

## **PRACTICAL CASE 2. ELISABETH RAQUEL, PARAGUAY, 17 YEARS OLD**

She arrived in Spain from Paraguay, travelling through Paris. Although she is 17 years old, she has a passport where it says that she is 20 years old. Elisabeth Raquel is Tupi-Guaraní, so she has indigenous features. She experienced intra-family violence by his father. She reported it but did not obtain protection, what made her decide to flee. She is paying a debt to the trafficking network that got her the flight ticket and her false passport.

She was working in a prostitution club in Bilbao when she was identified as a possible victim of human trafficking by a specialized police unit while running a raid to find irregular migrants. They do not give her any document that acknowledges that she could be declared victim of a crime. She is not given any document by the police, not offered the possibility of requesting asylum and is not detected as a minor at that point. Although the police do not offer her a recovery and reflection period in a way that is comprehensible for her, she is not processed for an expulsion order.

With her testimony and that of other women in the club, a criminal procedure is initiated in Bilbao. Police agents at the scene are not trained in gender focus. They do not offer her specialized services or inform her about the deadlines and legal procedures. She is not offered the option of being a protected witness, so she cannot benefit from this right.

A Criminal proceeding is initiated against her for having used a false passport. She is not convicted of this crime because the Court investigating the human trafficking case informs the Criminal Court in time.

She testified on three occasions, accompanied by the police and defended by the specialized prosecutor. Elisabeth Raquel could not afford a lawyer and did not know about the free legal service on duty run by the Bar Association of lawyers. She is defended by the Prosecutor's Office.

On the day of the testimony, she shares a room with all the accused and one of them threatens death if she testifies.

Money-compensation or any other form of restitution was not requested on the criminal proceeding and no civil proceeding is initiated. During trial, she is asked blaming questions that are admitted for processing. Her credibility is also questioned because she is still working in prostitution.

After being threatened, she is scared and decides to move to Madrid. Elisabeth Raquel seeks for regular jobs but, as she does not have work permit, she is not offered any and has to return to prostitution. She suffers an abortion and is treated in a private clinic, which she pays for herself

When she turns 19 years old, she is informed about her right to apply for a residence permit in Spain by a specialised social worker. She attends several appointments with the social worker and a specialised lawyer, who liaise with the Police, the Administration in charge of immigration documentation, the Prosecutor's Office and Court. Elisabeth Raquel then obtains the necessary police report to process her residence permit.

On her twentieth birthday, she collects her NIE. She is offered a training course to become a cleaner, but she is not interested in. Elisabeth Raquel is referred to the Madrid Victim Attention Office.