



**Isha L'Isha – Haifa Feminist Center**

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**Report on Locating and Transferring Court-Ordered  
Compensations to Women Trafficking Victims who Left  
Israel**

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**Isha L'Isha – Haifa Feminist Center is a feminist collective established in 1983. Our aim is  
to bring about social change by promoting values of equal rights and equal  
opportunities for all women; eradicating discrimination, violence and oppression of  
women; and fostering solidarity among women.**



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We are pleased to present this report, which delineates our work in the past number of years in locating women victims of trafficking who returned to their country of origin, and transferring to them financial compensation ruled in their favor in a legal proceeding against the traffickers who had brought them into the country. This action for ensuring the rights of women trafficking victims constitutes a significant part of our overall work in the *Fighting against Trafficking in Women* project, run by Isha L'Isha – Haifa Feminist Center. In nine years of work, we have developed a mechanism for locating women trafficking victims after they had been deported from Israel in order to transfer to them the financial compensation ruled in their favor. During this period, 60 women received compensation. It is important to note that the transfer of money is made without any commission or payments to our organization. In some cases, we paid the commission for the money transfer, as we believed the deduced sum would cause economic damage to the victim.

The purpose of this report is not only to describe our work and the cases that required our intervention as an organization. It is also an attempt at presenting a comprehensive picture of the challenges and different possible ways of coping with them in our efforts to reach our goal of transferring the compensation these women are entitled to as victims of the society within which we all act and live.

### **A. Transfer of financial compensation to women victims of trafficking who left the country – work procedure**

1. Receiving information on compensation entitlement following a legal procedure. Examination of the court ruling and initial contact with official Israeli bodies which had been in touch with the woman and may help in locating her. Among the different bodies in Israel: shelter for trafficking victims, Israel Police, District Attorney and the prosecution department of Israel Police.
2. Contacting state authorities of the woman's country of origin with the purpose of locating her current address.
3. In cases where it is impossible to obtain the woman's current address, we turn to the IOM branch in the country of origin, with a request to help us in locating the woman. IOM is the International Organization for Migration with branches in 120 countries worldwide; their mission is to assist refugees and trafficking victims.
4. Direct contact with local IOM representatives for purposes of locating the woman through the mail or arriving at her house.
5. After locating the woman, talking to her and explaining the issue, followed by a request to sign a power of attorney. This is followed by regular contact with the woman through regular mail and/or electronic mail.



### **Isha L'Isha – Haifa Feminist Center**

6. Coordinating the work with the International Bank of Israel. Isha L'Isha has a trust account designated specifically for compensations ruled by the court in favor of trafficking victims. These compensations are paid by the accused trafficker to the Authority for Enforcement and Collection of Fines and transferred to this account.
7. Working with the Israel Authority for Enforcement and Collection of Fines, submitting signed documents and following up on the financial transfer on the designated date.
8. Transfer of compensation to the entitled woman's bank account.
9. Correspondence and administrative follow up to ensure the receipt of compensation, or other intervention in specific cases, as will be elaborated on in the following sections.

### **B. Challenges and successes in dealing with compensations during 2009-2010**

#### **Challenges, dilemmas and ways of coping with them**

##### **(1) Legal constraints on money transfer to countries of origin**

Different constraints and taxes apply on transfers of money from Israel to other countries.

Belarus: Every resident receiving money through Western Union has to pay a tax of 10% of the received sum. In order to ensure that the woman entitled to compensation receives the full amount, IOM Belarus has agreed to assist with the money transfer, and has taken on itself to pay the taxes on behalf of the women. Thus, in cases of money transfer to Belarus citizens, it is recommended to coordinate the transfer with the local IOM.

Ukraine: There is a limit on the amount of foreign money transferred to citizens through Western Union; currently, the limit is \$2,000 per person. In addition, high percentages of taxes are required for large sums of amounts. In order to enable women citizens of Ukraine to receive the full amount of the compensation, we split the sum into smaller installments, thereby avoiding unnecessary expenses.

Uzbekistan: There is a legal obligation to provide details of any money transfer, and the banks are required to submit a detailed report to the state on any amount received from abroad. Women entitled to compensation are required to explain and prove what they received the compensation for and attach the necessary documents. In one case this year, the Uzbek bank returned the compensation money to us because the woman did not succeed in providing sufficient explanation. In a non formal telephone conversation, we were told that the bank does not want to receive the money, as it is compensation for a trafficking victim and the bank does not want to be involved in such activity. As



### **Isha L'Isha – Haifa Feminist Center**

Uzbekistan is a country with traditional and oppressive values, we are not able to explain the matter to the authorities, especially as the trafficked woman might be incarcerated for different reasons, among them illegal border crossing (even in cases where it was done by her traffickers and not of her own initiative).

#### (2) Requests to transfer compensation to trafficking victims' relatives

In a number of cases, we were asked by the women to transfer the compensation money to a family relative and not directly to them. This required additional legal action, as a separate power of attorney was needed, indicating the transfer of money to a third party, as well as the approval of the district court which ruled the compensation. In certain cases, we refused to agree to such requests out of pure ethical considerations. This was decided based on information received from the local IOM, according to which there was reasonable fear that the money would be used for purposes other than the rehabilitation and welfare of the trafficking victim. It is important to note that such refusal came only after careful consideration of each individual case. In specific cases, where the request was found to be legitimate, we succeeded – through the court attorney – in obtaining an approval for transferring the compensation to family relatives, such as in the case of a trafficking victim who passed away due to illness after she fell back into prostitution following her departure from Israel. In this case, the compensation was transferred to the legal consultant of the IOM in Uzbekistan, who then transferred a sum equal to the average salary in Uzbekistan to the victim's mother every month, until the whole amount was paid. The approval of this procedure included agreement for reporting to us every three months regarding the transfer of funds, and following submission of documents indicating the mother had large expenses related to her deceased daughter.

#### (3) Transfer of compensation to trafficked women residing outside of their country of origin

In several cases, after trying to locate women, we discovered they did not live in their countries of origin but in an Arab country or another European country. In cases where the women signed a power of attorney before they left Israel, it was possible to transfer the compensation to them in their current location outside of their country of origin. In other cases, we were able to obtain the assistance of local organizations such as IOM in order to settle the matter. However, this procedure is very complex and changes from case to case.

#### (4) Difficulty in transferring compensation to women who did not provide exact address or changed their address in the country of origin

Unfortunately, there are cases where we were left without exact details of the women's current address, or there has been a change of address without reporting to us. Thus,



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despite regular contact with authorities and organizations in the country of origin, and in cases where we had no such assistance, we were unable to locate women entitled to compensation.

#### **(5) Banks fearing money laundering**

One of the difficulties we face today is limitations posed by banks out of understandable fear for money laundering. According to the work procedures of the bank, we were required to open a separate trust account for the compensations, to be used solely for this purpose to enable strict supervision of the bank activity. This account is accessible for compensation transfer only for women whose details were recorded as entitled to compensation; that is, only they are entitled to receive the compensation personally, either by arriving at the bank or through a bank transfer. For this reason, we are unable to make transfers through Western Union, as the bank does not allow the withdrawal of moneys by our organization's authorized signatories. Due to the current unstable socio-economic situation in many of the Former Soviet Union countries, women entitled to compensation are forced to travel long distances in order to reach a credible bank and open a bank account. The prevention of money transfer through mail services harms women living in remote areas and who do not know ways of opening and managing a bank account. It is important to note that the activity of many of the banks today in independent countries is still unstable and there are different bodies claiming to provide banking services. Thus, smaller banks operating in these areas cannot be always trusted.

#### **(6) Difficulties in identifying women**

The longer the period of time between the woman's departure from Israel and the time we are able to transfer the money ruled in her favor, the more difficult the identification process becomes. As the years pass and the women get older, we are faced with difficulties in identifying them and having them sign a power of attorney, in the absence of bodies familiar them. The proposed solution by us is submitting a letter to the attorney's office explaining the circumstances of the case, and including a request to approve the procedure without exact identification, while relying on other unique details of the case and ensuring the intactness of the procedure.

### **Major Successes in Transferring Compensations**

During the years 2002-2009, we succeeded in transferring compensations to 52 women in whose favor Israeli courts ruled compensation. In 2010, we dealt with 11 such cases. As described above, the process of transferring compensation is complex due to many reasons – some related to the women themselves, while others to their countries of residence. We believe that the act of transferring compensation to women is our duty as



### **Isha L'Isha – Haifa Feminist Center**

society, and in many cases it constitutes the only guarantee that they will not go seeking work outside of their country, but rather open a new page for a better life.

The work of locating women and transferring compensation to them could not be achieved without the assistance of different bodies in the Former Soviet Union which cooperate with us and are ready to help in issues such as signing powers of attorney, identifying women, and more. On this occasion, we would like to express our deep appreciation for the fruitful cooperation with IOM branches of Ukraine, Uzbekistan, Moldova, Belarus, as well as other local NGOs in Ukraine and Russia, which continue to cooperate with us and assist us immensely on a regular basis. In addition, we would like to thank the Angel Coalition in Moscow, Winrock Khabarovsk and other organizations involved in transferring compensations to women and are making great efforts in order to assist in the process. Without their help we would not be able to succeed in such an important mission.

Below please find descriptions of three individual cases where we transferred compensation money to trafficking victims. These individual cases illustrate the complexity and variety of the details composing each of the success stories of the project.

#### (1) M, citizen of Moldova

M had been trafficked to Israel for purposes of sexual exploitation and had suffered cruel abuse in Israel. During her testimony, she was kidnapped and sent back to Moldova under life threats. Years after the end of the trial her trafficker paid compensation ruled in her favor by the court, paying M and her friends 7,000 NIS (1,944\$) each. After a year of repeated attempts at locating her we succeeded in obtaining M's telephone number in May 2009. We contacted her and I explained to her that she is entitled to compensation money ruled in her favor. M's reaction was very negative; she repeated more than once that she does not want "anything" from the traffickers and is willing to give up the compensation. From the conversation it was clear to me that her reaction was a result of lack of trust in me and an instinctive fear that she might fall into some sort of a trap again. I left her my phone number and promised to call again.

After several phone calls with M, we succeeded in gaining her basic trust, which enabled the continuation of the process. We contacted our partner IOM in Moldova, who were willing to provide her with the necessary assistance even though five years have passed since the case. They integrated her into a rehabilitation and professional training program which enabled M to reintegrate into the community. In the end, we succeeded to transfer the compensation money to her, which immediately eased her





### **Isha L'Isha – Haifa Feminist Center**

efforts to rehabilitate. When we first located M, we discovered that she is a mother to a young child, still without work, struggling to survive the complex reality of her life.

#### **(2) Four women citizens of Russia**

This case, where repeated attempts were made to transfer compensation to four women citizens of Russia, constituted a unique precedent in its degree of complexity and the difficulty of the process. The four women were trafficked to Israel for purposes of prostitution and deported by the Immigration Authorities before a trial in their case began and without obtaining testimonies from them. Only after the women were located by the Russian Military Attorney's Office in order to testify in the trial of an international trafficker and after a full identification process, the women's testimonies were passed to the Israeli court as well, through cooperation with Israel Police.

With the end of the court procedure in Israel and the ruling of compensations, the process of locating the women was carried out again, in cooperation with the Russian authorities. After many efforts the women were located. The difficulty in this case was the fact that the women live in a remote and marginalized region in Russia, where the community does not receive adequate services. Assistance organizations do not operate in that region and the women could not afford the cost of traveling to the nearest city, St. Petersburg, for the process of identification. Since in their region there is no access to the Internet, and the fact that they never used a computer, this channel of communication was also blocked to us. Thus, there was no possible way for the women to sign a power of attorney in the presence of any official representative, as required by the procedure of transferring compensations.

Ultimately, the women received the compensation through bank transfers in November – December 2010. Following the bank transfers, which came from the court Finance Department and the Authority for Enforcement and Collection of Fines in Israel, I contacted the women and was happy to hear that the money did indeed reach them. One of the women, N, told me that she already used the money from the first transfer in order to register for a cooking course and she is saving the money from the second transfer to open a small restaurant. N was grateful for our insistence on transferring the compensation ruled in her favor. It was important to her to stress that even though the sum was modest (\$6,500); it changed her life and gave her hope for the future. Three additional women from the group also succeeded to make change in their lives with the help of the compensation money – one decided to move with her partner to a nearby city and work in her profession. The second one, who grew up as an orphan, with no family support and had lived all her life in rented apartments, was able to use the money to purchase her own apartment, enabling her more independence. The third



### Isha L'Isha – Haifa Feminist Center

woman divorced from her abusive husband in a foreign country and returned to her homeland with a strong conviction to rehabilitate her life.

#### (3) N, citizen of Moldova

In order to transfer compensation money ruled in favor of N by the Israeli court of law, we began the process of locating her. N is Moldovan citizen who had been trafficked to Israel and returned to Moldova in a very difficult emotional state, and with a small child. From the investigation we carried out it turned out that a year after her return from Israel to Moldova, N decided to move to Turkey, with the purpose of making money for her small children. Through [www.odnoklassniki.ru](http://www.odnoklassniki.ru), a social Internet network, we were able to locate her. Unfortunately, we discovered that she was living in a brothel and unable to leave Turkey due to a large debt. We involved IOM Moldova in the case, who assisted N in leaving Turkey and starting a rehabilitation process. Her children received immediate social assistance from IOM Moldova and N registered for a vocational training course. She lives in a shelter for trafficking victims where she is undergoing a comprehensive rehabilitation process. We hope that soon she will receive the compensation that will help her on her way to a new life.

To conclude, we would like to stress our strong belief, based on our field experience: there is no appealing the fact that the issue of transferring compensations to trafficking victims is an essential and important one. Beyond the fact that the women are entitled by law to these compensations, we have no doubt as to the contribution of these sums towards making significant change in the lives of these women and preventing them from falling back into the trap of trafficking and prostitution. The lives of these women are affected by suffering, abuse, loneliness and poverty. The sums of the compensation, though many times not high, are of considerable value to these women both as substantial help as well as proof for the willingness of society to help them, thus becoming a real opening for a new beginning. We ask all the bodies involved to continue cooperating with us in order to facilitate the process of transferring compensation and ensuring the work of this important, life-saving mechanism.

Year	Number of located women	Number of women not located	Yearly average of compensation sums
2009	17 women out of 14 criminal cases	2	13,439 NIS (3,733\$)
2010	11 women out of 6 criminal cases	6	9,719 NIS (2,670\$)