



2020 GLOBAL PROTECTION FORUM - EVENT REPORT

Protecting Victims of Trafficking



A session led by the GPC Anti-Trafficking Task Team

Monday 14 September 2020, 3pm-4:30pm Geneva

Recording available: https://www.youtube.com/watch?v=7VCteFYU02s&feature=emb_logo

Panel

Moderators: Sam McCormack (GPC), Renata Bernardo (GPC Anti-Trafficking Task Team Secretariat)

Speakers: William Chemaly (Global Protection Cluster Coordinator); Siobhan Mullaly (Special Rapporteur on Trafficking in Persons); Andria Kenney (counter-trafficking in crisis specialist, IOM); Lili Nikolova (HAI Counter-Trafficking Project Director, Northeast Nigeria); Gilberto Zuleta Ibarra (Anti-Trafficking and Anti-Smuggling Coordinator, UNODC Colombia); Iryna Mydlovets (Counter-trafficking programme specialist, IOM Ukraine); Estiana Colmenares (Voces de Genero, Venezuela).

Objective/overview of the session

Trafficking in personsⁱ is a crime and a serious violation of human rights. Vulnerable populations in emergency contexts are at heightened risk of being trafficked.ⁱⁱ Despite this, preventing trafficking and assisting victims have either remained unaddressed within the humanitarian cluster system, or have not been addressed in a comprehensive manner.

The increasingly severe cases of trafficking witnessed in crises over the past five years, including grave cases of trafficking perpetrated by armed groups,ⁱⁱⁱ have drawn calls for humanitarian responders to better incorporate anti-trafficking initiatives into protection efforts. Recent analyses indicate that victims are often identified months into a crisis, at which time the exploitation has already occurred, or are not identified at all. This finding underscores the need to build the anti-trafficking capacity of humanitarians.

An important way to build our collective capacity to respond is learning from current responses. Despite this, sharing lessons learnt from anti-trafficking action in humanitarian settings is rare. The GPC Task Team on Anti-Trafficking viewed the Global Protection Forum as an important opportunity to amplify the voices of anti-trafficking specialists in the field – to hear about the types of violations occurring in their operations, what challenges they are experiencing, and the promising practices they are building.

The session also provided the Task Team an opportunity to inform participants of the forthcoming guidance they have developed on addressing trafficking in persons in internal displacement contexts. The guidance focuses on (1) Understanding Trafficking in Persons, (2) Prevention & Protection Responses, and (3) Identifying, Referring and Managing Cases.

Summary of the discussion points

Strengthening anti-trafficking action in crisis contexts is critical

William Chemaly and the Special Rapporteur on Trafficking in Persons explained that in humanitarian crises across the globe we are witnessing heightened vulnerability to trafficking, including as a result of displacement, loss of employment or other disruptions. We increasingly see cases that do not involve movement across a border; globally, 60% of victims of trafficking are exploited within their own



country. Different kinds of networks might be involved, sometimes highly organized criminal networks linked to armed groups, other times informal networks of community members, parents and relatives, other times there is state involvement; each situation raises different complexities for responding.

Both highlighted that more work needs to be done on ensuring humanitarians respond to trafficking in a predictable, sustainable way; and that these efforts must cut across the humanitarian-peace-development nexus. The Special Rapporteur challenged the Task Team on Anti-Trafficking to help define the roles of humanitarians in anti-trafficking efforts and to help break down siloes between agencies, clusters and sectors.

The Special Rapporteur explained that historically, trafficking has been viewed through the lens of criminal justice but it is important we also look at trafficking as a human rights violation. William reiterated to participants why trafficking is a humanitarian protection issue and affirmed the commitment of the GPC to advancing humanitarian efforts to respond to trafficking.

Improving understanding of trafficking in persons

Andria Kenney, IOM, explained that not all humanitarians must be experts on anti-trafficking. What is critical is that all humanitarians can recognize the warning signs and know where and how to refer trafficked persons safely. Humanitarians may be alerted to situations that may amount to trafficking in a variety of ways – from data in standard protection monitoring, discussions with families and community members, in discussions with other humanitarian workers i.e. CCCM, health, education, or cases might be referred directly to them. Protection actors, on the other hand, should have a technical understanding of trafficking to be able to train or advise law enforcement or the judiciary, to conduct training or advise civil society, to report violations (giving inputs to a report for the SG, children and armed conflict, or reporting a case by security actors), and those with specialized training should be able to formally verify a case of trafficking through an detailed interview.

Establishing a multi-stakeholder approach to combating trafficking in a conflict setting

Lili Nikolova, HAI, detailed the efforts in Northeast Nigeria to establish an anti-trafficking response that involved humanitarians, government and local actors. While trafficking is a cross cutting issue with multiple GBV and CP concerns, siloed approaches don't work in implementing comprehensive and holistic victim-centric approaches.

Successful model: development of the Anti-Trafficking in Persons Task Force in Borno State (following the model of the GPC Anti-trafficking Task Team). It brings together key stakeholders including government actors to work on the 4 Ps: Prevention, Protection, Prosecution, and Partnership. It is co-chaired by MoJ and NAPTIP and supported by HAI, IOM, and UNHCR.

Lessons learned: extremely time-consuming to bring everyone on board; must be diplomatic as it can be very political as a HRV; need to capitalize on existing legal frameworks; work at all levels; identify and win over influential allies/champions to stand up for the work; lead by example; make it sustainable by including local actors and pushing them to lead; difficult and frustrating work but rewarding when you see results.

Estiana Colmenares, Voces de Genero, Venezuela, echoed Lili's findings in Nigeria. She described a multi-stakeholder approach as essential to ensuring victims are able to access specialist services – including medical support, legal assistance, social and economic help. In Venezuela, partnering with local stakeholders (NGOs) has proved the most effective way to deliver comprehensive support, but more coordination is still needed.



Ensuring anti-trafficking responses are knowledge-based and data-driven

Iryna Mydlovets, IOM Ukraine, emphasized the importance of gathering data to inform responses. Information can be gleaned from assisted victims' case files (IOM have done this to analyse patterns of recruitment into the trafficking situation and types of exploitation experienced), as well as dedicated qualitative and quantitative research. Collected data and knowledge can then be transformed into practical action and made available to practitioners working in the counter-trafficking field. Undertaking a context assessment to better understand trafficking might include a (1) clearly defined research question (e.g. What are the patterns of human trafficking in the context of armed conflict in Ukraine? What factors increase the risk of human trafficking?), (2) desk-based review of existing literature, (3) focus group discussions with government, international organization and NGOs, (4) interviews (semi-structured or structured) with identified victims of trafficking and at-risk populations.

From the context assessment IOM Ukraine have undertaken, some findings provide interesting areas for further investigation and consideration for anti-trafficking responses and programming, including awareness raising, across contexts:

- Many victims only sought assistance 1-3 years after release from exploitation
- The most common sources of information on provision of assistance were acquaintances, police and local media
- The most requested types of assistance included cash assistance (100% of victims), housing, employment support, medical treatment, legal counselling, and transportation.

Strengthening authorities & working with civil society organisations

Gilberto Zuleta, UNODC, described the importance of building the capacities of national responders, both the government and civil society, to ensure that all stages of the trafficking response are rights-based. UNODC have a mandate to improve capacities of responders to prevent trafficking, identify victims, assist victims, and enable prosecution. UNODC achieve this through trainings and technical assistance. In partnership with local civil society, UNODC have drafted a *Guide for the Identification of Unaccompanied Migrant Children and Adolescents at Risk of Being Victims of Trafficking in Persons* and a *Guideline for Specialized Assistance to Children and Adolescents Victims of Trafficking in Persons Colombia*. Such guides may be useful to other operations. Given forced labour is an ongoing challenge in Colombia, UNODC have worked with the Ministry of Labour to create a mechanism to identify forced labour cases, particularly useful for labour inspectors. UNODC have also supported the development of local referral and assistance mechanisms for migrant victims of trafficking. UNODC are an important partner to humanitarians in bridging gaps between the humanitarian response and the national anti-trafficking response.

Key recommendations / follow up action

- Map existing humanitarian structures to find examples of where anti-trafficking can be integrated most effectively.
- Build connections with Livelihoods – IOM learning that 100% of victims needed cash assistance indicates more linkages between livelihoods and protection is needed
- The Task Team should help define the roles of humanitarians in anti-trafficking efforts and to help break down siloes between agencies, clusters and sectors.
- Share with all registered participants the forthcoming Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts

List of organizers and speakers with designation, e-mail



For comments or questions on the session or the work of the GPC Task Team on Anti-Trafficking, please contact Sam McCormack, focal point for anti-trafficking in the GPC Operations Cell: mccormac@unhcr.org.

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ⁱ Also called human trafficking, ““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”, Article 3 of the 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.

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

ⁱⁱⁱ For example, the abduction, sale and forced marriage of female students by Boko Harm in North East Nigeria, and the systematic abduction, enslavement, sale and forced marriage of the Yazidi community by ISIS in Northern Iraq.