

**KSM**

Protecting the victims  
of human  
trafficking – prosecuting  
the perpetrators



**CO-OPERATION MECHANISMS  
FOR COMBATING  
TRAFFICKING IN HUMAN BEINGS**

**GUIDELINES**

Swiss Co-ordination Unit against the Trafficking in Persons  
and the Smuggling of Migrants

Protecting the victims of human trafficking –  
prosecuting the perpetrators

GUIDELINES

# CO-OPERATION MECHANISMS FOR COMBATING TRAFFICKING IN HUMAN BEINGS

**KSMM**

Swiss Co-ordination Unit against the Trafficking in Persons and the  
Smuggling of Migrants

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## Why these Guidelines?

*Trafficking in human beings is a serious crime from which Switzerland is not immune. According to estimates by the Federal Office of Police between 1500 and 3000 persons may have been victims of this criminal act in the year 2002 in Switzerland. For the victims, human trafficking is a cause of great suffering and amounts to a serious assault on their human dignity. For the perpetrators, this modern form of slavery is above all a lucrative business activity.*

*Efforts to prevent and combat this scourge involve the interdisciplinary skills of various authorities, as well as private and public organisations. Experience in Switzerland and abroad shows clearly that human trafficking can only be resisted successfully when those concerned work together. It is with this in mind that the report of the Interdepartmental Working Group on Trafficking in Human Beings of 2001 recommended the creation of appropriate co-operation mechanisms at the cantonal level.*

*The Swiss government has made ratification and implementation of the UN Conventions Against Trafficking in Human Beings (Additional Protocol to the UN Convention Against Criminal Activities Organised on a Transnational Basis and the Optional Protocol to the UN Convention on the Rights of the Child) objectives of the 2003–2007 legislative period. The creation of the Co-ordination Unit against the Trafficking in Persons and the Smuggling of Migrants (KSMM) has upgraded the priority of this objective and confirmed the adoption of an integrated approach. Efforts are currently being made at the federal level to improve the legal instruments to combat trafficking. Round tables to combat trafficking in human beings are being organised in an increasing number of cantons with the participation of the various authorities and relief organisations for the purpose of improving implementation.*

*The Guidelines are intended to provide encouragement and support for this process. They cover all of the instruments available in Switzerland for combating human trafficking and make recommendations for co-operation at the practical level in terms of both criminal prosecution of the perpetrators and protection of the victims. They should be understood as:*

- *a summary of the reasons for introducing co-operation mechanisms;*
- *an aid for existing and future round tables;*
- *a work tool for practitioners at all levels from federal and cantonal authorities to NGOs and intergovernmental organisations (IGOs);*
- *a support for specialised training;*

*The Guidelines and the annexes were prepared by a KSMM group of experts which included representatives of the federal administration, the cantons, NGOs and IGOs. The undersigned would like to take this opportunity to express his sincere thanks to everyone involved for their input and commitment.*

**STEPHAN LIBISZEWSKI**, Head of KSMM

## 1. What is meant by «trafficking in human beings»?

Trafficking in human beings is a criminal activity that is generally associated with migration. The perpetrators take advantage of the poverty of migrants and of their hopes for a better future in Switzerland, enticing them with false promises of jobs or marriage possibilities. Entry to the host country may be either legal or illegal. Subsequently, the victims are exploited and kept in a state of dependence through methods such as forced servitude to pay off their debts, or violence. In Switzerland trafficking is in most cases related to exploitation through prostitution. However there are also cases of trafficking in domestic help as well as to fill jobs in the tourism and construction sectors. In most cases the victims are women.

Internationally, trafficking in human beings is defined as: recruiting, transporting, transferring, harbouring or receiving persons for the purpose of exploitation. Exploitation is understood to include, at a minimum, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or the removal of organs. The recognised means involved in such trafficking include the use or threat of violence or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to obtain the consent of a person having control over another person. In the case of children the recruitment, transportation, transfer, harbouring or reception of a person for the purpose of exploitation also counts as trafficking in human beings, even if it does not involve any of the above-mentioned means.

Article 196 of the Swiss Criminal Code currently only covers trafficking for the purpose of sexual exploitation. This article is currently being revised to bring it into line with the international definition. The notions of trafficking in human beings for the purpose of exploitation of labour as well as for the removal of organs will thereafter be incorporated into Swiss law as criminal acts. Furthermore it will be possible to prosecute a one-time offender specifically on the basis of the criminal act of human trafficking.

*Victims are made to become dependent through servitude or coercion before being exploited.*

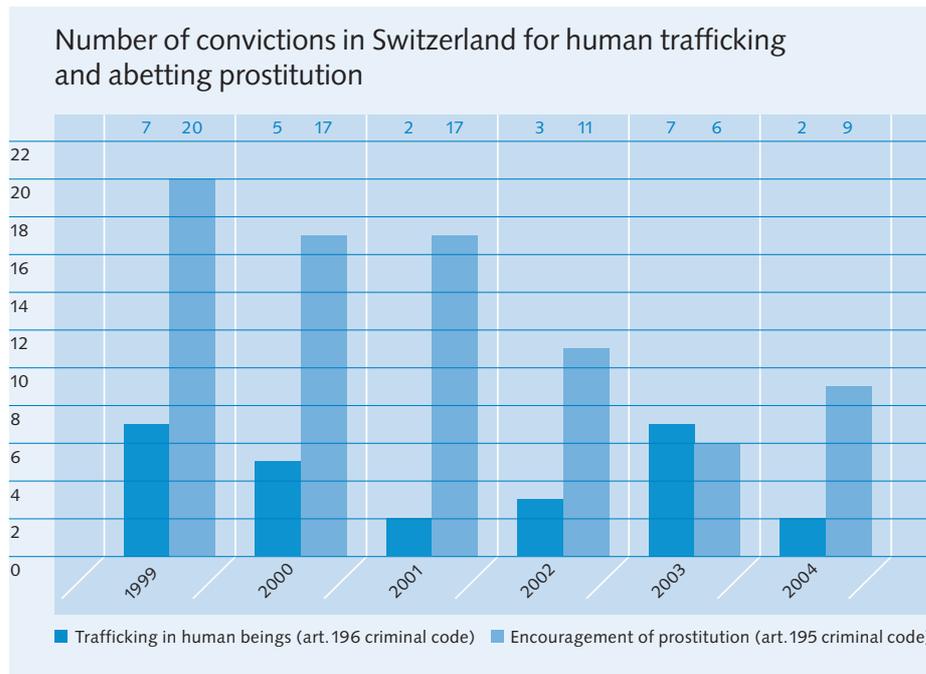
## 2. Co-operation between the two levels of prosecution and protection

### 2.1. Why co-operation?

Trafficking in human beings is recognised as an ex officio crime, i.e. one which has to be prosecuted by the authorities whether reported or not. However, discovering the existence of such criminal activities often creates problems. The

*Adequate protection and assistance makes victims more likely to testify.*

victims, who are in most cases foreigners with no legal right to be in Switzerland and/or with no right to work, rarely identify themselves as victims of human trafficking. If picked up by the police they are usually unwilling to make statements against



The reluctance of victims to report incidents and testify explains the substantial discrepancy between the estimated and actual number of convictions.

SOURCE: SWISS FEDERAL STATISTICAL OFFICE, STATISTICS ON CRIMINAL CONVICTIONS

the perpetrators. Victims are frequently intimidated by the perpetrators and traumatised by their experiences of violence. As a result of experiences they may have had in their own country and of their illegal status in Switzerland they do not trust the judicial authorities and are not ready to collaborate with the police.

*In prosecuting traffickers of human beings it is safe to assume the following:*

- The testimony of the victim in investigations and in court is generally given considerable importance. Often the indictment is based mainly on such evidence.
- Traumatized victims are often not in a position to immediately make a statement. They need time for reflection and stabilisation.
- Providing the victim with proper medical care and psycho-social counselling is extremely important for obtaining a statement admissible as evidence.
- Building trust and providing support for the victim's plans for the future are essential for convincing the victim to appear as a witness.
- Victims of human trafficking are usually interested in the prosecution of their tormentors. It is an important step in the process of their rehabilitation.
- The act of testifying poses a potential danger to victims and to their families.

By waiving the implementation of expulsion measures as required by the law on foreign nationals, and by offering protection and appropriate care, a victim's willingness to testify can be either reinforced, or if previously absent may be encouraged. The protection of victims and prosecution of the perpetrators are in this context complementary and interdependent. These separate procedures must be co-ordinated.

The protection of victims of human trafficking is likewise the dictate of humanity and of the rule of law. Following the Swiss Victim Assistance Act of 1991, counselling and assistance must be provided to any person who has suffered in his or her physical, sexual or mental integrity as the result of a criminal act committed in Switzerland, regardless of their nationality or legal status in this country.

## 2.2. The purpose of a co-operation mechanism

Genuine co-operation between those in charge of prosecution and the services that counsel victims is a prerequisite for dealing successfully with crimes of human trafficking. However, the tasks of prosecuting perpetrators and protecting victims are fundamentally different, as are the interests involved. Co-operation is possible only when these different roles are understood and accepted, and when there are clear interfaces between the services involved and procedures known to all. Success in combating the trafficking of human beings therefore requires the establishment of a binding co-operation mechanism to regulate collaboration.

*A compulsory co-operation mechanism makes combating human trafficking more effective.*

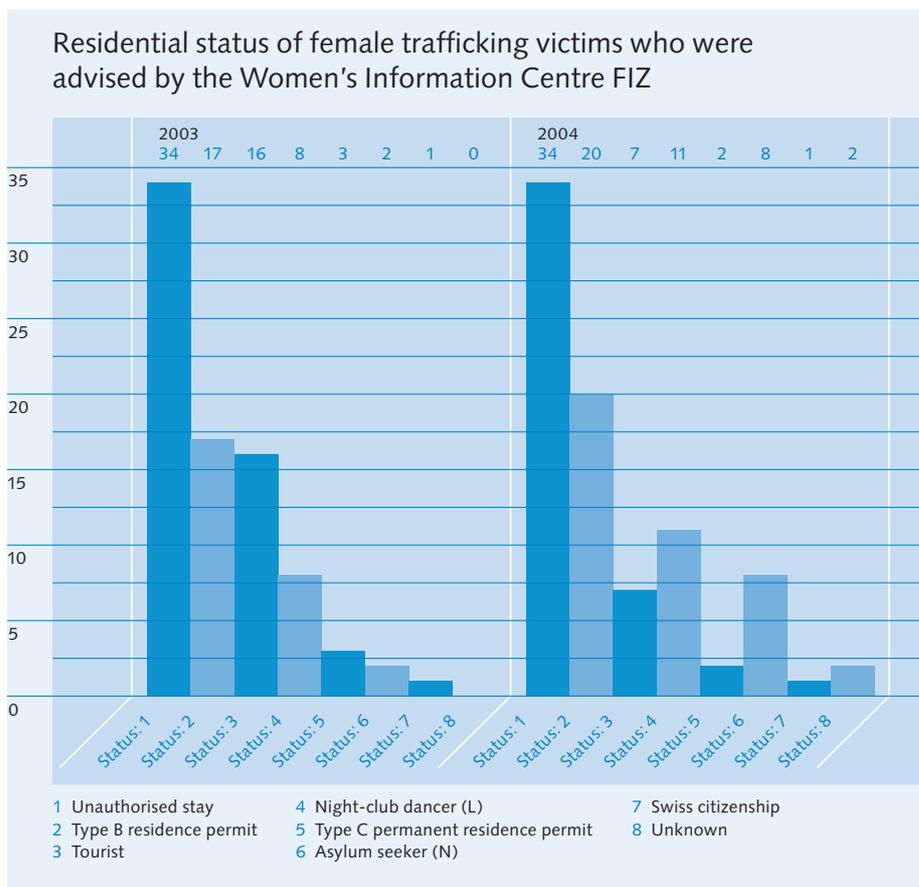
*Co-operation mechanisms serve the following main purposes:*

- to bring about a common understanding of the problem;
- to identify the offices responsible at the local level and define the persons responsible for co-operation;
- to define the tasks and duties of the various services and make sure that all know their own roles as well as the role of the others;
- to co-ordinate the procedures involved in victim assistance on the one hand and prosecution of the perpetrators on the other, and to establish binding procedural rules;
- to foster mutual awareness and trust between the parties involved;
- to develop a constructive approach to all problems and conflicts.

Finally, the process which leads to the establishment of a co-operation mechanism (e.g. a round table) is itself an important step in the direction of better understanding, networking and confidence-building between the authorities and services involved.

## 2.3. The limits to co-operation

There are however limits to the co-operation that is possible between the victim advisory services and the prosecution authorities. These arise out of their different tasks and the different roles with regard to the victims. Whereas the police, judicial authorities and immigration authorities are above all concerned with



Most of the female trafficking victims who were advised by the FIZ in 2003 and 2004 had no legal residence permit in Switzerland. This category was followed by persons in possession of a «B-Permit» and tourists.

SOURCE: WOMEN'S INFORMATION CENTRE FOR WOMEN FROM AFRICA, ASIA, LATIN AMERICA AND EASTERN EUROPE FIZ, ZURICH

prosecuting the perpetrators and enforcing the law on foreign nationals, the first priority of the victim advisory services has to be the welfare of the victims, regardless of their willingness to co-operate or their residence status.

It is always possible that for personal reasons or in a situation which they perceive as dangerous, even after being allowed time to settle down and reflect on their situation, a victim might decide not to collaborate with the police or judicial authorities. In such cases the indulgence shown with regard to the law on foreign nationals will end as will the co-operation – not necessarily however the assistance which the advisory services provide to victims. The difference between these roles must be accepted and respected, even if in concrete cases they may lead to conflicts of interest.

*The roles of the authorities and institutions involved must be respected.*

Certain legal and political requirements of the policies on foreign nationals and asylum also impose limits on co-operation. Because of these requirements it is not possible to make victims any promises at the early stage of co-operation with regard to their legal status in Switzerland once the criminal proceedings have ended, or concerning their long term prospects in this country.

## 3. The establishment of a co-operation mechanism

### 3.1. Co-operation mechanisms in Switzerland's federal system

*Law enforcement and victim protection lies mainly in the jurisdiction of the cantons.*

Since Switzerland is a federal state, the implementation of co-operation mechanisms must respect the division of responsibilities between the federal and cantonal authorities. According to current legislation, the cantons have the main responsibilities with regard to efforts to combat trafficking in human beings, i.e. criminal prosecution, assistance to victims, and the necessary measures stipulated by the law on foreign nationals. Only criminal procedures involving organised crime and the approval of special residence permits as determined by the law on foreign nationals are the responsibility of the federal authorities.

However, even when prosecutions come under federal responsibility the protection of victims relies on cantonal structures. The determining factor in such cases is the victim's place of residence or the place of stay.

It follows that in Switzerland co-operation mechanisms for combating trafficking in human beings must be organised and implemented at the cantonal level. The form of the mechanism and the authorities and services that will be involved must be adapted to the circumstances in each canton. In some cases it may make sense to limit co-operation to specific communes or cities in which the problem is particularly acute, or on the contrary to extend the mechanism to several cantons.

### 3.2. Institutional framework

Experience with efforts to combat domestic violence and with the kind of problems that arise in prostitution circles have produced a number of conclusions as to the institutional framework needed for the preparation and implementation of co-operation mechanisms to ensure the best chance of success.

*The following principles have proved to be valid:*

- Interdisciplinary round tables or other forms of interdisciplinary collaboration are the most appropriate way of developing co-operation mechanisms.
- Work on the development of co-operation mechanisms cannot begin without an official mandate or approval from the political authorities. This guarantees the legitimacy of the process and the implementation of its results.
- The various authorities and services involved should be represented by informed practitioners. The management of these offices should also be involved in the process.
- Arrangements must be made to ensure the logistics and stewardship of the process, possibly by one of the services involved, an interested but neutral authority or an external moderator.

### 3.3. Participating authorities and services

Above all, the authorities and services directly involved in combating trafficking in human beings at the operational level must participate in this process, namely:

#### Core group

- a representative of the criminal prosecution authorities in a leading role;
- the cantonal police, usually the squad dealing with offences against life and limb and/or sexual crimes;
- if appropriate the police of major cities;
- the cantonal migration office or foreigners police bureau;
- if appropriate the migration services of major cities;
- public or private sector aid services in the canton that deal at the practical level with victims of human trafficking and/or a supra-cantonal aid organisation that specialises in trafficking-related areas, such as the Women's Information Centre in Zurich for women from Africa, Asia, Latin America and Eastern Europe (FIZ «Fraueninformationszentrum»).

It also makes sense to involve other services whether concerned indirectly or in a subsidiary capacity, on a regular or periodic basis. These can provide specialised input to the process and support it in the capacity of an associate group.

#### Associate group

- the cantonal authority responsible for implementing the Victim Support Act that must decide on individual applications for assistance;
- the cantonal social welfare office;
- the cantonal repatriation advisory office;
- a representative of the victim, e.g. an attorney;
- social or religious organisations that deal with problems of trafficking in the canton;
- the cantonal and/or municipal officer for equal opportunities;
- the Co-ordination Unit against the Trafficking in Persons and the Smuggling of Migrants (KSMM), which ensures liaison with the federal authorities and networks with other round tables;
- the Bern office of the International Organisation for Migration (IOM), which provides support for the voluntary repatriation, rehabilitation and social reintegration of the victims of human trafficking in the country of origin.

It is recommended that once the co-operation mechanism takes effect this group of associates oversees its implementation, e.g. by means of an annual meeting to share experiences, exchange information and to assess the mechanism.

## 4. Development of the co-operation mechanism

### 4.1. Possible forms of a co-operation mechanism

The purpose of the discussions is to agree on a model for the sharing of responsibilities and the co-operation procedures that is acceptable to all of the partners. The form taken by this agreement and its legal nature can vary. Possible forms include the following:

#### A Legally binding contract

This is the surest and most binding form. It is necessary when the agreed co-operation between the parties involves commitments and demands, e.g. for the payment of services provided by the advisory services.

#### B Joint declaration of intent

In this form, which is not legally binding, the agreements are formulated together and communicated by the parties to each other. By acting in concert the parties make it clear that they intend to fulfil their obligations. Greater transparency and control can be achieved by involving the associate group and through publication of the agreement.

#### C Unilateral official announcement

This is a declaration of intent by the authorities on the form the co-operation is to take, usually accompanied by an internal directive to the administrative offices concerned. This is the least binding form of co-operation. Here too, greater transparency and control can be achieved by involving the associate group and through publication.

The choice of co-operation mechanism will depend on the cantonal circumstances, the legal status of the advisory services involved and in the final analysis on the preferences of the partners.

### 4.2. General requirements

Co-operation mechanisms are intended to solve specific problems at the operational level and for this reason should be clearly targeted and directly implementable.

*In addition to defining the procedures to follow we recommend clarification of the three points below:*

- The partners should define their shared objective and mutual understanding, i.e. the common denominator underlying all efforts to collaborate. Usually this objective is the protection of the victims of trafficking and the punishment of the perpetrators.
- The duties and responsibilities of each partner organisation should be defined and clearly demarcated. In certain circumstances, the financing of some of the involved services must be clarified.
- The offices and services concerned should appoint special experts to act as their permanent representatives in the context of co-operation efforts. Addresses for contacts should be communicated to all concerned.

### 4.3. Steps and procedures for co-operation at the practical level

The co-operation mechanism takes effect when a possible case of human trafficking comes to the attention of one of the partners. It continues until the completion of criminal proceedings against those responsible.

*The efforts to collaborate should take into consideration the following steps and procedures as components of the mechanism:*

- **Advance notification of the advisory services**

It is recommended that the police give advance warning in an appropriate manner to the relevant victim aid organisations before proceeding with on-the-spot checks in places where victims of human trafficking are believed to be present, unless this might compromise the intended criminal prosecution. This is to enable the concerned aid organisations to prepare to take victims into their care at short notice.

- **Identifying victims**

Victims of human trafficking seldom identify themselves as such when in contact with the police, and may even fail to do so to the aid services. Objective observations and the results of initial inquiries may however provide clues to the existence of trafficking. Appropriate checklists can make identification easier.

- **Information on the availability of assistance**

If the police have reason to suspect a case of human trafficking they should take an active part in informing the presumed victims of the availability of advice and assistance. According to the Swiss Victim Assistance Act victims of trafficking have the right to such advice and emergency assistance irrespective of their willingness to report to the police. Victims should receive an information sheet to that effect in their mother tongue.

- **Time for reflection and stabilisation**

If there are good reasons for suspecting a case of human trafficking, the cantonal migration office may, at the request of the aid organisation or the prosecution authorities, grant a period of reflection which is generally 30 days in accordance with valid laws and in conformity with the circular of the Federal Office for Migration (FOM) of 25.8.2004. During this period expulsion will not be considered.

- **Presence during investigations and criminal proceedings**

If investigations or criminal proceedings are under way, the migration office can either continue the suspension of expulsion measures or, when the victim's presence is expected to exceed three months, grant a temporary residence permit. The prosecution authorities provide the necessary information to the migration office.

- **Accommodation and welfare**

The aid organisation in charge ensures that the victims are provided with accommodation as well as psychological, medical and social assistance. When necessary they should call in other cantonal services (authority responsible for implementing the Swiss Victim Assistance Act, emergency shelter, social welfare office, job centre, etc.).

- **Interviewing the victims and further investigations**

During police investigations, presumed victims of trafficking should be specifically asked about the circumstances of their arrival in Switzerland and about the nature of the exploitation in order to clarify the question of human trafficking. To ensure the success of the criminal proceeding it is useful to support the statements of the victim with objective evidence.

- **Victims' rights in criminal proceedings**

According to the Swiss Victim Assistance Act, during the criminal proceedings the victims are accorded information, participation, and protection rights. Victims of sexual crimes and children benefit from additional protection. The authorities in charge have the obligation of informing the victims about these rights. The aid organisation or welfare office caring for the victims must inform and advise them as to their legal situation and/or provide a lawyer.

- **Safety of the victims**

Good co-operation between the police, judicial authorities and advisory services is necessary to ensure the victims' safety. In Switzerland the law does not foresee a post-trial witness protection programme. Good co-ordination and frank collaboration can nonetheless reduce the danger to victims considerably.

- **The possibility of exemption from punishment for violations of Swiss law on foreign nationals**

Victims of trafficking in human beings are often themselves in violation of Swiss law on foreign nationals due to the way they have entered the country and their continued presence in the country. The principle of automatically exempting victims of trafficking from punishment for such violations is not foreseen by Swiss law. However, Art. 64 (mitigation) and Art. 66<sup>bis</sup> (waiving further proceedings and exemption) of the Swiss Criminal Code provide rules for mitigation and exemption from punishment which are applicable to victims of trafficking. Moreover the general section of the criminal code is also applicable, e.g. impunity through lack of guilt or state of emergency, when the victim was compelled to commit the violation by the traffickers. The Swiss law on foreign nationals also allows the possibility of exemption from punishment in certain circumstances (Art. 23 ANAG).

*The general rules of the Swiss Criminal Code providing for mitigation of and exemption from punishment are applicable.*

- **Assistance with repatriation and reintegration**

At the end of the criminal proceedings – or earlier if the cooperation ends prematurely – victims whose presence in Switzerland is illegal are usually subject to repatriation. As an incentive to voluntary repatriation and in order to reduce the danger of re-trafficking, the granting of return assistance is recommended. For people that were registered as asylum seekers the cantonal repatriation authorities receive federal subsidies. The new Swiss law on foreign nationals extends the provisions to additional groups of foreigners, including victims of trafficking.

At present only the canton has the possibility of providing assistance to repatriation in cases that are not related to the asylum system. To encourage voluntary repatriation and inclusion in an existing reintegration programme in

the country of origin the Bern office of the International Organisation for Migration (IOM), however, has developed a special programme for victims of trafficking in human beings that is offered to the cantonal authorities and the victim aid organisations.

- **Arrangements for a prolonged stay in Switzerland**

In cases of serious personal hardship the cantonal migration office may, at the request of the victim, propose a further temporary or extended residence permit to the Federal Office of Migration (FOM). If repatriation is not possible for reasons concerning the situation in the country of origin (e.g. grave danger to the victim from the perpetrators) the FOM may at the request of the cantonal authorities grant temporary protection.

#### **4.4. Special protection measures for underage victims**

The very young are also exposed to the danger of human trafficking. This is partly due to the special vulnerability of minors, but also to growing demands for ever younger prostitutes, the cheapest and most defenceless workers, and healthy human beings for the illegal transplant of organs. In Switzerland only a small number of cases of trafficking in minors for the purpose of exploitation has been recorded by the authorities. It is difficult to estimate the number of cases that go unreported however. On an international scale trafficking in underage victims is on the increase, as indicated by the estimates of international organisations.

*The best interests of the child must be a primary consideration.*

Trafficking in minors is a particularly barbaric crime against humanity, the injustice of which is even greater than that of trafficking in adults. Special provisions are therefore in place in the field of identification of the victim and victim-support, prosecution, welfare, immigration laws, and protection of victims during criminal proceedings. These take into account the higher level of protection and welfare required for the very young.

In general, the principle applies that «in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.»

(Art. 3 of the UN Convention on the Rights of the Child of 20.11.1989, which came into force in Switzerland on 26.3.1997)

#### **4.5. Training and specialisation**

It is recommended that all persons given responsibility for the tasks and procedures described above receive special training.

The Co-ordination Unit against the Trafficking in Persons and the Smuggling of Migrants (KSMM) is currently preparing specialised training programmes for the concerned authorities. These are expected to be available as of 2006. Seminars and information days on trafficking in human beings are also organised by certain NGOs such as the Women's Information Centre (FIZ Fraueninformationszentrum) in Zurich, as well as by institutions of higher education.

## 5. Annexes and contacts

The following annexes to these Guidelines provide further information on instruments available in Switzerland to combat trafficking in human beings, as well as additional aids for mastering individual steps of the co-operation, plus a service section.

1. Definition of trafficking in human beings
2. Checklist for the identification of victims of trafficking in human beings
3. Example of an information sheet for the attention of victims of trafficking in human beings
4. Possibilities for victims to reside in Switzerland (FOM circular of 25.8.2004)
5. *Fact sheet: Assistance and advice for victims of trafficking in human beings*
6. Catalogue of questions on «trafficking in human beings» for the prosecution authorities
7. *Fact sheet: Victims' rights during criminal proceedings*
8. Assistance with repatriation, rehabilitation and reintegration (IOM project)
9. Special provisions and regulations for underage victims of trafficking in human beings
10. *Examples of co-operation mechanisms*
  - Official announcement of the authorities of canton Zurich concerning the Women's Information Centre (FIZ)
  - Recommendations of the round table on efforts to combat trafficking in human beings in Hessen (Germany)
  - Stability Pact Task Force on Trafficking in Human Beings: Draft Guidelines for a Co-operation Agreement between a Criminal Investigation Agency and a Specialised Advisory Agency
11. *Service section*
  - Selected reference documents
  - Internet links on this subject

These Guidelines and the annexes are available on the Internet at <http://www.fedpol.ch>. The annexes are published only electronically, and they are not available in English.

*Any questions should be addressed to the office of the KSMM:*

- **KSMM**  
Co-ordination Unit against the Trafficking in Persons and  
the Smuggling of Migrants (KSMM)  
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3003 Bern  
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Mail: [ksmm-scott@fedpol.admin.ch](mailto:ksmm-scott@fedpol.admin.ch)  
Fax: 031 312 25 79

## Summary of the main points

- > According to the Swiss Victim Assistance Act of 1991, counselling and emergency assistance must be provided to any person who has suffered in his or her physical, sexual or mental integrity as the result of a criminal act committed in Switzerland. Trafficking in human beings is recognised as a crime in the sense of the Act.
- > The testimony of the victims is of the greatest importance in criminal proceedings involving trafficking in human beings. In many cases this testimony is the only evidence to support the charges.
- > Traumatized and illegally resident victims rarely identify themselves as victims of trafficking when discovered during a police search. In the beginning they are often neither able nor willing to make statements to the authorities. To create and cultivate the readiness to collaborate it is important to allow victims a period for stabilisation, to provide them with protection and to see to their human needs. In this sense, protection of the victims and prosecution of the perpetrators are complementary and interdependent tasks.
- > Protection of the victims and prosecution of the perpetrators are also different concerns however, and in practice the interests of the two sides can conflict with each other. Co-operation aims at overcoming this conflict of interests through the acceptance of these different roles, and through the definition of clear interfaces and recognised procedures. The best guarantee of success is a binding framework in the form of a stipulated co-operation mechanism. Since ultimately in Switzerland the responsibility rests with the cantons, such mechanisms must be established at the cantonal level.
- > *The aims of a cantonal co-operation mechanism are as follows:*
  - to bring about a common understanding of the problem;
  - to identify the relevant cantonal authorities and appoint specialised co-operation officers;
  - to clarify the different roles and responsibilities and clearly demarcate them;
  - to lay down binding provisions for the most important procedures and where necessary to ensure appropriate financing. Agreed procedures should above all cover victim identification, accommodation and welfare, measures concerning residence permits, the safety of victims, repatriation assistance, and the possibilities of an extended stay in Switzerland for the victims, if appropriate;
  - to ensure that a constructive approach is taken to all problems and conflicts.
- > Police, judicial and migration authorities as well as the concerned (public or private) aid services for victims should be directly involved in

all co-operation efforts. Other relevant organisations should be associated with the process and provide their support.

- > Co-operation mechanisms to combat human trafficking can take several legal forms. To ensure their legitimacy and success it is important that the process for the creation of such mechanisms (e.g. a round table) is supported by a political mandate and that the concerned authorities and organisations are involved at management level.
- > The Guidelines and the annexes are available online at <http://www.fedpol.ch>. The annexes are only published in electronic form, and they are not available in English.

## KSMM

The Swiss Coordination Unit against the Trafficking in Persons and Smuggling of Migrants (KSMM) has existed since 2003. It is made up of the relevant authorities of the Confederation and the cantons as well as of other specialised organisations. The KSMM develops anti-trafficking strategies and measures in the fields of prevention, law enforcement and victim protection. It is also responsible for ensuring that the additional protocols to the UN Convention on the Prevention of Transnational Organised Crime Regarding Human Trafficking and Smuggling are implemented in Switzerland. The KSMM is chaired by the Federal Office of Police (fedpol) and has a permanent secretariat located within the same Office.

### Members of the KSMM

#### Confederation

##### Federal Department of Justice and Police (FDJP)

- Federal Office of Police (fedpol)
- Office of the Attorney General of Switzerland (OAG)
- Federal Office for Migration (FOM)
- Federal Office of Justice (FOJ)

##### Federal Department of Foreign Affairs (DFA)

- Political Affairs Division IV (PA IV)
- Directorate of International Law (DIL)
- Swiss Agency for Development and Cooperation (SDC)

##### Federal Department of Home Affairs (DHA)

- Federal Office for Equality between Women and Men (FOEWM)

##### Federal Department of Finance (DFD)

- Swiss Border Guard Corps (Central Command)

##### Federal Department of Economic Affairs (DEA)

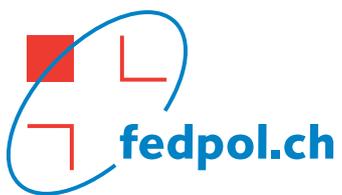
- State Secretariat for Economic Affairs (seco), Directorate of Labour

#### Cantons

- Conference of the Cantonal Police Commanders of Switzerland (CCPCS)
- Conference of Swiss Law Enforcement Agencies (CSLEA)
- Swiss Conference of Equal Opportunity Officers (SCEOO)
- Conference of Swiss Liaison Offices for the Law on Victim Assistance (CSLO VA)
- Association of Cantonal Migration Services (ACMS)

#### Other organisations (members with consultative status)

- Women's Information Center for Women from Africa, Asia, Latin America and Eastern Europe (FIZ), Zurich
- International Organization for Migration (IOM), Berne
- Fondation Terre des Hommes (TdH), Lausanne



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