

JUSTICE AT LAST

**Know your rights
Claim compensation**

Justice at Last – European Action for Compensation for Victims of Crime is a two year European project by La Strada International and 11 NGO partners aiming to enhance access to compensation for trafficked persons and victims of related crimes.

Compensation means:

Justice for trafficked persons and recognizing their right to redress.

Empowering trafficked persons to take their future in their own hands and reducing the risk of re-trafficking.

Hitting the traffickers where it hurts the most: confiscation of their criminal assets and using the monies to compensate victims.

Justice at Last consortium partners

The project is coordinated by La Strada International and implemented in cooperation with partners in Bulgaria (Animus Association), Czech Republic (La Strada), Spain (SicarCAT and Esperanza), Germany (KOK), Austria (LEFO), The Netherlands (FairWork), Ireland (MRCI), Romania (Adpare), Macedonia (Open Gate/La Strada) and Serbia (ASTRA).

Donors

This project is partly funded by the European Union's Justice Program (2014-2020).

The content of this leaflet represents the view of La Strada International and is her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.



Why a project on compensation?

Compensation for trafficked and exploited persons is crucial in the fight against human trafficking - not only as an instrument of restorative justice and prevention of re-trafficking, but also as recognition by States of the violation of their rights and the damages they have suffered.

Compensation includes payment of unpaid wages and payment in restitution for both general damages and special damages suffered by a victim of crime. General damages compensate the claimant for the non-monetary aspects of the specific harm suffered, such as physical or emotional pain and suffering. Special damages compensate the claimant for the quantifiable monetary losses suffered, such as out-of-pocket medical expenses, repair or replacement of damaged property and lost earnings.

What is the problem?

Research shows that, although there is an emerging awareness about the right to compensation for trafficked persons and that various compensation mechanisms for victims of crime exist, the actual receipt of a compensation payment by a trafficked person is extremely rare.

In most European countries, laws exist allowing victims of crime to claim compensation for material and immaterial damages. The

compensation claims can either be pursued in courts as a part of criminal or civil proceedings, in labour courts or tribunals, or by application to special compensation funds. The administrative and court proceedings vary in the national legal systems.

Despite the frameworks in place, compensation remains one of the weakest rights of trafficked persons when it comes to accessibility. There are obstacles at national level that make the actual receipt of compensation in trafficking cases very difficult. For example, the trial can take a very long time and the trafficked person may have left the country (either voluntarily or have been deported) before the verdict. Also, specific groups can be excluded from compensation funds on moral grounds and traffickers can have moved the assets abroad.

Next to these systematic obstacles, there are also many barriers for trafficked people to apply for compensation. They are often not informed about their rights and do not get legal aid at all, or there is a lack of knowledge on compensation measures by relevant stakeholders including legal professionals and NGOs.

What is Justice at Last?

Since 2008, La Strada International has been working to raise awareness for access to compensation, in close cooperation with European member and partner NGOs. The Justice at Last Project is an initiative in 10 European countries, which is a follow up of the COMP.Act initiative.

The project aims to identify and analyze remaining barriers, as well as needs and best practices on how to overcome such barriers. It will equip professionals with knowledge and skills on claiming and providing assistance for obtaining compensation to victims of crime. Further the project consortium will raise awareness about the most effective mechanisms on victim protection and access to compensation amongst professionals, policy makers, service providers and victims of crime in Europe.

Project activities include:

- the identification and legal analysis of compensation claims
- assessment of gaps related to victims' needs, referral, and receipt and payment of claims
- international and national trainings, seminars and focus group meetings for professionals on claiming compensation
- a European information campaign, to promote access for compensation for victims of crime and other groups; and the establishment of an interactive online resource centre.

The aim is simple: Compensation must become one of the key elements of programmes of assistance and services to trafficked people in Europe.

How you can contribute?

Join our campaign and help raise awareness about compensation for trafficked persons. You can support the project, download materials and find out what concrete actions to take, through visiting:

www.justiceatlast.eu

For more information on Justice at Last – *European Action for Compensation for Victims of Crime*, please contact La Strada International at

info@lastradainternational.org