted (*Interviews 5 and 23*). Also, many legal proceedings are discontinued because traffickers are in another country or are unknown (*Interview 24*). Therefore, if there is a chance that a woman could be granted asylum, it is considered worth the high amount of work, waiting time, and uncertainty to try and go through the whole process. So far, LEFÖ-IBF is counting ten positive decisions concerning the granting of asylum for their clients (*Interviews 5 and 24*),

In cases where the residence permit as per §57(2) AsylG can no longer be granted, LEFÖ-IBF is many times able to achieve individual arrangements for their clients, such as a residence permit for humanitarian reasons (*ibid.*). The interview with the BFA confirmed that—if proceedings take very long and a person demonstrates integration efforts and has an appropriate accommodation, means of income, and social security—it is possible to make a change and apply for a regular residence title according to the Austrian Settlement and Residence Act (“Niederlassungs- und Aufenthaltsgesetz,” NAG). The BFA usually forwards such a case to the relevant authority, the Municipal Department for Immigration and Citizenship (MA35), which then usually issues

a “Permanent Immigration Card Red-White-Red” (*Interview 23*). Other specialized NGOs which support Nigerian women also confirmed this practice and add that it usually very helpful if the women can prove that they have made some integration efforts, such as having taken German classes, being in contact with Austrians (e.g., through relevant NGOs), and having participated in integration programs. Actually, some Nigerian women also receive a residence status because they had a child, and the father is an Austrian (*Interviews 11 and 26*).

Of course, there is also the chance to appeal when a person receives a negative decision by the BFA. When this happens, the case is forwarded to the relevant court in Austria, which since 2014 is the so-called Federal Administrative Court (*Interview 24*). Each division of the Federal Administrative Court has a different field of competence regarding the nationalities of asylum seekers. Asylum procedures for people from any African country, except for East Africa, are held at the Federal Administrative Court division in Innsbruck in the province of Tyrol. Therefore, all Nigerian asylum procedures are held here as well. And since most Nigerian asylum requests are denied, and it is rather easy to appeal in Austria, most cases are eventually presented in Innsbruck. The only exceptions are the asylum cases that were forwarded to court before 2014, when the special competences were not yet established (*ibid.*).

As per §20 AsylG, female refugees have the right to a female judge if their sexual self-determination has been violated. In asylum procedures of Nigerian women that were forwarded to the court in Innsbruck, judges mostly hear one the following reasons for asylum: homosexuality, female genital mutilation, domestic violence, forced marriage, or human trafficking. A tendency towards the increased use of human trafficking as an expressed reason for seeking asylum can be recognized in recent years (*Interviews 5 and 24*). Since all of the mentioned reasons for seeking asylum indicate a violation of a woman’s sexual self-determination, it is usually one of the five female judges of the Federal Administrative Court in Innsbruck who is in charge of a

Nigerian woman's case. Thanks to their interpretation of the Refugee Convention, human trafficking has become a recognized ground for granting asylum to Nigerian women. It has become evident to them that – according to IOM – around 90% of the female Nigerian asylum seekers in Austria are working in prostitution, and they are aware of the fact that many Nigerian women are probably victims of trafficking. There is also an understanding that Nigerian women usually tell a fabricated story in their first request for asylum and do not reveal their trafficking story until later in their appeal (*ibid.*).

Despite the law that the grounds for seeking asylum cannot be changed after the written appeal (*Neuerungsverbot*), judges still allow victims to present their real trafficking story in their hearing inside the courtroom. Still, judges can only grant asylum if the testimony is credible and if there is enough reason to believe that a woman would be in danger if she were to return to Nigeria. If they suspect human trafficking but the testimony contains many inconsistencies, asylum cannot be granted in the end. The interviewed judge of the Federal Administrative Court in Innsbruck has realized that things are easier for the trafficked woman who wants to tell the truth, if LEFÖ-IBF is accompanying her in her appeal. Because of the court's duty of confidentiality, however, she cannot contact or even invite LEFÖ-IBF to a hearing but can only inform the woman about the possibility to contact the NGO on her own (*ibid.*).

Interestingly, though, there have been cases where decisions of the BFA granting subsidiary protection for Nigerian women were changed by the division of the Federal Administrative Court in Innsbruck. The BFA did not grant asylum in these cases based on the assessment that a Nigerian woman is a victim of trafficking but does not have to fear persecution or because she was exploited in prostitution in Italy, not in Austria. They did grant subsidiary protection, however, based on the assessment that the victim would not be able to establish herself well in Nigeria. This constitutes a legal contradiction according to judge Ertl because, if a woman is not able to establish herself well

in Nigeria, there is a high chance for her to fall back into prostitution and exploitation. Additionally, if a person is identified as a victim of trafficking, the location in which she was exploited is irrelevant. Therefore, judge Ertl usually changes these BFA decisions and still grants many women asylum in the end (*ibid.*). This turns out to be beneficial for the affected Nigerian women, because the status “subsidiary protection” comes with a few restrictions compared to an asylum status. In its report from 2015, the United Nations High Commissioner for Refugees (UNHCR) even addresses this issue and warns that holders of subsidiary protection titles face great obstacles regarding their integration in Austria (*UNHCR, 2015:49*). Since 2015, the interviewed judge remembers about seven positive decisions made by her regarding the asylum request of Nigerian women. Every year she deals with approximately 10 asylum procedures on behalf of Nigerian women (*Interview 24*). This trend regarding positive asylum decisions based on human trafficking since 2015 has been recognized by experts (*Interview 13*).

5.2.3 DIFFERENT VIEWS AND CRITICISM

Despite this very positive development regarding granted asylum permits for Nigerian women in Austria, experts still regret that there is no established legal right to a residence permit for victims of trafficking. The decision, if a permit is granted for humanitarian reasons or if a woman receives a regular residence title according to the Austrian Settlement and Residence Act, completely depends on the goodwill of the authorities, even after women have basically risked their lives by testifying against traffickers (*Interviews 11 and 20*). Dr. Beclin of the Institute for Criminal Law and Criminology of the University of Vienna stresses that apart from the provisions in the Austrian Criminal Code, there should be further provisions in other legal matters especially for victims of exploitation and human trafficking. She believes that victims should be entitled to protection and support, even if they do

not decide to testify. Officially identified victims of human trafficking, and especially those who are particularly at risk, should be entitled to a permanent residence title. If this was granted, further provisions in social legislation as well as access to the work market would automatically follow because they are connected to a residence status (*Interview 20*). Experts in the field of psychology agree: Victims should not have to „work“ in order to „gain“ a residence permit. From a human rights perspective, this is simply not right (*Interview 7*). Victims should have the right to deny making a statement and first of all deserve to be granted victim protection. Connecting their safe stay in Austria to a statement is illegitimate and works against their ability to heal according to the traumatological perspective. After all, trafficking victims are making a realistic assessment of the potential hazard if they are afraid to testify. Their fear is reasonable and based on their experience; it is absolutely logical for them to mistrust (*Interview 25*).

Judge Nachtlberger also does not consider it beneficial to issue residence titles as remuneration for the participation in criminal procedures. On the contrary, such benefits often devalue a victim's statement, and the defendants then argue that the victims only testified because they are interested in receiving a residence title, housing, and work (*Interview 1*).

LEFÖ-IBF who offers psychosocial support to women who are involved in court cases agrees with this assessment (*Interview 5*).

Since the police depend a lot on the statements of victims, as laid out in section 5.1, they hold the opinion that victims must confess as soon as possible so that traffickers can be prosecuted and can be prevented from exploiting more victims. Therefore, the police maintain that victim status should also only be given to people who do speak out, because other solutions would lead to asylum abuse (*Interview 4*).

NGOs, however, know from experience that Nigerian victims often first want to have the security of a residence title before they are will-

ing to speak out (*Interview 11*). Furthermore, NGOs believe that the reflection period should be prolonged to at least six months so that victims can consider well if they want to risk making a statement or not. Trust needs to be built up first, and this usually takes more than a few weeks. Many Nigerian victims are in Austria for three to four years before they actually speak out. Also, the shared story probably turns out to be a lot more useful if provided without (time) pressure (*Interviews 7 and 12*). Experts of the psychological/traumatological field agree with this perspective. According to them, the reflection period should be as long as possible so that victims are able to slowly gain trust again—first with NGO staff, then with other people around them, and finally with police officers and other authority figures (*Interviews 10 and 25*). It is, of course, absolutely understandable that the police rely on the statements of victims in order to break perpetrator structures. It would not be OK for NGOs to block victims from the police and prevent statements at all. But NGOs should be trusted with the assessment whether victims in their care are ready or not yet ready to testify. In order to do everything possible for the protection of victims, it should also be considered if an anonymous statement is enough (*Interview 25*).

Although the police recognize as well that trust needs to be built up and that this takes time, they do not consider it necessary to prolong the reflection period of 30 days. Since officially identified victims are usually in the care of the NGO LEFÖ-IBF, they argue, enough support and encouragement is provided and victims do not need more time (*Interviews 2 and 4*). Judge Nachtlberger also points out that although a prolonged reflection period might be useful for victims, the accused subjects often times find themselves already in custody, and it would not be OK to let them wait for that long; there is a “need of speed” (*Interview 1*).

The NGO LEFÖ-IBF is at least able to provide support and care to all persons they identify as victims of trafficking for a certain amount of time. Frontline assistance is therefore not a problem if a victim has been identified by the police or LEFÖ-IBF. In the long term, however,

there is a problem for victims who do not speak out, and options for residence titles that are not connected to a statement with the police would be desirable (*Interview 13*).

The demands of the Austrian NGO Platform Against Exploitation and Human Trafficking go even further: It is their main objective that specialized NGOs should also be able to identify victims of trafficking who do not want to get in contact with the police and speak out at all. Their view is that all of these victims should be entitled to all possible rights (*Interview 20*).

A different problem that the police have noticed in the asylum system, is madams instructing trafficked women to actually use a false story about how they have been trafficked in order to receive asylum and continue to be exploited. This has been pointed out by EUROPOL, but the police in Austria have also recognized certain patterns in the stories victims have shared. In these cases, women say they are trafficked but do not know anything, not even a name, about their madam. The stories seem to be very unreliable and do not make sense, as the police report. The relevant question for the asylum system now is, if granting asylum helps the traffickers/madams to continue exploiting their victims without being bothered by the police anymore (*Interview 2 and 24*).

LEFÖ-IBF mentioned that the Dublin Regulation poses another problem. While few women actually find themselves in custody prior to deportation to Nigeria, there are more women who are in custody because they are supposed to be deported to Italy or another EU country based on the Dublin Regulation (*Interview 15*). If this is the case, there is hardly anything that legal advice centers or other NGOs can do for them (*Interview 15*). According to LEFÖ-IBF, they are currently fighting for a Supreme Court ruling that recognizes that there are more international obligations that Austria signed and that are also most relevant and cannot just be ignored or undermined once the Dublin Regulation applies (*Interview 5*). This NGO has been able to achieve that

victims who are involved in criminal procedures in Austria are mostly not deported to another country like Italy, even though the Dublin Regulation would apply in their case (*ibid.*).

5.3 PROTECTION PROGRAMS FOR NIGERIAN VOTS

There are a variety of protection measures granted to victims of human trafficking who have been officially identified. According to the Austrian Criminal Procedure Code (Strafprozessordnung), a victim does not have to testify in a court procedure in order to be considered a victim. It is enough to have been officially identified (*Interview 1*).

The Austrian Federal Criminal Police Office offers „Victims at Highest Risk“ protection measures to those who find themselves in special high risk situations. All female victims who are 15 years or older and are not categorized as “high risk victims” are transferred directly to the official victim protection center LEFÖ-IBF, which receives government funding in order to provide special protection services to female victims of trafficking (*B.M.I 2016:10 and interview 2*). So what do the special protection services provided by LEFÖ-IBF include?

First of all, if needed and desired, trafficked women can stay at the LEFÖ-IBF shelter. There are different levels of protection depending on how long the woman has already been staying at the shelter. Staff members provide 24/7 care and support. There are protection measures concerning the entrance and exit, but women can, of course, always decide to leave if they do not want to stay any longer (*Interview 5*). Although there are, of course, women who are unsure if they want to go to or stay at the shelter because they still feel connected to their exploiter (e.g., in “loverboy” cases), most women react quite positively to the protection program. There are sometimes pregnant women

and women with children at the shelter, but this NGO usually searches for other facilities specifically for mothers with children (*ibid.*).

Many women also stay in the ambulant care of LEFÖ-IBF. In addition to the shelter, LEFÖ-IBF offers legal counseling and also psychosocial counseling during court procedures if women have already testified or decide to do so. They are supported in their request for asylum or any other kind of residence permit, and LEFÖ-IBF helps women to receive a passport in case they arrived in Europe without documents or their documents were taken by their traffickers (*Interview 5*). For Nigerians, however, it is very difficult to obtain a passport, which is why they are usually issued a birth certificate or a proof of citizenship (*Interviews 5 and 26*). Furthermore, women can participate in a German course and also other kinds of courses that they are interested in. In regular meetings with LEFÖ-IBF counselors, women are motivated and, in cases where they stay with the NGO for a longer period of time, they are supported in their search for a job, etc. The support structure is therefore comprehensive, but always adapted to the individual needs of each victim. All trafficking victims can stay in the support structure of LEFÖ-IBF as long as they need it and as long as it is useful to them. If women stay in Austria, they usually receive in-depth support for one year, and continue to receive support for at least two to three more years (*ibid.*).

Police authorities and NGOs agree that all victims of trafficking need a high level of protection and assistance as provided by LEFÖ-IBF (*Interviews 2, 11, and 12*). In the case of Nigerian victims, however, the protection of family members back in Nigeria becomes especially important (*Interview 4*). As mentioned above, Nigerian traffickers often threaten family members in order to put pressure on a victim. This protection cannot be provided by Austrian authorities, of course, but must be provided by Nigerian authorities, which poses a big problem.

Experts and NGOs in the field agree that it is not good for a victims' official identification—and therefore also their access to victims' rights—

depends on a statement with the police in those cases where victims had not previously been identified by the police (e.g., through a raid). The system should be changed completely, as some NGOs even state: There should be victim-centered focus on the protection of women and not an offender-centered approach where it is more important to find the traffickers than to help the victims (*Interview 12*). This is also the reason why the aforementioned Austrian NGO Platform Against Exploitation and Human Trafficking demands that specialized NGOs should be able to identify victims of trafficking who do not want to get in contact with the police (yet). They assert that all of these victims should be entitled to all possible rights (*Interviews 11 and 20*), and that the reflection period should be legally consolidated and should be prolonged (*Interviews 5, 7, 12, and 13*). Experts also criticize the lack of secured long-term perspectives for victims, which, of course, has a lot to do with being granted a permanent residence status (*Interview 13*).

Apart from the official victim protection center LEFÖ-IBF, there are other NGOs who provide different kinds of assistance to women in prostitution (Herzwerk, Solwodi, Hope for the Future) and/or victims of violence (Footprint, Solwodi) and therefore also attend to unidentified victims of human trafficking who fall into these categories. Solwodi Austria is the other NGO that has been offering shelter to victims of human trafficking, sexual violence, and exploitation in Vienna since 2012. Every year, seven to nine Nigerian women get into contact with Solwodi for the first time. Most of them are either pregnant or have children. But since the Solwodi shelter is usually full, over the years a total of 11 Nigerian women have actually stayed in their shelter. There are usually two Nigerian women at one time. Three of the 11 Nigerian women were officially identified victims of trafficking, although this NGO suspected trafficking in several other cases (*Interview 11*).

Apart from the official support structure and the structures offered by other NGOs in the field, there are probably more presumed Nigerian victims who are not reached at all and are not covered by any protection measures. In the following chapter, we will look at the offi-

cial numbers and where and how Nigerian victims are actually being identified.

5.4 IDENTIFICATION OF NIGERIAN VOTS

As mentioned above, there have only been very few Nigerian victims of trafficking who have been officially identified in Austria according to the official statistics. According to the Austrian Police Crime Statistics, five female Nigerian victims of trafficking for the purpose of sexual exploitation were identified in 2016, no Nigerian victims were identified in 2015 or 2014, one was identified in 2013, and four were identified in 2012. Still, both the police and the official victim support center LEFÖ-IBF mentioned an increase of Nigerian victims in 2017. (*see section 5.3*) The victims of trafficking who appear in the official statistics are those who have been identified by the police. The police identify victims first in the course of their own investigations based on evidence—even if they do not make a statement—and secondly, when they come through LEFÖ-IBF to testify against their traffickers (*Interview 2*).

It has to be stressed, however, that the official statistics do not include those victims of human trafficking who have not come into contact with police. They do not show the number of victims who shared their story with specialized NGOs and were therefore clearly identified, but decided not to speak to the police after all. They also do not show victims, who were identified by specialized NGOs based on circumstantial evidence, but do not even see themselves as victims (*Interviews 5, 11, 12, 18, 19, and 26*).

Apart from these two neglected categories of victims, there is of course also a dark figure of victims who are never identified by any-

one because they simply never appear in the support structure of any specialized NGO. As commonly known, statistics can only represent the so called “bright field” of those few cases that have come to the attention of relevant stakeholders who were able to identify victims and also knew how to integrate them into some kind of support structure (*Interview 20*). There is no way to make reliable estimations concerning this “dark field” in Austria because there has simply not been enough research done in this regard (*Interviews 4, 5, and 20*). Based on the research findings of IOM concerning Nigerian women’s arrival in Italy and on the assessment of specialized NGOs working directly with (Nigerian) women in prostitution in Austria, however, at least 80% of the Nigerian women who came to Europe via the “classic route” and are working in prostitution in Austria are probably victims of trafficking for the purpose of sexual exploitation (*Interviews 11, 12, 13, 14, 16, 19, and 26*).

According to LEFÖ-IBF, their own numbers, which also include victims who never made a statement with the police, are oftentimes used in official documents (e.g., when the Austrian government has to answer questionnaires sent by international organizations). This NGO shared that there are quite a few cases of women in the care of LEFÖ-IBF who never make a statement, sometimes because the offense took place too long ago (*Interview 5*).

5.4.1 **IDENTIFICATION BY THE POLICE**

According to the police, most victims of trafficking are identified by them. Since human trafficking is one of the so-called control-related offenses, the police investigates and searches for victims actively since victims usually do not contact the police on their own (*Interviews 2 and 4*). An increase in police checks usually results in more identifi-

cations of victims (*Interview 4*). Most human trafficking cases are still identified in prostitution. Experts explain that this likely has to do with police presence that is traditionally high in the red light districts (*Interview 1*). LEFÖ-IBF confirms that half of the women in their care come through the police. There are still 50%, however, who come to this NGO through other NGOs (e.g., legal advice centers for asylum seekers, asylum centers in different regions of Austria, or even sometimes clients/sexbuyers). Some victims are even already recognized when they first request asylum, but this is still very rare (*Interviews 4 and 5*).

Even though the police have also identified Nigerian victims of trafficking, they recognize that Nigerian women oftentimes do not cooperate well with the police. One of the main reasons for this that the police have identified is related to the victim's family back home and their fear of revenge by the traffickers. The traffickers know the names of family members and usually even know exactly where they live. Therefore, even if the victim herself is well protected in Austria, there is no way the Austrian police can protect the victim's family or take away the fear of juju (*Interview 4*). Another main reason recognized by the police is that some victims simply do not consider themselves victims (*BM.I 2016:10*).

Although most NGOs agree that the police are probably the relevant professional group with the highest amount of awareness and sensitivity regarding the issue of human trafficking, the police still recognize that many victims have difficulty trusting them (*Interviews 4, 5, 7, and 11*). If women decide to testify, they need a lot of encouragement and support by an NGO staff to be able to go through the process (*Interviews 5 and 11*). Once they have testified one or two times with a specialized police officer, however, they surprisingly oftentimes become very trustful (*Interview 5*). If an interrogation does not go very well, and a victim got the feeling that the police officer did not believe anything she said, this experience is shared with other women, of course, and has a negative effect on their decision to possibly testify (*Interview 11*).

There is, of course, a difference when victims of trafficking first encounter untrained police officers who do not know how to handle the situation as well as sensitized officers. Since Nigerian women already have very little trust in authorities and believe that the police are against them, small things such as asking first for their asylum status before listening to what has happened to them can confirm this prejudice and have a strong negative impact (*Interview 7*).

Apparently, interpreters also have the power to turn an interrogation into a good experience or a disaster for the victim. This is especially the case when interpreters are of the same culture as the victim; they tend to start their own interrogation and react to the women with disbelief. Experts from the legal area as well as researchers identify interpreters as a professional group that should receive more training if they translate in trafficking cases (*Interviews 7 and 15*).

So where else are Nigerian women identified as trafficking victims and what can be done to support them?

5.4.2 IDENTIFICATION IN THE SOCIAL AREA (FRONTLINE NGOS AND PASTORS)

Specialized NGOs which do frontline work report that many of the Nigerian women in their care are already over 30, pregnant, and trying to leave prostitution when they first come into contact. By this time, they sometimes open up and admit that they have been trafficked and are still paying back their remaining debt. When NGOs of the field identify victims of trafficking in general, they usually contact the police directly or make an appointment with LEFÖ-IBF together with the affected woman. Most of the Nigerian women want to leave the experience behind them, however, and prefer starting their life as a

mother without looking back and making a statement (*Interview 11, 18, and 19*). In 2017, the frontline NGOs Herzwerk, Solwodi, and Footprint were responsible for the identification of four trafficked Nigerian girls. (see section 6)

The same observation frontline NGOs make regarding trafficked Nigerian women is apparently true when it comes to Nigerian pastors who guide women through a liberation process to free themselves from the power of juju. Nigerian women sometimes experience this liberation as a breakthrough in their lives and are able to begin again. Although the interviewed pastor stated that she encourages victims to speak out and make a statement with the police, most of them simply want to try to live their life normally and forget about their trafficking experience (*Interview 14*).

5.4.3 IDENTIFICATION IN THE ASYLUM PROCESS

In the course of the project “Identification of potential trafficked persons in the asylum procedure” (IBEMA), IOM took note that many victims of trafficking find themselves unidentified in the Austrian asylum system (*Interview 13*). According to the police, there have already been cases of women who were identified as victims in their asylum request in Austria. BFA advisors have received training and are more sensitized (*Interviews 2, 4, and 23*). Although IOM and LEFÖ-IBF confirm that over 200 BFA advisors have received training and that LEFÖ-IBF has been contacted a few times by now, they are convinced that there are still unrecognized victims and further training is still needed (*Interviews 7 and 13*).

Since the establishment of the BFA in 2014, all advisors of the regional office in Vienna are supposed to visit a training session on human

trafficking as part of their training concept. Training regarding human trafficking, which are offered externally by IOM and LEFÖ-IBF, usually take place on the third day after two days of internally offered trainings for BFA staff from all regions of Austria (*Interview 23*). The BFA stated that a folder on “human trafficking – identification of victims of trafficking” was produced in the course of the project Asyl-Train by IOM and LEFÖ-IBF and is known to all BFA advisors. They admit, however, that they cannot guarantee that every advisor acts according to the quality standards intended by the BFA. In every asylum case they work on, BFA advisors are supposed to examine ex officio if the asylum seeker could possibly be a victim of human trafficking (*Interviews 7, 13, and 23*). But what does that actually mean?

According to the BFA, the process is as follows: First, the reasons to flee the home country that have been put forward by the asylum seeker are examined in relation to the criteria set out in the Geneva Convention. If the criteria set out in the Geneva Convention are not met, the BFA advisor has to examine if the right to subsidiary protection might apply, or if the criteria set out in §57 AsylG on special protection for victims of human trafficking are met. It is not enough to only ask the refugee seeker if s/he is a victim of trafficking. Indications can be recognized in the asylum seeker’s answer regarding his/her escape (e.g., if s/he does not know the cost of the journey, if the journey was organized completely by another person, or if s/he did not know where s/he was going). The advisor should always pay attention to the circumstances, especially if the person is working in prostitution. An asylum seeker could mention, for example, that s/he is not satisfied with the job s/he is doing, or that s/he is not receiving any payment (*Interview 23*).

In reality, it depends mainly on the advisor personally, if a victim can be identified or not. If an advisor suspects a case of human trafficking, but is not sure, s/he is supposed to contact LEFÖ-IBF or simply hand out an information folder for victims of trafficking by LEFÖ-IBF. There are only consequences in regards to the asylum process, however,

if steps—such as a making a statement with the police—are taken. According to IOM, a victim of trafficking has never been granted a residence status *ex officio*, but always through LEFÖ-IBF (*Interview 13*). If a victim of human trafficking has been identified outside of the BFA, LEFÖ-IBF usually gets in contact with the agency providing a statement and taking on the legal representation of the affected person. In this case, there is usually strong evidence and legal procedures are already in progress (*Interview 23*). It usually does not happen, however, that other NGOs, legal advice centers, or third persons contact the BFA in regards to an identified victim of trafficking (*ibid.*).

According to the legal advice center interviewed in the course of this research, many women who have been previously exploited in Italy, finally come to Austria and are tired of everything that has happened to them. When they finally tell the truth when requesting asylum here, they are still sent back to Italy because of the Dublin Regulation, and thereby receive the confirmation that no one cares (*Interview 16*). Therefore, the legal advice center often finds it hard to counsel the women correctly and not lose their trust. Even if they are certain that they have a victim of trafficking in front of them, they cannot decide for the person if s/he wants to testify with the police, as long as there is no secured long-term perspective for the person (*Interviews 15 and 16*).

Since specialized NGOs mentioned in the interviews that many Nigerian women are legally represented by private lawyers as well, there is probably a need for training regarding human trafficking for private lawyers, but also for the many different small and bigger legal advice centers in Austria (*Interview 26*). IOM has already offered training for the legal advice center of the Diakonie Austria and for the association Verein Menschenrechte Österreich (VMÖ), which both receive government funding for the legal support and return counseling of asylum seekers in Austria (*Interview 13*).

5.4.4 IDENTIFICATION IN THE HEALTH SECTOR

Most trafficked Nigerian women probably appear at one of the different institutions of the health sector at some point during their stay in Austria.

Due to a regulation that requires sex service providers to undergo an examination for sexually transmitted diseases every six weeks, all people who are registered for working in prostitution in Vienna have to present themselves regularly at the Center for Sexual Health, where blood exams and vaginal smear tests are done (*BMGF, 2018*). This can therefore be considered one of the places where victims of trafficking can be identified and was where staff members received training by IOM two years ago.

Right next to the medical center there is also a Social Advice Center for Sexual Health where counseling and care for people in prostitution is offered by the health service of the city of Vienna. The Social Advice Center for Sexual Health invites all people who register for working in prostitution to an orientation talk with one of their professional social workers. They count between 180 and 220 new registrations each month. 97% of the registered persons are female; 3% are male (*Interview 17*).

If a new person registers for prostitution, the social advice center usually receives a call and can pick the person up directly. By doing this, they hardly miss any new person and get the chance to provide information, including what to do in cases of violence and abuse. Flyers on safe sex practices, etc. are available in all relevant languages (*Interview 17*).

The leader of the social advice center emphasizes that the main goal of the initial 15 minute chat is to establish as much trust as possible with the newly registered person. There is the chance to recognize if

a person does not really want to work in prostitution; but if the person is accompanied by someone else, there is at least the chance to let the affected person know that s/he can come back anytime (e.g., after the regular health check) and find help if needed. The leader of the social advice center recognizes, however, that they cannot offer much to third country nationals, even though it might seem very obvious to him that they are victims of trafficking. Even if they testified with the police, they would still not have a guarantee to be able to stay in Austria and be safe. One could, of course, directly call the police. But the consequences for the victims might not always be the best. In the end, the victim has to make the decision for him-/herself (*Interview 17*).

Medical checks used to take place every week, but this was changed to every six weeks in 2016. There are, of course, advantages and disadvantages to this change. The health center used to be rather crowded every day with long waiting hours. Making the women come every week could be considered as degrading for the women, especially since weekly checks are not really useful from a medical point of view. Signs of violence are of course easier to notice if women are obligated to come on a weekly basis. Also, some women apparently also enjoyed this chance to take a “day off” each week. In this regard, the six-week period is to the benefit of the possible exploiter (*Interview 17*).

Still, the chance to get out of the brothel and go to a health check at all is not provided in every federal state of Austria. In some federal states, the medical officer goes to the brothels and conducts the examinations there. In a case of human trafficking, it is probably much easier for a victim to seek help if s/he gets the chance to leave the work place from time to time and meet other people. Also, a victim might get the impression that the medical officer works together with the brothel owner and possible exploiter (*Interview 17*). Also, there are no social advice centers attached to the health center in other federal states. The set-up where social workers have the chance to get into contact with people in prostitution and presumed victims of trafficking as they go to their regular health check is therefore unique in Vienna (*Interview 17*).

Language barriers oftentimes constitute a problem for the social workers, of course. Only 2% of the people who are registered for working in prostitution have German as their first language. Some of the women do not speak German or English at all. The Nigerians, however, do not have this problem and are able to communicate quite well in English (*Interview 17*).

Most Nigerian women do not visit the social advice center regularly, however. There are some Nigerian women who have been in Austria for several years now and come every once in a while and pick up some free condoms. They usually come in groups and sometimes also stay for a small talk, but they hardly ever come to talk about a problem. The leader of the social advice center notes that since Nigerian women usually joke around and convey a good mood, it is probably more difficult to find out if they are in trouble or need help. They are definitely not as closely monitored as the Chinese victims of trafficking. Still, they do not share much about themselves, probably because they were told to not have too much contact with people outside of the Nigerian community (*Interview 17*).

Considering that, as aforementioned, sometimes up to three Nigerian women working in prostitution apparently use one single „green card,“ or simply “lose” their card and fake the old one for someone else when they receive a new one, there are probably more women working in prostitution than there are registered. These women who are not registered probably do not appear at the health center for regular health checks either (*Interview 17*). Since the social workers of the social advice center also have access to all of the numerous brothels, studios, and bars all over Vienna, however, they also have the chance to get into contact with all of the people working in prostitution there (*Interview 17*).

Not all of the women who come to the Center for Sexual Health for their regular health check have medical insurance. Since people in prostitution are considered self-employed, they have to take care

of registering for medical insurance themselves. This also concerns many Nigerian women, according to the leader of the social advice center (*Interview 17*).

Since the Center for Sexual Health does not offer medical treatment but only performs the legally intended health checks, women who are not insured have to go to a medical care institute for people without insurance if they have any gynecological problems.

Indeed, AmberMed, which is part of the Diakonie Österreich and offers medical care and medical assistance for people without insurance, does register a number of Nigerian women at their institute (*Interview 6*). There are of course different reasons for not being insured, but in the case of the Nigerians, many have probably received a negative asylum decision, have gone into hiding, or have come from a different EU country and do not have any legal status in Austria (*Interviews 6 and 22*).

Most Nigerian women visit AmberMed looking for treatment because of sexually transmitted diseases or because they are pregnant (*Interviews 6 and 21*). Since they speak English well, they can also effectively communicate what they need, although many have not been regularly examined and do not have much knowledge regarding their menstrual cycle, contraceptives, etc. (*Interview 21*). In cases of a pregnancy, there are very few Nigerians who want to abort the child; the majority of them want to keep the baby, even though they do not have a legal status in Austria and have to pay for the delivery at a hospital if they are not insured (*Interview 21*).

The medical director at AmberMed is certain that all voluntary doctors are sufficiently informed about possible predicaments of a patient and do not hesitate to ask a colleague in cases of insecurity. She believes that if there were presumed human trafficking cases at their institute, there would not be much they can do anyway, because they would not call the police or report a case if a woman did not agree to

it or did not ask for this kind of help (*Interview 21*). The AmberMed employee who has the first encounter with all patients in an introductory talk does, however, believe that human trafficking should be a concern at their institution. He also does not see many possibilities to do anything about it, however, because he does not have much time with the patients, and the Nigerian women do mostly not even admit to him that they work in prostitution. Although he might recognize certain indications, he does not want to pressure anyone to share what s/he does not want to share. After all, the patients come to see a doctor and do not want to be asked about their residence status, etc. (*Interview 22*). Similar to the social advice center, he does take the opportunity to hand out folders by LEFÖ-IBF or other relevant organization if he recognizes a need (*Interview 22*).

Of course, there are also Nigerian women who have health insurance and therefore have the freedom to visit any gynecologist in Austria. The gynecologist who was interviewed in the course of this research project reports to have quite a few Nigerian women among his patients. He is convinced that most of his Nigerian clients do not work in prostitution and have a regular residence title in Austria, however. They mostly come with the same problems and desires as his Austrian patients (*Interview 8*).

In addition to his regular clients, he also attends to uninsured women in prostitution who are in the care of the NGO Herzwerk. These women usually come with sexually transmitted diseases that need to be treated. He does sometimes assume that other (Nigerian and Chinese) patients who do not come through Herzwerk are working in prostitution, but this assessment is more based on outer circumstances than on medical anomalies (*Interview 8*).

In the case of Nigerian women, he does usually not recognize any pressure to perform an abortion or any signs of violence which would lead to the assumption that they are being abused and exploited. He confirms that Nigerian women can usually communicate quite well what

they need. If Nigerian women work in prostitution and get pregnant, they often continue working until their pregnancy is very advanced. As a doctor, he sees a high risk for infections and warns his patients, but that is all he can do (*Interview 8*). The leader of the social advice center confirmed this assessment and explained it with the great demand for pregnant women in prostitution. Clients are often willing to pay a lot of money for the sexual service of pregnant women, who are not necessarily pressured by anyone to keep working, but see the opportunity to make a lot more money than usual (*Interview 17*).

The interviewed gynecologist is sure that many gynecologists probably attend to patients who are working in prostitution and presumed victims of trafficking without knowing it, which is why he would welcome training for gynecologists in Austria or even an inclusion of the topic as part of medical studies at the university (*Interview 8*).

6. SEXUAL EXPLOITATION OF NIGERIAN NON-ACCOMPANIED MINORS

Among the Nigerians who requested asylum in 2016, there were 136 unaccompanied minors between the ages of 14 and 17 (*BM.I, 2017: 29*). Unfortunately, the Federal Ministry for the Interior (BM.I) does not provide information regarding the minors' sex, but there is reason to assume that most, if not all, of the registered unaccompanied Nigerian minors were male. As confirmed by other NGOs, Nigerian girls who are trafficked to Austria are instructed to lie about their age and are issued false passports stating an older age in order to be able work in prostitution without problems (*Interviews 5, 7, 15 and 16*).

The Federal Office for Immigration and Asylum (BFA) reports that they oftentimes suspect Nigerian men who indicate that they are underage in their request for asylum to be over 18 in reality. If this happens, the person in question is usually sent to an institute in Vienna that performs X-rays of the hand roots in order to determine the status of growth of the person. The institute then issues an assessment of the minimum age of the person in question based on different criteria. This medical test is therefore applied in order to prove that a person has already reached the age of majority (*Interviews 15 and 23*).

So far, there have been no cases where the test has been applied by the BFA in order to prove that someone is underage, however; although the interviewed BFA representative confirmed that such a procedure would be legally possible (*ibid.*). The interviewed BFA representative remarked, however, that it usually takes a long period of time before a BFA advisor meets an asylum seeker in person for the first time. The first interrogation is conducted by a specialized police officer. The request is then transferred to the BFA, where files are processed in order of arrival. Since the refugee crisis, there has been an accumulation of files with requests, which is why asylum seekers still have to wait several months before their first interrogation at the BFA. Just by looking at a small picture, it is difficult for BFA advisors to recognize if a female Nigerian asylum seeker might actually be underage. Also, since police officers are well-trained regarding the issue of

human trafficking, they might be able to identify an underage trafficking victim much easier anyway (*Interview 23*).

NGOs who offer trainings to different professional groups confirm that the police is probably the relevant professional group that is most sensitized and aware when it comes to the issue of human trafficking (*Interview 7*). In reality, while most victims are probably identified by the police, quite a few underage Nigerian victims of trafficking have also been identified by NGOs who are doing frontline work. One girl was identified during a brothel visit of the NGO Herzwerk in the spring of 2017. Herzwerk informed the police directly after having talked to the victim in secret (*Interviews 2, 7, and 26*). The NGO Footprint who, among other things, offers German and sports classes to trafficking victims and victims of violence, also identified two Nigerian girls in 2017. One of the girls came through the Red Cross, the other one came to Footprint through the women's refuge in Vienna. Both girls were then sent to the official victim support organization LEFÖ-IBF (*Interview 12*). The NGO Solwodi also mentions a Nigerian in their shelter since February 2017 who was trafficked to Austria as a minor. She had just received a negative decision by the BFA when she first came to Solwodi asking for help. Solwodi staff members together with LEFÖ-IBF then encouraged her to make a statement with the police. In this special case, there was no time pressure put on the girl, but she was actually granted much more time than provided for by the official reflection period. Although the girl first wanted to return home, she eventually decided to stay in Austria where she remained in the Solwodi shelter (*Interview 12*).

If Nigerian girls are identified as victims of trafficking and they are over 15 years old, they are transferred to the official victim support organization LEFÖ-IBF which shelters and counsels all female victims of trafficking from age 15 upwards (*Interview 5*). If they are under 15, the Drehscheibe center for unaccompanied minors who are refugees, a social welfare institution of the Municipal Department 11 (Vienna Youth and Family Offices) is responsible. This institution offers shel-

ters for unaccompanied minor refugees in Vienna. They take care of these children, organize their return to their home countries, are involved in their reintegration process, and cooperate and connect with the representative authorities of these countries in Austria, as well as with authorities and organizations working against human trafficking (*Stadt Wien, 2018 and BM.I 2016:10*). In other federal states of Austria, trafficked girls under the age of 15 are transferred to the relevant youth welfare institutions (*BM.I 2016:10*).

So far, Drehscheibe in Vienna is the only institution with experience in the care of unaccompanied minor refugees and minor victims of trafficking. But despite all their experience, Drehscheibe still faces the problem that many unaccompanied minor refugees and presumed victims of trafficking go missing. This is not the fault of Drehscheibe, as Astrid Winkler of the NGO ECPAT Austria clarifies, but a problem of the youth welfare system in Austria, which is oriented towards Austrian unaccompanied minors but is not equipped for the successful care of unaccompanied minor refugees (*Interview 7*). Since accommodation facilities are generally open and there are not enough counselors, children can just leave anytime. What is missing in Austria, according to Winkler, is not only a specialized shelter for the care of trafficked children, but also a whole system similar to the one that has been introduced in the Netherlands several years ago. In the Netherlands, unaccompanied minor refugees who are identified as extremely vulnerable (such as victims of child trafficking) have a child care ratio of 1:1. The very close-knit system in the Netherlands has resulted in fewer unaccompanied minor refugees going missing (*Interview 7*).

All officially identified female Nigerian minors who were exploited sexually have so far been older than 15 and have therefore been sheltered and counseled by LEFÖ-IBF, according to the police (*Interview 4*). Still, it must be noted that there have been hardly any cases of officially identified Nigerian minor girls before 2017. LEFÖ-IBF has mainly attended to trafficked girls mostly from other European countries

(*Interview 5*). The trafficking of Nigerian minor girls has been recognized as a new phenomenon since 2017, when 10 of the 90 identified Nigerian women were minors between 15 and 17 (*Interview 5*).

The girls reported to LEFÖ-IBF that they were told to make themselves older in order to be allowed to work. They were also told, however, that they had been picked out because of their young age, since this was something that European men were looking for. LEFÖ-IBF confirms that the Nigerian girls in their shelter definitely look younger than 18 and were not even accepted by some prostitution studios in Vienna who, of course, fear legal consequences (*Interview 5*).

Most Nigerian girls are trafficked to Europe via the “classic route” through Libya and Italy, and they are usually unaccompanied (*Interview 13*). Many of the Nigerian girls who have been identified in Austria were mainly exploited in Italy, however. Some were not exploited in Austria at all, which turns out to be a problem when it comes to obtaining residence in Austria. They either fled to Austria or were transferred here in order for the exploiting to continue (*Interview 5*).

Just as in the cases of Nigerian women, Nigerian girls also have the possibility to be granted asylum or to apply for temporary residence as per §57 AsylG on “special victim protection.” There is no legal right for them to be granted a (permanent) residence permit, which is of course critical from a human rights based point of view (*Interview 7*).

In addition to these officially identified Nigerian girls, NGOs have been informed by Nigerian women in their care that they have recognized young Nigerian girls in so called “hot spots” of the Nigerian community in Austria (*Interviews 14 and 19*). A Nigerian expert of a legal advice center in Vienna who was interviewed for this project confirmed this assessment. In his counselling position, he has spoken to a few Nigerian women recently who are of the age of majority according to their papers, but are most probably minors according to his judgement

(*Interview 16*). Based on these statements, there is reason to suspect that there are more unidentified Nigerian girls who have been trafficked and are still being exploited in prostitution in Austria.

Generally, the dark figure is probably high when it comes to trafficked children, and especially children who are trafficked for the purpose of sexual exploitation. It is of course possible, that even younger girls have been trafficked to Austria and are exploited sexually, being hidden somewhere in apartments. So far, there have not been any detected cases. In other areas such as pickpocketing, child victims are more visible, which is probably why this is the area in which most trafficked children have been identified (*Interview 7*). Of course, the identification of child victims constitutes a challenge in all countries. Minors are always more dependent and easier to intimidate, and it is more difficult for them to activate their own power of mobilization to look for a way out. Still, there are many gaps in the Austrian system, and there are far too many victims who are never identified and go missing again. Since the legal responsibility lies with ten different competencies – each federal state and the federal government – politicians have not been able to establish common procedures for all federal states in order to successfully address the problem. Apparently, there has not been enough political willpower (*Interview 7*).

In order to improve the identification of trafficked minors in general, the NGO ECPAT Austria has been offering training on “child protection and child trafficking,” partly in cooperation with IOM in the course of the EU funded project “protecting children” (*Interviews 7 and 13*). At the beginning of 2017, frontline personnel of the Austrian armed forces, Caritas, the Red Cross, and the Samaritans who have come into contact with refugees arriving in Austria in the course of the European refugee crisis were trained regarding the identification of vulnerable children/presumed victims of child trafficking in refugee flows. At the end of 2017, training on child trafficking was offered to the police and also to operators of refugee accommodations (*Interview 13*). IOM

and ECPAT Austria have recognized a need for training for relevant youth welfare institutions. Although there have been several training programs provided by IOM and ECPAT Austria, there is still a lack of awareness regarding child trafficking at many institutions (*Interviews 7 and 13*). Just like it is the case with the issue of human trafficking in general, experts agree that the issue of child trafficking should be established as a fixed component of the formation and further training for all relevant professional groups (*Interviews 5, 7, and 13*). Actually, the latest action plan of the Task Force on Combating Human Trafficking names the establishment of such training programs in the formation and further training of youth welfare institutions as one of its goals. Whether or not this is put into practice, however, strongly depends on political willpower (*Interview 7*).

Also, a document on guidance for actions concerning child trafficking (*Handlungsorientierungen Kinderhandel*) was published by the Federal Ministry for Family and Youth (BMFJ) in 2016 and has been disseminated via formal communication channels. Nonetheless, it is still not broadly known or used to the extent that it could be (*Interviews 7 and 13*). The concerned document on guidance for actions concerning child trafficking was also not known to the training department of the BFA, as the interview with the BFA representative revealed. The training department was aware, however, of the training materials provided by LEFÖ-IBF who offers training programs on human trafficking in general (*Interview 23*).

7. THE PSYCHOLOGICAL IMPACT OF EXPLOITATION ON THE VICTIM AND REINTEGRATION INTO SOCIETY

In this chapter, we will take a closer look at the impacts of juju and sexual exploitation on the women. Juju is probably the most relevant factor that keeps Nigerian women in the situation of sexual exploitation, and exploitation has—without any doubt—a strong impact on a person’s psychological well-being. So how are Nigerian women dealing with their traumatic experiences and what could actually help them? The chapter closes by looking at how different NGOs, which are attending to Nigerian women in prostitution and presumed victims of trafficking in Austria, are supporting their integration and healing process.

7.1. THE INFLUENCE OF JUJU AND SEXUAL EXPLOITATION

As mentioned above, almost all of the Nigerian trafficking victims have gone through a juju ritual, which is usually practiced in the Benin City region before the journey. Most of the experts we interviewed identified the practice of the juju ritual as one of the main reason why victims of trafficking from Nigeria are not identified as such and do not want to speak about their trafficking experience at all.

The women believe that if they do not keep their vow to obey their madam, keep their traffickers’ names in secret, and pay back their debts, they or family members will go mad or die. Also, women are apparently told that they are not supposed to tell any white person or Austrian person anything about their trafficking story (*Interviews 12 and 16*). They are convinced that if they do, “juju will turn against them” and “they will have no life anymore” (*Interview 16*). Some experts describe the effect of juju on a person like having been brainwashed (*Interviews 16 and 26*). Solwodi mentions one Nigerian woman in their care who was suffering from anxiety and paranoia because of the juju

curse to such extent that she needed to receive psychiatric treatment (*Interview 11*).

According to the legal experts who were interviewed, juju is taken seriously in legal procedures and in the asylum system in general, because most relevant authorities have received enough training to know that juju constitutes a mayor part of Nigerian trafficking (*Interviews 23 and 24*). It is difficult to take seriously, however, if women try to argue that they cannot be sent back to Nigeria because of juju or if they use juju as a danger for persecution if they have to go back to Nigeria. In this case, juju cannot be considered a “justified fear of an objective person” as required by the law, even if BFA advisors or judges of the Federal Administrative Court believe that the person is truly afraid. Fear of juju is not relevant for an asylum decision. The description of the juju ritual, however, can of course support the asylum request (*interview 24*).

Although most relevant authorities are aware of the effects of juju on the willingness of Nigerian victims to talk about their trafficking story and testify against their traffickers, it is probably difficult for a European to truly comprehend the incredible power of juju over the life of a Nigerian victim of trafficking and why they cannot simply stop believing in it (*Interview 7*).

According to Herzwerk, it has helped some women when they visited a trustworthy Nigerian pastor who prayed with them and helped them to free themselves from the juju curse (*Interview 26*). LEFÖ-IBF does not consult a Nigerian priest, but is in contact with a priest from another West African country who is open if women in the care of this NGO want to talk to him. When women have decided to do this, LEFÖ-IBF also reports that these meetings can be extremely helpful (*Interview 5*).

Generally, most Nigerian women suffer a lot because of the juju curse, even if they have decided to not believe in it anymore. Once something bad happens or they are not feeling well, they still wonder if the

juju curse could be responsible for it (*Interview 5*). Apparently, the fear of juju is the same, irrespective of whether a woman appears to be self-confident, strong, and well-educated, or not (*Interview 12*).

In the case of probably most women, their fear of the juju curse that was practiced in connection with their trafficking experience stops once they have paid back all their debts. This is the moment when they are able to share their story and proclaim: "Now, I do not have to be afraid anymore" (*Interview 12*).

Two experts who were interviewed for this report due to their experience in the German-Austrian research project PRIMSA on prevention and intervention of sex trafficking shared their experience gained by conducting interviews with survivors of trafficking. They had interviewed 30 survivors of trafficking for the purpose of sexual exploitation, among them five Nigerian women (*Interview 7*).

In their research, they recognized that Nigerian women experience a unique type of traumatization. Their journey was generally a lot more brutal compared to the journey of women from other nationalities, and their arrival in Europe was also a very brutal moment of waking up to the reality of what they were brought here to do. As third country nationals, the women did not even know where they were and completely depended on their trafficker. They did not see any chance of leaving their situation, because they did not only fear violence from their traffickers like other victims, but were additionally burdened by the juju curse and the fear of getting caught by the police and sent back home. The power of juju came across as very strong in the interviews. Even though all of the Nigerian women they interviewed had come out of their trafficking experience, they reported how they would still immediately think of the juju curse if something bad happened in their lives, such as the death of a family member (*Interview 7*).

Apart from the juju curse, there are, of course, also consequences of the experience of sexual exploitation. Experts in the field of psy-

psychology and trauma know that early experiences of sexual violence or experiences of sexual violence over a long period of time result in complex post-traumatic stress disorders, such as profoundly impacted basic assumptions concerning oneself, the world, and relationships. Severe traumatic experiences therefore cause deep cracks in a person's personality, and it is very difficult for support structures to reach and gain the trust of victims, because their trust had been misused (*Interview 25*). Some experts believe the location where they were exploited also has an impact: Was it a very low-class brothel with the worst clients? Or was it a brothel where there were at least certain hygienic standards, condoms, and possibly opportunities to get out and take a break (*Interview 10*). One of the Nigerian women who was interviewed by the PRIMSA researchers was still a virgin when she was raped for the first time upon arrival in Europe, which, of course, also had a stronger traumatizing impact on her life (*Interview 7*).

Generally, when women first come out of their situation of exploitation, they are oftentimes completely unable to relate to other people. Many cannot imagine such a thing as a delightful sexuality anymore. Men often times only trigger disgust or even hate, and sexuality is a terrible thing in their eyes. A psycho-therapist we interviewed reported that therapists even sometimes hear this from women who are in a steady relationship with a man, an interviewed psychotherapist reports (*Interview 10*).

Another main issue in the area of sexual exploitation is the great stigma of women in prostitution. Even though trafficked women clearly did not want to work in prostitution, they still have a hard time admitting that they were exploited in this area later. Shame because of their stigma and because of the shameful nature of the whole issue itself sometimes even constitutes an obstacle to speaking out about what happened and making a statement (*Interview 25*).

7.2 TRAUMA AND COPING MECHANISMS

People who come into contact with Nigerian women in prostitution and presumed victims of human trafficking for the purpose of sexual exploitation often get the impression that Nigerian women are coping quite well and are not acting like victims (*Interviews 5, 6, 14, and 17*).

One possible explanation for this is that African women, in general, have probably learned at an early age to take care of themselves and be strong due to the many hardships they oftentimes face as women in their home country. Many might have experienced traumatic events before their journey to Europe, such as female genital mutilation, sexual abuse, or some other kind of violence; and they have probably also seen or experienced the practice of juju as part of their culture. Due to these previous experiences, they have probably developed their own coping mechanisms and a very high level of resilience that later helped them to know how to act in their situation of sexual exploitation in Europe and sometimes even to find healing on their own (*Interviews 5, 6, 10, 11 and 25*).

Some Nigerian women also draw strength from their faith in God and report that praying has been their resource which kept them alive (*Interviews 7 and 25*). Also, it helps trafficked women if they are not alone in their exploitation situation, but have other women at their side, as Nigerian women usually tend to stand by one another (*Interview 10*). The Nigerians we interviewed confirmed that Nigerians are strong people and that they can adjust to difficult circumstances (*Interview 14*). Although Nigerian women have probably been traumatized by what happened to them, they believe that life has to continue, they look ahead and focus on their achievements, and they develop a lot of strength by doing so (*Interviews 5, 14, and 25*). It also gives them a lot of strength when they obtain a legal residence status, find a “normal” job, and earn their own money. Once things start moving forward re-

garding these safety factors, they overcome possible traumas (*Interview 11*). According to the Nigerian pastor, trafficked women usually stop working in prostitution once they have received their legal residence status. They then try to find a different job and continue paying back their debt to the traffickers. But their objective then is to settle down and have children. She observes that when women are not able to have children for whatever reason, it seems to burden them more than their past experiences (*Interview 14*).

What is impossible to evaluate today is, of course, if things of the past might come back up in ten years or later and how Nigerian women will be able to cope with their trafficking experience then (*Interview 5*). One also has to consider that there might be culture-specific symptoms of post-traumatic stress disorders that psychologists and counselors do not become aware of because they are simply not part of the European catalogue of trauma symptoms (*Interviews 5 and 10*).

Dr. Gerlich, researcher in the research project PRIMSA (*see above*), shared how based on the complex trauma theory, it is natural for highly traumatized persons to develop coping mechanisms in order to not continually live in a state of trauma. This is the case with Nigerian women since they usually stay in their situation of exploitation for several years until they have finished paying off their debt to the traffickers (*Interview 7*). According to Dr. Gerlich and Dr. Gahleitner, the question is not if Nigerian women are highly traumatized or not, but rather what they think about therapy and if they consider themselves to be a victim who is psychologically “sick” and would profit from such help at all (*Interviews 7 and 25*).

Generally, specialized NGOs and experts in the field of human trafficking recognize several symptoms of complex traumatization in at least one third of the Nigerian women they attend to. These women suffer a lot from sleep difficulties, anxieties, depression, and lethargy; and they have all kinds of psychosomatic disorders (*Interviews 5, 10, 18, 19, and 26*). The exploitation experience leaves severe marks not just on a

psychological level, but also on the person's ability to enter into relationships with others. Their ability to trust has been shattered completely because trusting someone has resulted in exploitation and abuse. Due to the resulting neurological changes, they receive stimuli differently, and some things are perceived as a threat although they might actually be positive. Every move the women make is adapted to the risk patterns they got used to in their situation of exploitation, and their coping mechanisms do not usually work when it comes to "normal" social interactions with others. Dr. Gahleitner, a researcher from the PRISMA project, explained that victims of trafficking for the purpose of sexual exploitation are therefore a so-called "hard-to-reach client group," and special strategies are required to reach them (*Interview 25*).

NGO counselors believe that the pain is oftentimes so deep that victims simply bury it because they do not see a way out of it. While they try to convey the idea that "when you talk about it, it loses part of its power," the Nigerian women's culture says: "talking about it gives it power" (*Interview 19*).

Therefore, NGOs experience that a lot of trust-building is needed before women begin to talk about their emotional and psychological needs. This oftentimes happens during one-on-one talks, when NGO staff members accompany women to appointments where they spend a lot of time waiting, such as the hospital or a doctor's office (*Interviews 11 and 26*).

Some women are indeed so traumatized that NGO counselors wish they would accept therapeutic services that can be offered to them (*Interviews 5 and 11*). When women first come to one of the specialized NGOs, it is many times too early to start any kind of therapy because their psychosocial situation is still very unstable. The first things they need to know at this time is if they will be safe where they are right now and if they can actually stay in Austria. Therapy would not be an option until much later when they have reached a certain level

of stability (*Interviews 5 and 7*). For many Nigerian women and victims of trafficking in general, there are probably other ways that can help them heal than talking therapies (*Interview 6*). LEFÖ-IBF emphasizes how women are oftentimes able to gain strength through the support of other women at the shelter. Although there are of course many conflicts between the women due to cultural differences, they also recognize in discussion groups that take place on a regular basis that they have had very similar experiences and can relate to each other a lot. Although this is not therapy, it works as a very helpful preliminary stage to therapy (*Interviews 5 and 10*). Solwodi has also observed how keeping busy by participating in work training and German classes has especially helped third country nationals like the Nigerian women through long periods of waiting, such as for a confirmation regarding their residence title (*Interview 11*).

In the research conducted over the course of the PRIMSA project, the researchers came to the conclusion that all of the 30 survivors of trafficking for the purpose of sexual exploitation (including the five Nigerian women), who had been interviewed, demonstrated symptoms of complex traumatization meaning that they have experienced several traumas over a span of several years which caused complex psychiatric impairments (*Interview 7*). All of them therefore need special support, although it does not necessarily have to be psychological therapy. Trauma often come up when victims have already stabilized. It is at that point when psychotherapy can result to be very helpful (*Interview 25*).

Apparently, there are hardly any psychologists or psychotherapists specialized in the treatment of victims of human trafficking who have experienced sexual exploitation, however. Although specialized NGOs probably have their trusted contacts they refer their clients to, there is no official address that women can get in touch with if they are looking for help on their own (*Interview 10*). Experts in the field of trauma agree that therapists need to at least have certain knowledge regarding the issue of human trafficking and regarding the effects of trauma

(Interviews 10 and 25). When a therapist has received training in the latter, the therapy can prevent revictimization, since it can help victims to be able to cope with their past experiences and even turn it into a resource that can be used to help others (Interview 10).

Based on the therapeutic milieu theory, however, an hour of therapy each week can never have the same impact as everything else that happens in the life of a victim during the rest of the week. It is in the daily experiences and personal relationships where trust can be built up again. It has to be reconsidered, therefore, what therapy actually means: It is not just the psychotherapy itself, but it starts much earlier than that. Therefore, people working with victims of sexual exploitation need to be familiar with the effects of trauma and need special strategies. Traumatized women need comprehensive psychosocial support according to their individual needs and connected to their daily life – relationships, surroundings, a place to stay, work, etc. Therapy can therefore happen in very low-threshold moments and encounters such as sharing a cup of coffee. Although it takes a lot of time for traumatized people to trust again and heal, the impact of counseling sessions and social interactions with other people, such as health center staff, legal advisors or police officers should not be underestimated. Every small moment can become a moment of healing for the women (Interview 7). Interestingly, NGO staff and counselors often do not even know that everything they do has a strong impact on the women's healing process. They do "therapy" every time they work with traumatized women (Interview 25).

7.3 PROGRAMS FOR (RE)INTEGRATION IN SOCIETY

Especially in the Austrian capital Vienna, there are quite a variety of services that help foreigners—and among them also victims of traf-

ficking from third countries—to integrate well into the Austrian society. Given the fact that language is definitely one of the main factors of integration, there are many different institutions that offer German classes, some at a very low cost, some even for free if there is a special need (*Interviews 11, 14, and 16*). The NGO Footprint offers free German classes of three to four months duration specifically to women who became victims of violence or victims of human trafficking. They have recognized that women indeed feel better and are more comfortable once they can communicate more freely in German (*Interview 12*).

Another major factor regarding integration, which is more difficult to obtain, is work. If women speak German well by the time they are granted a residence permit—which includes access to the labor market—this also helps them to find a job faster. Of course, education and work training would also greatly support the integration of trafficking survivors as a first step towards finding an actual job, but this is also rather difficult to obtain (*Interviews 11 and 14*).

The NGO Hope for the Future, however, provides preparation for the job market, support with the job search, and even continuing education possibilities specifically for people affected by human trafficking and prostitution and tailored to their specific needs (*Interviews 11, 14 and Website “Hope for the Future”*). People who have experienced sexual exploitation in the past often struggle to successfully establish themselves in the job market and need to first stabilize psychologically and find their way back into the regular routines of everyday life. Therefore, the Hope for the Future program focuses on establishing a structured daily routine, strengthening social skills, assessing individual capabilities, increasing work capacity/resilience, and conveying core values necessary for the workforce such as punctuality, dependability, orderliness, and flexibility. (*see Website “Hope for the Future”*) Other NGOs, such as Solwodi, stress how important this training turns out to be also for their Nigerian clients at the shelter, not just as preparation for the labor market, but also as an opportunity to be busy producing

something (in this case sewing products) with their own hands instead of sitting in their room thinking and possibly worrying about their asylum process or their situation in general (*Interviews 11 and 14*).

Some other great opportunities that the NGO Footprint provides in addition to the German classes are mother-child classes, sports classes, health workshops and excursions. Four days a week, Footprint receives 16 to 20 women per day, depending on the courses that are offered (*Interview 12*). Especially with the sports classes, the idea is to support the integration of trafficked women by offering them mixed classes with non-trafficked, Austrian women. Trafficked women often share that they spend a lot of time with other trafficked women only, but they would actually like to break out of this cycle and communicate not just on a level of one affected woman to another, but from one woman to another (*Interview 12*). Footprint members have recognized that most women first come to them for German classes; then they also ask for social counseling and eventually decide to participate in sports classes, etc. Preferred sport classes are usually zumba or bellydance, while yoga or pilates classes are many times associated with a foreign religion and are therefore rejected (*Interview 12*).

Although most Nigerian women attended by Footprint are pregnant or have small children, they are usually not very interested in participating in mother-child classes. Apart from German classes, they do like to participate in workshops and presentations, e.g. by a gynecologist, or in excursions to the midwives center or to the health center FEM Süd for women, parents, and girls (*Interview 12*). Dr. Gerlich, a researcher with the PRIMSA project, is very impressed by Footprint's very low-threshold offer: Women can come by the office anytime or just stay after they finished their German class, prepare themselves some tea and talk, and they can even participate in sports classes spontaneously without formal registration. As Footprint members are convinced that trafficked women need a safe place as a base from where they can start out from, Dr. Gerlich also recognizes that it's im-

portant for women to be in a therapeutic milieu doing fun activities that do not relate to them being victims and entering a new (non-Nigerian) community with other (Austrian) women (*Interviews 7 and 12*).

Herzwerk's "Education for Integration" program is probably the only program directed specifically towards Nigerian victims of trafficking and tailored to their specific needs and circumstances in Austria. The program has been running since the summer of 2015, and there are currently 14 Nigerian women who are registered for the classes that are taking place every other week (*Interview 18*). One example of a topic for a class was: "Discover your resources" where the group talks about things they have already achieved. The target of this program is to build up the participant's self-esteem and empower them (*Interview 19*). Other units touch on topics such as Health (sexual health, aids prevention, good nutrition, etc.), History & Politics (Austria and Europe, Nigeria, democracy, etc.), and Culture (developing a cultural sensitivity, different cultures in Europe, etc.) (*Interview 19*).

The average age of the participating Nigerian women is between 25 and 30 years; however, there are basically two age groups: the older ones who have been in Austria for more than five years and are participating in the program repeatedly, and a group of about seven younger women who only started the program in February 2018 (*Interview 18*). Generally, almost all of the women who are participating are either pregnant or have small children between 0 and 3 years (*Interview 18*). Most of them are still in their asylum process, and many have been for many years; a few recently received a residence permit in Austria (*Interview 18*). Concerning the women's integration, Herzwerk social workers do see small changes in women who are participating regularly in the program (*Interview 18*). On the other hand, they also recognize that Nigerian women—in comparison to victims of other (European) nationalities—face more difficulties concerning their integration due to the racism they sometimes face in the Austrian society because of their skin color or great cultural differences (*Interview 18*). This, together with long periods of uncertainty concerning their residence status and

therefore their future in general, also has an impact on their willingness to integrate themselves. At the time they entered the program, many Nigerian women had already spent five to ten years in Austria without having learned the German language well and without having made any Austrian friends, but rather mostly in their Nigerian community (*Interviews 19 and 26*).

In comparison to victims from other nationalities who do not speak German or English, Nigerian women still get along quite well in Austria – and especially in Vienna. According to AmberMed, the medical center for people without insurance, by speaking English, they can buy food and communicate rather well if they have any medical needs (*Interview 6*).

In the end, the desire to integrate oneself can be encouraged and supported by means of a program like Herzwerk's "Education for Integration" program, but many times it is the women themselves who want to make an effort if they see the benefits (*Interview 19*). As the interviews demonstrated, Nigerian women in particular are often in the care of different NGOs simultaneously, finding shelter with one, participating in a German class with another, and participating in the integration program or the work training of a third one. This seems to be partly due to the fact that the NGOs in Vienna are very well connected with each other, but it is also due to the fact that the Nigerian women recommend the different services to each other. Generally, as seen above, there is a vast variety of services available to trafficked women, at least in Vienna.

8. RETURN

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Since most Nigerians, including presumed Nigerian victims of human trafficking for the purpose of sexual exploitation are denied asylum (*see above*) and even in cases of identification, permanent residence is not a legal right of trafficking victims from third countries, the return to their home country is a viable option.

There are three organizations in Austria which were designated and are funded by the Federal Ministry for the Interior (BM.I) through the AMIF fund of the EU to offer legal advice and return counseling to asylum seekers in their asylum procedures in all federal states of Austria: The ARGE Rechtsberatung of the Diakonie Austria and Verein Menschenrechte (VMÖ) offer legal advice; Caritas and VMÖ are responsible for providing return counseling (*Interviews 13 and 15*). Legal advice by one of the two organizations is obligatory for asylum seekers prior to their personal appointment with the BFA for an interrogation and return counseling is also obligatory for those who have received a negative decision regarding their request. In order to offer their services, the two organizations daily visit the detention centers. They receive lists with the names of those that will soon receive a negative decision from the BFA even before these people know about it. Legal advice centers mention how their clients sometimes come with a letter sent by the organization "Verein Menschenrechte" (VMÖ), and they do not understand the reason because they have not even received the information by the BFA (*Interview 15*). Return counseling for identified victims of human trafficking is offered by Caritas in cooperation with LEFÖ-IBF (*Interview 13*).

But what happens when Nigerian women receive a negative decision by the BFA? Do they actually return to Nigeria?

Voluntary return in general is, of course, many times not "voluntary" in the true sense of the word. Voluntary return is usually an option once a person has received a negative decision regarding their asylum request and now has the chance to at least receive some assistance in his/her return to the home country instead of being forcefully returned or going into hiding. According to specialized NGOs working with Ni-

gerian women, there are hardly any voluntary or even forced returns. Most women who receive a negative decision with the information that they have to leave the country actually go into hiding. LEFÖ-IBF confirms that Nigerian women who realize that their chances of being granted any kind of residence permit or asylum are not very high usually leave the shelter ahead of time (*Interviews 5, 11, 12, and 19*).

Even though there are decisions by the European Court of Human Rights and the Constitutional Court from 2011 that come to the conclusion that Nigeria is a safe return country for victims of trafficking, NGOs contest that returning to Nigeria is not a safe option in most of the cases (*Interviews 5, 12, 15, 16, and 24*). On the one hand, the Nigerian criminal network is very well organized, as described in section 4 of this report. On the other hand, although the Nigerian government with its National Agency for the Prohibition of Trafficking in Persons (NAPTIP) demonstrates itself as willing when it comes to the protection of trafficked women, it is many times simply not able to provide the amount of protection that is actually needed. Protection mechanisms are limited regarding duration, space (shelters etc.), as well as (financial and human) resources (*Interview 5 and 24*). Furthermore, it is argued many times that women could just stay in cities like Abuja or Lagos, where it is safe, instead of returning to their home in Edo State. It is not taken into account, however, that tenants have to pay two or three years of rent ahead of time in order to live in an apartment or in a house in one of these two cities. In reality, it is therefore impossible for most victims who are deported to Nigeria to stay in these places that are considered "safe" (*Interview 15*). The Federal Administrative Court in Innsbruck has already confirmed the assessment that Nigeria is not always safe for human trafficking victims and has granted asylum for this very reason, although it is stressed that all decisions depend on the individual circumstances of the victim (*Interview 5 and 24*).

Still, there are voluntary return assistance programs for Nigerians in general as well as for Nigerian victims of trafficking, and there have been cases where women were deported by force.

8.1 VOLUNTARY RETURN ASSISTANCE PROGRAMS

There is one reintegration program which is offered by the Federal Ministry for the Interior (BM.I) and is generally directed towards refugees of all nationalities (*Interview 23*). In 2016, there were 25 applications by Nigerians to participate in the so-called “European Reintegration Network” program (ERIN), and 21 Nigerians actually participated in the end. In 2017, there were 30 applications by Nigerians, and 21 actually participated in the end. It has to be noted, however, that most of the Nigerian participants are male; in 2017, there were no female participants at all (*Interview 23*).

Participation in the program is, of course, voluntary, but there are certain deadlines connected to specific amounts of financial support. If a Nigerian decides to return voluntarily after having received a negative decision by the BFA, they receive 500,00 € support. If a Nigerian appeals and then returns within six months, s/he still receives 250,00 € support, if s/he returns later than after six months, the remaining amount of support is 50,00 € (*Interview 15*).

Apart from the program offered by the BM.I, there are two voluntary return assistance programs directed specifically towards victims of human trafficking:

IOM offered the CARE program for victims of human trafficking in Europe, including Austria, who wanted to return voluntarily to their home country. The program was funded by the EU and was only directed towards third country nationals. In the end, however, there were no trafficking victims in Austria, who wanted to return during the time the program was offered (*Interview 13*).

Part of the recommendations of the CARE project was to establish the safe and voluntary return of victims of trafficking as part of a National

Referral Mechanism (NRM) in Austria. Since there is no official NRM up until now, this recommendation has, of course, not been put into practice. Referrals in Austria work very well, but there is no established legal right to a safe and voluntary return of victims (*Interview 13*).

Also, IOM used to offer a reintegration program for Nigerians. They noticed that offering a reintegration program worked very well as an incentive for Nigerians. Beforehand, people would not even return if they had the desire because they were ashamed to return with empty hands. Therefore, the number of voluntary returns increased with the offer of a reintegration program (*Interview 13*).

The official victim support organization LEFÖ-IBF has the FROM program for the voluntary return of female victims of trafficking from third countries, which is also funded by the EU. The program is offered in cooperation with Caritas, as mentioned above, although IOM is involved in the organizing process if relevant. If travel is organized for victims where it is easier to travel over land, IOM is usually not involved (*Interview 13*). Just as in the case of IOM's former program, however, there are hardly any Nigerian women, or even women in general, who want to return voluntarily (*Interview 13*). LEFÖ-IBF mentioned that there was currently one woman who entered the return process because she was simply overwhelmed by everything that happened to her in Austria (*Interview 5*).

In case a victim of trafficking wants to return voluntarily, the first thing to do is a risk assessment. Is it really a good idea to return? What are possible risk scenarios, and how can the person find a way out of them? How, where, and with whom will the person live? Who should they contact? Who should they not contact? Is it safe to return to the family or not? Although similar questions are asked as part of a return counseling session, there are specific questions when it comes to cases of human trafficking (*Interview 13*).

8.2 FORCED RETURN AND REVICTIMIZATION

Forced return probably takes place far more often than voluntary return, although this mostly refers to victims of trafficking who have not been officially identified or are not in touch with any NGO.

According to the BFA, forced returns to Nigeria are usually conducted by charter operations. There are also cases of individual deportations on regular passenger flights. Some are accompanied; others are not. The latter is usually the case if there have been problems previously regarding the person's deportation (e.g., if the person refused to enter the airplane). Generally, if there is reason to suspect problems in the deportation process, however, a person is usually sent back on a charter operation where there are medical staff and additional escorts (*Interview 23*). If a Nigerian person did not present any papers in Austria during his/her asylum procedure, the Nigerian embassy in Vienna usually issues a "certificate for homeward journey" (Heimreisezertifikat) that only allows the person to travel on one flight back to his home country (*Interview 23*).

If a person is returned to his/her home country by force, s/he receives an entry ban of at least 18 months. Even if a person is forcefully returned to another EU country based on the Dublin Regulation, Austria imposes a temporary entry ban (*Interview 15*).

According to LEFÖ-IBF, there has only been one case of a woman who was in the care of the NGO and was still forced to leave the country, which was very traumatizing for her as well as for the organization staff. The case became a widely discussed subject afterwards among relevant stakeholders, however, which hopefully means that officially identified victims within the official support structure will not be forcefully returned in the future (*Interview 5*).

Although experts do not have any doubt that there are cases of re-victimization, there have not been any registered cases in Austria (*Interview 13*). The Austrian police only mentioned one woman who had been in Germany before, was returned to Nigeria, and was identified as a victim of trafficking in Austria a few years ago (*Interview 2 and 4*). LEFÖ-IBF mentioned another woman who had been deported by Italy and was later re-trafficked to Austria. Although this was the only case known to them, they also believe that there are probably more similar cases that go unnoticed (*Interview 5*).

IOM stresses the problem that, unfortunately, every reintegration program in a person's home country comes to an end, even if a former victim might still be vulnerable (*Interview 13*).

9. BEST PRACTICES AND FINAL RECOMMENDATIONS

In summary, many aspects of the fight against (Nigerian) human trafficking in Austria indeed work well, but there is still room for improvement in other aspects.

Although there is no officially implemented National Referral Mechanism (NRM) for victims of human trafficking in general, cooperation between the main stakeholders involved – especially those that form part of the Task Force on Combatting Human Trafficking – appears to be working very well. Most professional groups that possibly come into contact with victims of trafficking have received training regarding the issue.

Also, there seems to be a good cooperation and even a good division of labor between the different specialized NGOs in the field. With the official victim support center LEFÖ-IBF which – amongst other things – accompanies all officially identified victims through legal procedures, women naturally must share a lot about their story (amount of debt, trafficking route, exploitation details, etc.). Other NGOs such as Herzwirk, Solwodi, Hope for the Future, and Footprint usually only hear about the trafficking story of Nigerian women in their care in special one-on-one situations or in emergency situations. They are, however, able to offer very low-threshold opportunities to (Nigerian) women who do not have to speak about anything that happened to them at all if they prefer not to. The official identification or even the self-identification as victims of trafficking is not a requirement for receiving services. Officially identified Nigerian victims of trafficking, as well as presumed victims of trafficking, can stay at the Solwodi shelter, visit the Herzwirk “Education for Integration” program, attend German and/or sports classes at Footprint, and receive work training at Hope for the Future. And many Nigerian women actually do so.

Apart from this, there are several recommendations that can be concluded:

- The general approach—especially regarding the protection of (Nigerian) victims—should be more victim-centered, especially regarding one’s residence. A victim’s residence status should not in any way depend on his/her willingness to testify in criminal procedures or even to make a statement with the police. Also, trafficked persons need more social security benefits. If they were granted permanent residence, social security benefits would come attached automatically. The reflection period should be as long as possible and not less than six months.
- All victims who are identified either by specialized NGOs in the field or the police should be included in the official statistics and should have access to all possible victim rights. As seen above, only five of the 32 Nigerian women (16%) who were identified as victims of trafficking by LEFÖ-IBF between 2014 and 2016 actually made a statement with the police and were therefore officially identified and counted as victims of trafficking. And this still leaves out those victims who were identified by other NGOs of the field but did not come into contact with LEFÖ-IBF.
- The Dublin Regulation must not be more important than other international obligations. It does not matter where a victim was exploited, if s/he is a victim of human trafficking and there are possible threats in another European country, s/he should be able to stay in Austria for reasons of protection.
- The training regarding the issue of human trafficking that is already taking place needs to be established as a fixed part of the formation structure as well as further training structure of each relevant professional group. It is not enough to simply train specialized groups (e.g., the police), but every single member of a professional group should

have access and should be encouraged to participate in training programs. After all, the first encounter (e.g., with the police) might take place at the police station closest to the place of exploitation. So far, training programs have mainly been provided by organizations such as IOM, LEFÖ-IBF, and ECPAT and were facilitated by internationally funded projects. Every possible training opportunity is helpful, but once funding is not continued there is a risk that training programs will stop if they are not permanently established as part of the formation or further education for different relevant professional groups. There is especially a need for more training in the area of asylum. Generally, training is not simply about providing information regarding the issue of human trafficking, but it is about building bridges between stakeholders to facilitate communication, especially between authorities and specialized NGOs.

- The target group of those who receive training should be broadened. Legal counseling in asylum processes, for example, is offered by a variety of different legal advice centers or private lawyers, but there is often a lack of detailed information regarding trafficking. Since there are many unidentified victims within the asylum system, as IOM declared, this is also a place where they could be identified. Although victims might be identified by the Federal Administrative Court, judges are not allowed to contact LEFÖ-IBF. More awareness among legal advice centers could fill the gap here, as well as possible gaps at the BFA. Other professional groups that would profit a lot from trainings are people in the health sector, especially gynecologists, and interpreters who work with the BFA or the police, for example.
- There should be more support for the different specialized NGOs working in the field which dedicate themselves to building up trust and encouraging women (also to speak out). They are the ones victims rely on when they decide to testify. Since a judge of the BFA advisor cannot build up trust in only two hours of time, NGOs have to be involved in all possible steps. Also, there is a need for more shelters,

especially for presumed victims who are not (yet) ready to speak out. Low-threshold offers which have been identified as extremely helpful and act as therapy for victims of trafficking need to be recognized and supported more.

- Age tests should be recognized as an option to identify trafficked minors in the asylum process. As demonstrated above, Nigerian girls who are trafficked to Austria usually have false documents that declare them as over 18. According to NGOs that have identified Nigerian girls as victims of trafficking, there was reason to suspect that they were not yet 18. BFA advisors and police officers need to take hold of the possibility of carrying out an age test, not only to prove that an asylum seeker is above the age of majority, but also to verify if a person might be a minor victim of human trafficking.
- NGO staff and all stakeholders who come into contact with victims of sexual exploitation need to be more aware of their special role in a victim's therapeutic process. Therapy is not just psychotherapy, but begins at a more banal level, especially in the case of victims who suffer from complex traumatization and heavily rely on safe and trustworthy relationships in a healthy therapeutic milieu. NGO staff in particular often underestimate the impact they are already having on a victim's life: Working with highly traumatized people in their daily life is an important contribution to their process of healing.

10. CONCLUSION

As laid out in the introduction, the objective of this research that was conducted as part of the BINIs project was to shed some light on Nigerian trafficking in Austria and on where its victims appear in the Austrian system of asylum and support.

Almost all of the presumed Nigerian victims of trafficking request asylum using a false story invented by their traffickers either in Austria or in another EU country; but most of them first receive a negative decision and then make an appeal with the help of a legal advice center or a private lawyer. While many receive a notification regarding their planned deportation to Nigeria or to another EU country based on the Dublin Regulation, hardly any Nigerian woman actually returns to Nigeria, but rather goes into hiding and stays in Austria. Over the past years, however, there has been a positive trend regarding asylum being granted through the appeals court to Nigerian women on the grounds of human trafficking.

The very low number of officially identified Nigerian victims of trafficking only represents a small part/piece of reality. A very low percentage of Nigerian victims actually (annually) decide to make a statement with the police and testify against their traffickers. In 2016, a total of 233 Nigerian women received a negative decision regarding their asylum request in Austria, compared to 76 who received a positive decision. According to IOM and specialized NGOs, at least 80% of the Nigerian women who arrive in Europe and request asylum are victims of human trafficking. Still, there were only five Nigerian women who were officially identified as victims of human trafficking in 2016. Probably the main reason why so few Nigerian women testify is their fear surrounding the juju curse; but threats of violence against them and against family members back in Nigeria, where there is no guarantee for protection, also constitute a justifiable reason for them to remain silent.

Still, stakeholders in Austria have recognized a rise in the total number of trafficked Nigerian women and have also recognized the

trafficking of Nigerian girls for the purpose of sexual exploitation as a new phenomenon.

Although the national legal framework on human trafficking complies with international standards, experts in the non-governmental fields of sociology, law, and psychology/trauma in Austria agree that all victims who are either identified by the police or by specialized NGOs should be granted access to all victim rights and should be issued a permanent residence title with access to important social benefits – regardless of their willingness to make a statement with the police.

Many of the presumed Nigerian victims of trafficking are probably in contact with at least one of the specialized NGOs in the field of human trafficking. Sometimes, NGOs can easily identify women to be victims because the women have come to trust people in the particular NGO and decided to share their story. Oftentimes, even if the victims remain silent, there are strong indications for a trafficking background that specialized NGOs take note of.

Although most Nigerian women who come into contact with people of the health sector, legal advice sector, or social care sector are perceived as strong, happy, or at least seem to be coping quite well if they are victims of trafficking, experts in the fields of psychology/trauma often recognize symptoms of complex traumatization. Against this analysis, they stress the importance of the low-threshold opportunities offered by NGOs that are of a therapeutic milieu in general.

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12. INTERVIEWS

Interview 1: Ulrich Nachtlberger, judge at the Vienna Regional Court for Criminal Matters, conducted on Nov. 9th, 2017.

Interview 2: Bundeskriminalamt (Austrian Federal Criminal Police Office), Eva Plank-Sandhofer and Markus Merzitschka, conducted on Nov. 10th, 2017.

Interview 3: Fabrizio Sarrica, United Nations Office On Drugs and Crime (UNODC) at Vienna International Centre, conducted on Nov. 14th, 2017.

Interview 4: Claudia Dannhauser, Landeskriminalamt Wien (Regional Criminal Police Office of Vienna), conducted on Nov. 16th, 2017.

Interview 5: Eva Kaufmann, LEFÖ-Intervention center for trafficked women (IBF), conducted on Nov. 24th, 2017.

Interview 6: Carina Spak, head of AmberMed – medical care and medication assistance for people without insurance, conducted on Jan. 16th, 2018.

Interview 7: Astrid Winkler, head of ECPAT Austria, conducted on Jan. 16th, 2018.

Interview 8: Dr. Med. Karl Radner, gynecologist, conducted on Jan. 17th, 2018.

Interview 9: Dr. Katharina Gerlich, sociologist and researcher of the PRIMSA project, conducted on Jan. 17th, 2018.

Interview 10: Clivia Montazeri-Canal, psychotherapist, conducted on Jan. 19th, 2018.

Interview 11: Daniela Endel, Solwodi (Solidarity with Women in Distress) Austria, conducted on Jan. 22nd, 2018.

Interview 12: Lisa Morawek and Hannah Gasser, Footprint, conducted on Jan. 23rd, 2018.

Interview 13: Katie Klaffenböck, focal point against human trafficking, IOM Austria, conducted on Jan. 26th, 2018.

Interview 14: Margaret Makinwa, pastor of The Lord's Pentecostal Evangelistic Ministry Vienna, conducted on Feb. 5th, 2018.

Interview 15: Brigitte Baldauf, MigrantInnenverein St. Marx – legal assistance to refugees and foreigners, conducted on Feb. 8th, 2018.

Interview 16: Evans E., MigrantInnenverein St. Marx – legal assistance to refugees and foreigners, conducted on Feb. 8th, 2018.

Interview 17: Thomas Fröhlich, social advice center for sexual health – counselling and care for people in prostitution, health service of the city of Vienna, conducted on Feb. 13th, 2018.

Interview 18: Malinda Werth, social worker at Herzwirk Vienna, conducted on Feb. 15th, 2018.

Interview 19: Ursula Spooner, social worker at Herzwirk Vienna, conducted on Feb. 15th, 2018.

Interview 20: Ass.-Prof. Dr. Katharina Beclin, Institute for Criminal Law and Criminology, University of Vienna, conducted on Feb. 19th, 2018.

Interview 21: Dr. Med. Monika Matal, medical management of AmberMed – medical care and medication assistance for people without insurance, conducted on Feb. 21st, 2018.

Interview 22: Thomas Öhlböck, initial consultation at AmberMed – medical care and medication assistance for people without insurance, conducted on Feb. 21st, 2018.

Interview 23: Clemens Lederer, Federal Office for Immigration and Asylum, regional office Vienna, conducted on Feb. 27th, 2018.

Interview 24: Birgit Ertl, judge at the Federal Administrative Court Innsbruck, Tyrol, conducted on Feb. 27th, 2018.

Interview 25: Prof. Dr. Silke Gahleitner, clinical psychologist, social worker and researcher of the PRIMSA project, conducted on Feb. 28th, 2018.

Interview 26: Anna Nolte, former social worker at Herzwirk Vienna, now active as social worker in Innsbruck, Tyrol, conducted on March 1st, 2018.

Also sought for an interview:

Drehscheibe for unaccompanied minors who are refugees, part of the Municipal Department 11 (Vienna Youth and Family Offices)

Verein Menschenrechte Österreich – legal counseling, voluntary return, Dublin procedure counseling, assistance in detention, Vienna

Caritas asylum legal advice, Vienna

Caritas return assistance, Vienna

Diakonie – asylum, integration, human rights, Vienna

NGO Exit/Joandre against human trafficking from Africa, Vienna

NGO Talitha – center for sexworkers and victims of trafficking, part of Caritas, Carinthia



BY CAROLINE SANDER

HERZWERK, 2018