

IHF FOCUS: Women's rights (trafficking in women).

The fate of foreign women trafficked into Switzerland attracted much publicity and raised much concern in 2000.

Women's Rights

According to various estimates, between 5,000 and 10,000 foreign women worked clandestinely as prostitutes in Switzerland as of the end of 2000. The FIZ Information Centre for Women from Africa, Asia, Latin America and Eastern Europe, an NGO based in Zurich, has widely documented the problems these women face due to the lack of adequate legislation and the inappropriate application of existing laws.

Anna's story is typical of many similar cases:

◆ Anna S. came to Switzerland with the intention to work as a waitress in a restaurant. Her contact person in her native Romania had promised her a work permit, a fixed salary and the possibility to take language classes. When she arrived in Switzerland, the situation turned out to be drastically different. Under physical threat, Anna was forced to work as a prostitute. She was told that measures would be taken against her family in Romania if she did not comply.

Many young women were lured into Switzerland with false promises of job opportunities; some reported forceful abductions from their home countries. Once in Switzerland, they became easy targets for exploitation. Not familiar with the language, the social system, without financial means, forced to pay pretended debts covering their travel, and often under physical threat, the young women had hardly any chance for a better future in that country.

Despite alarming reports and urgent appeals from NGOs and some parliamentarians, little has been done to solve the problem of trafficking in women. Police interventions have been mainly directed against illegal immigration, thus criminalizing the victims.

Very few arrests for trafficking in women for the purpose of forced prostitution were made in 2000. The lack of prosecution was mainly due to the fact that women victims or witnesses of trafficking were primarily considered as illegal immigrants and received neither protection nor any guarantees for their personal safety.

Authorities often claimed that victims of trafficking were not very cooperative, ignoring the fact that women who testified against traffickers ran great risks when they were left without protection and had to return to their home countries immediately.

In some cases, where the concerned young women dared to come out, a police protocol was established and victims were immediately expelled without the possibility to claim protection or the usual compensation that the law provided for victims of a crime.

The problems associated with clandestine prostitution have existed for many years and are well known to the authorities. They increased dramatically during the last decade with the arrival of numerous young women from Eastern European countries.

In 1995, legal provisions designed to cut down on the worst abuse were passed. 1,800 women coming mostly from Eastern Europe, Southeast Asia and South America are working legally in Switzerland as striptease dancers. Foreign "cabaret dancers" have been allowed to stay for a maximum of eight months per year in Switzerland and are obliged to leave the country after this maximum stay. A maximum period of one-month's unemployment has been tolerated within this limit. The work permit excluded the possibility of exercising any other professional activity.

Although provisions of the law regulate minimum ages, maximum working hours and various work conditions, abuse has been very frequent. Many women have complained that they were forced into

prostitution and the excessive consumption of alcoholic beverages with clients, and their working hours went far beyond fixed levels. Employers find numerous reasons to make illegal deductions from their minimal wages. It has been reported that very often the women, who generally do not understand the language, have had to sign a second contract to be submitted to the authorities for control.

Also in 2000, due to their status as foreigners with a very restricted period of stay in Switzerland, such women had virtually no possibility to claim their rights, especially since the time necessary for legal proceedings exceeded their possible length of stay in Switzerland. Prolongations for the purpose of taking a case in court were usually not granted.

Speaking out about their fate almost inevitably led to the loss of their job, and since they were only allowed to stay in Switzerland without employment for one month, most women understandably remained silent.

Furthermore, the law excluded the possibility that the special work permit for cabaret-dancers could be changed into a regular permit, even if a person returned regularly to work in Switzerland for several years. As a result, the possibility that victims would eventually come to a point where they could testify without fear of retaliation was excluded.

The FIZ Information Centre for Women from Africa, Asia, Latin America and Eastern Europe stressed that trafficking in women was not limited to the context of prostitution. An equally alarming problem was the forced labour of household workers. Here, again, foreign women exploited by employers were primarily treated as illegal immigrants and left without help or protection and without the possibility to claim their rights.

Following interventions from NGOs and parliamentarians, federal authorities are, at this writing, examining possible legislative means to fight the exploitation of foreign women.

Endnotes

¹ As reported by the Swiss Helsinki Committee.