

Anti-Trafficking in Humanitarian Action

GPC Task Team (TT) Terms of Reference (ToRs)

21 July 2017

1. Background

Vulnerable populations in emergency contexts are at risk of being trafficked¹. Trafficking prevention and response, however, have either remained unaddressed within the humanitarian cluster system, or not been addressed in a comprehensive manner, nor been perceived, in certain instances, as a life-saving intervention. Human trafficking² is a crime with serious human rights concerns and implications taking place in both ordinary times *and* in times of crisis. This is reflected in several reports³ published in 2015-2016 by UN agencies, international organizations and the Special Rapporteur on Trafficking in Persons, Especially Women and Children. These reports establish a clear link between trafficking and emergency contexts, and identify a critical gap in the humanitarian response system. To address this gap, trafficking must be embedded in the humanitarian response architecture and systematically operationalized.

A coherent strategy is needed to address the trafficking risks to affected populations that arise in emergency contexts, as humanitarian emergencies exacerbate existing vulnerabilities to human trafficking. Recent analyses⁴ indicate that survivors are often identified months into a crisis, at which time the victimization has already occurred. This finding underscores the need to build prevention and risk analysis into the beginning of humanitarian response, even when evidence is yet unavailable. For this to happen, anti-trafficking activities need a clear place in the existing humanitarian response system and should be part of the protection approach implemented before, during, and after crises.

¹ Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action Reducing Risk, Promoting Resilience and Aiding Recovery, IASC, 2015

² ““Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000).

³ See recently published research: IOM, “Addressing human trafficking and exploitation in times of crisis,” December 2015; IOM, “MICIC Brief: Responding to Human Trafficking and Exploitation in Times of Crisis,” January 2016; ODI HPN, article from IOM: “Human trafficking in crises: a neglected protection concern,” October 2015; The Freedom Fund, “Modern Slavery and Trafficking in Conflict, the UN response”, November 2016; “Trafficking in persons, especially women and children: Report to the 71st Session of the UN General Assembly” (UN Doc A/71/303), August 2016;

⁴ See footnote 3 above.

Recognizing the need to systematize the inclusion of a response to human trafficking in humanitarian emergencies, the Global Protection Cluster (GPC) Task Team will convene to discuss how to integrate trafficking concerns in existing efforts towards improved response and outreach. A number of operational agencies have already begun responding to human trafficking in emergency contexts, including Afghanistan, Indonesia, Haiti, the Philippines, Nepal, Ecuador, Yemen, and Iraq. That said, individual agencies' efforts need to be harmonized within the wider humanitarian cluster system to provide comprehensive and systematic responses to prevent trafficking, raise awareness, run prevention activities at the onset of a crisis, and assist victims or potential victims who are identified in emergency contexts.

2. Objectives, Tasks and Methodology

Objective of the Task Team: To develop a collective position on anti-trafficking interventions in humanitarian responses and to provide recommendations on how best to integrate them systematically in existing cluster mechanism(s).

The GPC Task Team on Anti-Trafficking in Humanitarian Action will undertake the following tasks:

- a. Taking stock: The Task Team will take stock of work done through the clusters (with focus on the Protection Cluster -both global and in country clusters- the Child Protection (CP) and Gender-Based Violence (GBV) Areas of Responsibility, AoRs) and by operational agencies working on the topic in cluster contexts and participating in cluster coordination fora, to compile effective practices, identify gaps and recurring challenges, and consider strategies to systematically address human trafficking in emergency contexts.

Methodology: A survey will be developed and sent to all relevant clusters, including Protection AOR leads and other above mentioned actors to solicit information about their level of understanding of trafficking in crisis, response gaps, as well as knowledge of relevant existing guidance.

- b. Gathering good practices and knowledge sharing: The GPC Task Team will aim at facilitating discussion among development, humanitarian and human rights actors in order to learn from past and current responses in the field, assess effective data collection and assessment tools, response interventions and functioning coordination mechanisms in various contexts, and identify synergies to systematically address trafficking in humanitarian crises.

Methodology: During the initial six-month period, the Task Team will invite presentations from interested organizations that have already engaged in responses to address trafficking in emergency contexts, to gather and share good practices, good coordination mechanisms and proposed effective responses. This phase will aim at drawing lessons learned and at identifying successful actions for a systematic response in emergencies. This phase will inform the drafting tasks in point 'c' below;

- c. Developing a collective position statement on systemic response and guidance on recommended good practices and joined-up response mechanisms: Through group discussion and as the result of tasks 'a' and 'b', the Task Team will arrive at a collective position statement on anti-trafficking in humanitarian action. The Task Team will also develop global guidance aimed at suggesting appropriate mechanisms, positive responses and needed synergies to provide a coordinated protection response to trafficking. The focus is on gap-filling and identifying where anti- trafficking can be embedded into the existing humanitarian response infrastructures;
Methodology: The co-leading agencies will draft these documents on the basis of the information gathered during task 'a' and 'b' above and circulate the drafts for input from all members of the Task Team. Following consensus from the Task Team, the statement and guidance will be submitted to the GPC Programme Reference Group for additional feedback and approval. The Co-lead agencies, in coordination with TT members, will develop and carry out a dissemination strategy for the approved statement and guidance document(s).
- d. Pilot recommended good practices and mechanisms: During this phase, the Task Team will advocate for the effective inclusion of anti-trafficking interventions in humanitarian action. More specifically, countries will be selected as pilot sites where the recommended responses and synergies included in the global guidance will be tested.
Methodology: On the basis of the work carried out in point a and b, the Task Team will identify two humanitarian contexts (cluster approach) where there is an acute need for a response to anti-trafficking. Through the existing protection clusters or sectors or sub-clusters in these two chosen countries, the Task Team will provide remote and in-site support for the establishment and running of the recommended good practices and joined-up response mechanisms to anti-trafficking. Lessons learned from these pilots will allow for a strengthened joined position on the issue of trafficking in emergency contexts. During this phase, the Task Team members will also elaborate key advocacy messages on the issue in line with prevailing needs.

3. Co-Leading Agencies

The Task Team will operate under the direction of three Co-Leads, comprising both UN System Organisations and NGO representation.

The Co-leading agencies are : IOM, UNHCR and Heartland Alliance International.

The Co-Leading Agency responsibilities include:

- Chairing meetings
- Coordinating the accomplishment of the above mentioned objectives and tasks, and encouraging active participation from all Task Team members;

- Fostering linkages with other Task Teams, Reference and other groups and processes to ensure synergies and avoid duplications
- Addressing blockages and troubleshoot solutions

4. Secretariat/Coordinator

IOM will support the Task Team with a secretariat.

Secretariat functions include, but are not limited to:

- Managing the email list;
- Managing exchanges with non-member agencies and organize presentations and discussions in liaison with the co-leading agencies and the GPC for accountability purposes;
- Booking meeting rooms;
- Preparing agendas and minutes, sharing minutes, and taking care of the necessary logistics;

5. Participation

Participation in this GPC Task Team is open to interested humanitarian organizations, NGOs, UN agencies, the Red Cross/Red Crescent Movement, the Office of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, and other international organizations.

Participants represent their organizations and ensure that their directors are regularly briefed on the Task Team's work and progress.

Experts, donors, and/or governments may be invited as observers to provide technical input or to discuss certain relevant issues, when needed.

6. Meeting schedule and frequency

Task Team meetings are held every six weeks, with additional *ad-hoc* meetings called to address particular issues or emergencies as required. Task Team meetings will be held in Geneva, with audio dial-in capacity provided for agencies in other locations. Agendas are determined by the Co-Leading agencies in consultation with Task Team members.

Meeting minutes are the responsibility of the Co-Leading agencies and should be shared within two weeks of meetings' occurrence.

7. Decision-Making

Decision making in meetings is based on consensus. Agreement on accuracy of minutes, wording of documents etc. will be on a 'no objections' basis, with every effort made to ensure Task Team members have adequate time to respond.

8. Funding and Resources

The Task Team intends to have a full- time secretariat post attached to it. This will be resourced through donor support. In the interim, this coordinating role will be assumed by the Anti-Trafficking in Crisis Focal Point at IOM.

Some of the Task Team tasks will be also accomplished through donor support and in kind contributions by Task Team member-organizations. This remains however, without prejudice, to the requirement to obtain consensus on the respective product by the Task Team and the GPC Programme Reference Group.

9. Monitoring implementation

The Task Team Co-Leading agencies are responsible for monitoring the implementation of the Task Team's Objectives and Tasks. Every six months, the Co-Leading Agencies will monitor their work stream and report back to the GPC Programme Reference Group and the Global Protection Cluster Coordinator.

10. Timeframe

This ToRs will be in effect for one year from the date of endorsement of the Task Team, after which it can be reviewed and extended by the GPC Coordinator (or the GPC Programme Reference Group members), if deemed necessary and appropriate.