



# ADDRESSING HUMAN TRAFFICKING AND EXPLOITATION IN TIMES OF CRISIS

EVIDENCE AND RECOMMENDATIONS FOR FURTHER ACTION  
TO PROTECT VULNERABLE AND MOBILE POPULATIONS | DECEMBER 2015



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This document is also available in a shorter version titled “Findings and Recommendations,” which was published in July 2015. That publication can be downloaded at: [https://publications.iom.int/system/files/addressing\\_human\\_trafficking.pdf](https://publications.iom.int/system/files/addressing_human_trafficking.pdf).

## Preface

This document was first published in a summary form as “Findings and Recommendations,” July 2015. Please see: [https://publications.iom.int/system/files/addressing\\_human\\_trafficking.pdf](https://publications.iom.int/system/files/addressing_human_trafficking.pdf).

Since its launch at the 29th Human Rights Council (side event),<sup>1</sup> reception to the report has been overwhelming. More and more actors are now discussing the specific vulnerabilities to human trafficking in times of crisis, as evidenced by online webinars,<sup>2</sup> targeted conferences and events, the availability of further research to contribute to the evidence base<sup>3</sup> and targeted interventions. On the latter point specifically, IOM has actively sought to build upon and implement the findings and recommendations. Around the same time the summary version of the report was launched, disaster hit in Nepal. IOM quickly deployed a counter-trafficking expert to ensure that anti-trafficking responses were integrated into the overall humanitarian response to protect at-risk, affected populations. Those experiences are now captured in this extended version of the report, as well as some other developments. This proactive approach needs to be maintained to reach our ultimate goal of protecting crisis-affected populations from human trafficking. We hope that this extended report continues to support and inform these collective efforts.

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<sup>1</sup> Side event of the 29th Human Rights Council: Trafficking in Persons in Armed Conflicts and Disasters, 16 June 2015, jointly organized by IOM and Caritas Internationalis.

<sup>2</sup> See for example PHAP, *Live Online Consultation: Trafficking in Persons in Times of Crisis*. Summary report of the online consultation event organized on 18 June 2015 by PHAP in collaboration with IOM and Caritas in support of the World Humanitarian Summit (Geneva, 2015). Available from <https://phap.org/WHS-18Jun2015> and <https://phap.org/sites/phap.org/files/civcrm/persist/contribute/files/150618-Trafficking-in-persons-event-report.pdf>.

<sup>3</sup> See for example Secour Catholique Caritas France, *Trafficking in Human Beings in Conflict and Post-Conflict Situations* (2015); and ICMPD, *Assessment of the Impact of the Syrian War and Refugee Crisis on Trafficking in Persons* (Vienna, forthcoming).

## Executive summary

The topic of human trafficking has gathered momentum in the last decade. Nevertheless, this crime against the individual, with clear human rights concerns and human rights implications, remains largely overlooked in crisis situations by both governmental and non-governmental actors. Identifying cases of trafficking in persons (TiP) is hampered by definitional difficulties, lack of knowledge and blurred distinctions between trafficking and other forms of exploitation. In addition, TiP is typically not considered a direct consequence of a crisis. This erroneous assumption often hampers the field response to human trafficking cases, not only in terms of documentation, reporting, identification and assistance to victims, but also in subsequent criminal investigations. Counter-trafficking (CT) efforts are not necessarily understood as immediately life saving in an emergency situation. In reality, however, these efforts are a matter of life and livelihood for trafficking victims and should therefore be given as much priority as any other crisis response to ensure the comprehensive protection of vulnerable individuals. CT activities therefore deserve a place in the existing humanitarian Cluster System<sup>4</sup> and should be part of the overall protection approach implemented during all forms of emergencies.

Several risk factors related to TiP are similar in both crisis and non-crisis situations. However, crises prompt additional and specific risk factors, which vary whether crises are induced by armed conflicts, natural disasters or protracted situations. TiP may not develop similarly or to the same extent in all types of crises. Some similarities can, however, be observed in the different crisis settings analysed in this report:

- The erosion of the rule of law and the breakdown of institutions; the development of criminal activities; and the corruption and impunity of officials. These are consequences that can be typically observed in most emergency settings.
- Many large-scale crises feature a general lack of economic opportunity, and crisis-affected populations tend to increase their reliance on negative coping mechanisms and adopt risky survival strategies. This can translate, in some cases, into heightened vulnerability to TiP among affected populations.
- At the onset of a crisis, existing criminal networks may become disrupted but may also adapt to the new situation – by targeting new victims in new places, such as refugee and internally displaced persons (IDP) camps, transit points or within local populations hosting high numbers of mobile populations.
- Response workers may create new demands (for example, for sexual services or cheap goods made through exploitative labour) therefore inducing a response of such services by trafficking networks.
- Independent of the type of crisis, IDP and refugee camps as well as formal and informal holding sites for stranded migrants are a rich source of new victims for traffickers and other criminal networks looking for a cheap or free workforce, sexual services and other exploitative activities.
- Traffickers may seek to take advantage of populations receiving humanitarian assistance and may increase their criminal activities through fraudulent and ultimately exploitative opportunities for employment or onward migration.

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<sup>4</sup> “The cluster approach was adopted in 2005, following an independent Humanitarian Response Review, to address gaps and to increase the effectiveness of humanitarian response by building partnerships. It ensures that international responses to humanitarian emergencies are predictable and accountable and have clear leadership by making clearer the division of labour between organizations, and their roles and responsibilities in different areas. It aims to make the international humanitarian community better organized and more accountable and professional, so that it can be a better partner for affected people, host Governments, local authorities, local civil society and resourcing partners,” from IASC, *Reference Module for Cluster, Coordination at Country Level* (2015). [https://interagencystandingcommittee.org/system/files/cluster\\_coordination\\_reference\\_module\\_2015\\_final.pdf](https://interagencystandingcommittee.org/system/files/cluster_coordination_reference_module_2015_final.pdf).

- Traditional harmful and cultural practices (such as early/forced marriage) increase during crisis settings, while other practices (such as sponsorship systems) contribute to the enhanced vulnerability of migrants; both in turn might lead to TiP under certain circumstances.
- The absence of protection and lack of immediate solutions increase exposure to trafficking, especially in protracted settings.
- Other aggravating factors are related to discrimination, whether gender based, ethnic, racial, religious, social, within a community or at the national level.

The following general recommendations have been made for States and the humanitarian community, the UN system and the donor community in particular:

### **States**

- International actors should strengthen States' capacity and commitment to getting involved in CT responses; partnerships with civil society organizations (CSOs) and non-governmental organizations (NGOs) should be fostered (where relevant and feasible).
- Cooperation with national and international law enforcement agencies should be enhanced, as well as Civil–Military Cooperation (CIMIC) and cooperation with available legal mechanisms, including regional and international bodies.
- States should conduct awareness-raising and educational campaigns about human trafficking and referral pathways that target the general public, crisis-affected populations, and especially at-risk populations, governments and aid workers as well as peacekeepers with the aim of bridging the knowledge gap before, during and after a crisis.

### **The humanitarian community, the UN system and the donor community**

- The Inter-Agency Standing Committee (IASC) should be called upon to strengthen the humanitarian community's response and issue operational guidelines for CT interventions during a crisis.
- Adopting a rights-based approach, specific working groups (at the Area of Responsibility (AoR)/sub-cluster level) or task forces on TiP and CT measures should be set up; they should report directly to the Cluster System. With a focus on mainstreaming, CT activities could be given a dedicated space/platform within the Cluster System or be linked to other relevant concerns, such as irregular migration, gender-based violence (GBV) and child protection. IOM could be one of the actors to lead this effort.
- CT measures should be proactive, preventive and protective. Waiting until evidence of trafficking and exploitation is gathered is reactive. A response triggered by the presence of victims of exploitation and abuse is one that comes too late and fails to address the crime when it starts. Preventive measures should be carried out from the very onset of a crisis, even when evidence is yet unavailable.
- Existing special procedures within the UN system – in particular the Special Rapporteur on Trafficking in Persons, especially women and children – should continue to raise awareness on this topic, report findings to higher levels, and provide technical support to the humanitarian community and the authorities of affected countries. The Special Rapporteur should also examine the situation of migrants caught in crises as well as the specific needs of men, women and children.

- Strengthening the CT measures and approaches during crisis will require strong commitments from the donor community. Donors should help bridge the divide between humanitarian and development settings and recognize the relationship between pre-existing trafficking patterns and the heightened risks and vulnerabilities that exist during crises.
- Stakeholders, especially the donor community, want to see evidence of trafficking risks and occurrences immediately after the crisis to justify funding an intervention. However, given the complex nature of TiP, such evidence may not be readily available, so it is important to draw from the global patterns of risk outlined in this research. In so doing, CT efforts, particularly preventive measures, should be carried out from the onset of the crisis even if the scale or impact of TiP has yet to be revealed. This requires understanding and commitment from the donor community.
- Humanitarian actors need to link up with development actors already there during pre-crisis, and vice versa. Uniting the humanitarian and development community is therefore important and requires working in close collaboration with partners, both national and international, on all aspects of CT in crisis.

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## Acronyms

<b>AOG</b>	armed opposition group
<b>AoR</b>	area of responsibility
<b>CCCM</b>	Camp Coordination and Camp Management
<b>CERF</b>	Central Emergency Relief Fund
<b>CIMIC</b>	Civil–Military Cooperation
<b>CSO</b>	civil society organization
<b>CT</b>	counter-trafficking
<b>DPKO</b>	United Nations Department of Peacekeeping Operations
<b>DTM</b>	Displacement Tracking Matrix
<b>GBV</b>	gender-based violence
<b>GCC</b>	Gulf Cooperation Council
<b>IACAT</b>	Inter-Agency Council Against Trafficking
<b>IASC</b>	Inter-Agency Standing Committee
<b>IDP</b>	internally displaced person
<b>IOM</b>	International Organization for Migration
<b>ISIL</b>	Islamic State of Iraq and the Levant
<b>MCOF</b>	Migration Crisis Operational Framework
<b>MENA</b>	Middle East and North Africa
<b>NGO</b>	non-governmental organization
<b>NFI</b>	non-food items
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>PSEA</b>	prevention of sexual exploitation and abuse
<b>SGBV</b>	sexual and gender-based violence
<b>SOP</b>	standard operating procedure
<b>TiP</b>	trafficking in persons
<b>UASC</b>	unaccompanied and separated children
<b>UNAMI</b>	United Nations Assistance Mission for Iraq
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNSC</b>	United Nations Security Council
<b>VoT</b>	victim of trafficking

## INTRODUCTION

When peacekeepers, police officers, private contractors and other international community members were deployed to Bosnia and Herzegovina, and UNSC resolution 1244 administered Kosovo during the wars in the Western Balkan region (1992–1999), small-scale and local trade in prostitution by organized criminal networks became a flourishing industry.<sup>5</sup> At that time, the humanitarian community began to recognize the seriousness of trafficking in persons (TiP),<sup>6</sup> and subsequently placed it on the international agenda.

Although TiP has gathered momentum, and although several international organizations have developed approaches to address human trafficking, the phenomenon remains largely overlooked in crisis situations by both governmental and non-governmental actors. In a survey of more than 200 humanitarian practitioners from 80 different countries, 72 per cent of respondents reported that TiP in times of crisis has not been given sufficient attention in relevant international humanitarian fora,<sup>7</sup> while three quarters of respondents also noted that not enough is presently known about TiP in crisis situations to implement effective responses. In addition, the majority of respondents (96%) stated that preventing and combating trafficking and exploitation of persons in crisis situations should be a priority objective in humanitarian action.

Identifying cases of TiP is hampered by definitional difficulties, lack of knowledge and blurred distinctions between trafficking and other forms of exploitation. In addition, TiP is typically not considered a direct consequence of a crisis. This erroneous assumption often hampers the field response to human trafficking cases, not only in terms of documentation, reporting, identification and assistance to victims, but also in subsequent criminal investigations. CT efforts are not necessarily understood as immediately life saving in an emergency situation. In reality, however, these efforts are a matter of life and livelihood for the victims of trafficking (VoT) and should therefore be given as much priority as any other crisis response.

Careful not to overstate the problem or the consequences of trafficking in crisis situations, this report makes evidence-based recommendations to the humanitarian community, particularly professionals interested in and/or already working on CT and exploitation in emergency responses. This report addresses the risks pertaining to human trafficking, and how to prevent incidences of and improve responses to human trafficking in the various phases of a crisis (before, during and after), with a focus on armed conflicts, natural disasters and protracted crises. Contained herein is a comprehensive list of key findings and recommendations.

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<sup>5</sup> On the Western Balkans experience, see S.T. Godec, *Between Rhetoric and Reality: Exploring the Impact of Military Humanitarian Intervention Upon Sexual Violence – Post-Conflict Sex Trafficking in Kosovo*. *International Review of the Red Cross*, vol. 92, No. 877 (2010:245); see also Human Rights Watch, *Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution* (2002). Available from [www.hrw.org/reports/2002/bosnia/Bosnia1102.pdf](http://www.hrw.org/reports/2002/bosnia/Bosnia1102.pdf); and S. Wolte, *Armed Conflict and Trafficking in Women* (Berlin, 2004). As a contemporary concern, see the case of 12 Filipino migrant workers trafficked to Iraq for sexual exploitation, available from <http://globalnation.inquirer.net/130591/10-trafficked-filipinas-rescued-in-iraqi-kurdistan>. While it is too soon to link this to an increased demand for sexual services by emergency responders, it is certainly an indicator to be monitored.

<sup>6</sup> For the definition of trafficking in persons, please see Article 3 of the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (2000). Available from [www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickinginPersons.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickinginPersons.aspx).

<sup>7</sup> Specifically, the World Humanitarian Summit. See PHAP, *Live Online Consultation: Trafficking in Persons in Times of Crisis*. Available from <https://phap.org/sites/phap.org/files/civicrm/persist/contribute/files/150618-Trafficking-in-persons-event-report.pdf>.

## Structure of the report

Following an introduction of the key issues (Chapter I), the report draws on case studies to build the evidence base regarding human trafficking in times of crisis, past and present (Chapter II). The study then provides a selection of good practices, which could be replicated or adapted in different crisis scenarios (Chapter III). It further analyses the issue and highlights the nexus between human trafficking and crisis (Chapter IV) before concluding with a suggested way forward and an overview of recommendations to States and the international community (Chapter V).

## Methodology and ethical frame

This document is based on two internal IOM field assessments covering Iraq and Libya in 2014 and 2015, and consultations and desk research on the Balkan crisis, the Syrian Arab Republic, the Philippines, Haiti, mixed migratory flows from Eastern Africa and the onward North Africa and Gulf of Aden migratory routes, and countries affected by the 2004 tsunami. Primary data research consisted of interviews with practitioners in the field, including IOM staff involved in current or past crises. It is further complemented by data collected through internal IOM operational assessments on trafficking in crisis contexts undertaken in Lebanon, Jordan, Nepal and Yemen in 2014 and 2015. Secondary data was gathered using IOM's internal and public data from crisis settings throughout the years (from the 1990s until 2015), with a specific focus on IOM's programmatic response in the Middle East and North Africa (MENA) region following the 2011 Arab uprisings. The findings were then validated by an extensive literature review that analysed research and background documents from academic or humanitarian fields and media reports on TiP in crisis and post-crisis settings. A number of consultations further supported the final drafting and validation process.<sup>8</sup> The research did not interview former trafficked persons, nor did it aim to.

## Limitations

There is a general dearth of documentation on TiP in crisis settings. While there is plentiful anecdotal evidence, reliable data and consolidated research and analysis are scarce. Undertaking research on TiP in times of crisis requires extensive documentation and investigative work in often-challenging settings. The forms of exploitation related to TiP – whether sexual, slavery or labour exploitation – make it particularly challenging to interview victims, who may fear further stigmatization and social ostracism. Further, when migrants are caught in crises, the reporting issue becomes very complex, as security may impinge access to affected populations, or migrants may be caught in an irregular situation, without access to legal documentation. They may fear or have been threatened with arrest, which makes them unwilling/unable to share relevant information. While the research for this report adopted an inclusive approach, it does not claim to encompass all possible trafficking scenarios in times of crisis and should be taken as starting point for building further evidence.

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<sup>8</sup> See PHAP, *Live Online Consultation: Trafficking in Persons in Times of Crisis*. Summary report of the online consultation event organized on 18 June 2015 by PHAP in collaboration with IOM and Caritas in support of the World Humanitarian Summit (Geneva, 2015). Available from <https://phap.org/sites/phap.org/files/civicrm/persist/contribute/files/150618-Trafficking-in-persons-event-report.pdf>; and World Humanitarian Summit, *MENA Online Consultation Final Report* (2015). Available from [www.worldhumanitariansummit.org/fr/file/483926/download/527338](http://www.worldhumanitariansummit.org/fr/file/483926/download/527338).

## **PART I**

# **HUMAN TRAFFICKING AND EXPLOITATION IN TIMES OF CRISIS**

### **Putting the trafficking and exploitation of crisis-affected populations on the agenda**

Following the crisis in the Western Balkans (1992–1999), and largely as a consequence of it, in 2000 the United Nations General Assembly adopted the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime.<sup>9</sup> While the Trafficking Protocol does not necessarily refer to crisis or post-crisis situations, it constitutes a unique legal framework for combating and preventing human trafficking.

The United Nations General Assembly's first acknowledgement of TiP in crisis situations was featured in Resolution 63/156, paragraph 4 (2008). This resolution calls upon "governments, the international community and all other organizations and entities that deal with conflict and post-conflict, disaster and other emergency situations to address the heightened vulnerability of women and girls to trafficking and exploitation, and associated gender-based violence."<sup>10</sup>

In an attempt to quash human trafficking for sexual exploitation specifically and frame the subsequent humanitarian response in the field, the IASC established the Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises in 2002.<sup>11</sup> In addition, in 2004 the United Nations Department of Peacekeeping Operations (DPKO) released a policy paper about the link between human trafficking and UN peacekeeping missions.<sup>12</sup>

Over the last decade, diverse actors have made significant efforts to increase States' ratification of the Palermo Protocol, develop and/or align national and regional strategies, create capacity-building plans that target governments and relevant institutions, train law enforcement officials and NGO workers on counter-trafficking, and develop counter-trafficking institutional guidelines. These efforts have significantly helped raise awareness about TiP. However, TiP is rarely regarded as a phenomenon that directly results from a crisis, and is therefore overlooked when humanitarian responses are prepared and when specific emergency-relevant operational tools and policies are adopted.

### **Why human trafficking is overlooked in times of crisis**

**THERE ARE SEVERAL REASONS WHY THE HUMANITARIAN COMMUNITY OVERLOOKS HUMAN TRAFFICKING IN A CRISIS SITUATION:**

<sup>9</sup> Also referred to as the "Trafficking Protocol" or "Palermo Protocol" throughout this report.

<sup>10</sup> *Official Records of the General Assembly, Sixty-third Session, Third Committee (A/63/425)*, Resolution 63/156, para. 4. Available from [www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/63/156](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/63/156).

<sup>11</sup> Gathering a number of United Nations and non-governmental entities, the IASC Task Force was established in March 2002. This led the Secretary-General to issue an October 2003 bulletin entitled *Special Measures for Protection from Sexual Exploitation and Sexual Abuse*, available from <https://oios.un.org/resources/2015/01/ST-SGB-2003-13.pdf>.

<sup>12</sup> See UNDPKO, *Human Trafficking And United Nations Peacekeeping* (New York, 2004).

- There are no clear definitions of exploitation for human trafficking.<sup>13</sup> This complexity is highlighted by the fact that there are grey areas among what constitutes forced labour, gender-based violence, exploitation, abduction and trafficking in persons. It can therefore be tricky to define whether someone is a victim of trafficking or exclusively a victim of labour abuse.<sup>14</sup> TiP has been defined within the Palermo Protocol, while exploitation remains undefined under international law. Moreover, the difference between trafficking and smuggling is often unknown and these terms are frequently used interchangeably, which adds to the confusion. Other forms of TiP (such as forced marriage) might be filed under sexual and gender-based violence (SGBV) and thus might find a response in initiatives led by SGBV humanitarian actors; meanwhile, other forms of trafficking (such as labour exploitation, forced begging, slavery, organ removal and some forms of sexual exploitation) fall completely between the cracks.<sup>15</sup>
- Several States, including many in crisis-affected contexts (for example, in Libya or Yemen) do not have CT legislation or other measures in place to reduce vulnerability to trafficking or to protect the needs of at-risk populations. This impacts preparedness and response. In addition, where legislation exists, it is often not enforced – a scenario that is all the more likely in a crisis situation.
- TiP is less documented than other crimes and not always identified and investigated properly in the field, particularly in crisis situations where resources are scarce and environments are generally challenging. Moreover, despite efforts to build capacity and adopt national CT laws, the number of prosecutions based on TiP allegations remains relatively low compared to other crimes.<sup>16</sup>
- The absence of baseline data often handicaps the response to trafficking, both in times of stability but even more so in crisis situations. Moreover, data on trafficking is generally not readily available because of the problem's nature; it is hence difficult to evaluate the absolute impact of a crisis on human trafficking trends.
- The humanitarian community might consider human trafficking as a concern for development actors. Despite recent efforts to bridge the gap between pre-crisis dynamics and immediate crisis response, CT responses still fall behind.<sup>17</sup> Human trafficking remains unaddressed as a specific subject of focus and as a specific international crime with grave human rights concerns within the Cluster System, which has led to an important protection gap in crisis settings.

<sup>13</sup> For more information on the definition of exploitation, please also see UNODC, *The Concept of "Exploitation" in the Trafficking in Persons Protocol* (Vienna, 2015).

<sup>14</sup> See L. Lungarotti, A. Tillinac and S. Craggs, *Trafficking in Persons in Times of Crises – a Neglected Protection Concern: The Case of Iraq* (2015).

<sup>15</sup> This leads to protection gaps in referring victims to TiP-specific structures; that is, some victims' needs and vulnerabilities remain unaddressed. For example, the case involving a number of Syrian girls who were deceptively recruited from a refugee camp in the Middle East under the false promise of an educational opportunity (secretarial studies). The girls were taken from the camp to the capital city where they were instead trafficked for sexually exploitative purposes. While the girls were eventually rescued from this situation and identified as victims of GBV, the human trafficking element was misidentified. So even while there was a robust GBV response, the girls were not provided with the opportunity to access specialized anti-trafficking structures. In addition, it was reported, that several of the girls returned to the Syrian Arab Republic because of the shame and stigma associated with their abuse. It appears that the overall response overlooked the specific act of human trafficking as well as the associated criminal elements. IOM became aware of this case during fieldwork in 2014.

<sup>16</sup> For further analysis on the criminalization of human trafficking and the underuse of the offence of trafficking, see in particular I. Atak and J.C. Simeon, Human Trafficking – Mapping the Legal Boundaries of International Refugee Law and Criminal Justice, *Journal of International Criminal Justice*, vol. 12, no. 5 (2014:1019–1038).

<sup>17</sup> See L. Lungarotti, A. Tillinac and S. Craggs, *Trafficking in Persons in Times of Crises – a Neglected Protection Concern: The Case of Iraq* (2015).

A word must be said specifically about migrants – that is non-nationals – in crisis-affected countries. Given migrants' unique needs and circumstances during conflicts and natural disasters, evidence shows they may be particularly vulnerable to trafficking.<sup>18</sup> When a crisis breaks out, the demand on States to respond to other humanitarian emergencies, coupled with few human trafficking-specific services or organizations in these countries, means that vulnerable migrants are scantily protected in times of crisis. Moreover, the extent to which migrants' rights and dignity are protected prior to a crisis influences their empowerment, resilience, and agency during crisis and post-crisis situations. These very same factors are relevant to understanding the ways in which migrants may become vulnerable to human trafficking in the context of crises. When migrants are (i) not included in crisis-preparedness plans and responses; (ii) are unaware of or unable to access humanitarian assistance, support and safe havens due to language and other barriers; (iii) lack networks and support systems to help and provide for them; (iv) have their travel documents confiscated by their employers or generally lack access to identity, residence and travel documents; (v) do not enjoy freedom of movement, have irregular status or are in exploitative and abusive arrangements; (vi) are subject to traditional, abusive local practices; and (vii) are essentially left to fend for themselves, their predicament may exacerbate their needs and vulnerabilities, thereby heightening their exposure and vulnerability to human trafficking. In some of the most deceptive and coercive cases, trafficked migrants are completely unaware that they are going to work in a country in crisis. Consider, for example, the complexity of replacing a migrant worker's identity documents to facilitate quick and safe evacuation in the event the trafficker or employer has withheld his or her passport and the respective consular services have been forced to relocate to another country as a consequence of insecurity in the country of exploitation, as has been the case in Libya in 2011 and most recently since the re-emergence of conflict in 2014.<sup>19</sup>

An additional consideration relates to when trafficked migrants return from a country of exploitation to a home country that is in crisis. There are likely to be few opportunities for sustainable reintegration, and a person will require specific considerations and tailored interventions to avoid the risk of being re-trafficked. An even more complicated situation relates to trafficked migrants who return from a crisis-affected country to a home country that is in crisis. This may result in a failure to classify a case as trafficking – a missed opportunity for identification – in which case trafficked migrants would not be referred to any assistance structures. When both the country of exploitation and the migrant's home country face situations of armed conflict, temporary relocation and assistance options may need to be considered.

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<sup>18</sup> As reported in IOM and Walk Free Foundation, *The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa* (Geneva, 2015). Available from <http://publications.iom.int/books/other-migrant-crisis-protecting-migrant-workers-against-exploitation-middle-east-and-north>. While concerted efforts by some labour-sending countries to evacuate their citizens from the Syrian Arab Republic at the outbreak of the crisis protected some, many thousands more migrants workers – particularly irregular migrants who were unregistered and working illegally – are stranded across the region in precarious and potentially life-threatening positions.

<sup>19</sup> Please see IOM, *Responding to Human Trafficking and Exploitation in Times of Crisis: Reducing the vulnerabilities of victims, including migrants, in preparedness, response and recovery efforts*. Issue Brief 2, Migrants in Countries in Crisis (Geneva, forthcoming).

## PART II

# CASE STUDIES

The case studies included in this research were selected to reflect the authors' intention to present readers with a variety of crisis scenarios – including armed conflict, natural disasters and protracted crises – to appreciate the diversity of the settings and the complexity of the issues at stake. More specifically, the authors deliberately chose Libya because of the high number of and diverse cross-border movements (sea, land) by migrants, including migrant workers and the well-known cases of trafficking, abduction, torture and widespread abuse across the country. Iraq was chosen because it presents a complex setting and features the interplay of two crises – the crisis that is internal to Iraq and the regional impact of the Syrian crisis. Both crises are of almost unprecedented impact and severity, concurrently affecting IDPs, refugees, migrant workers and host communities. In comparison, the older cases of the Balkan crisis, the South Asian tsunami, and Haiti present scenarios in which issues of trafficking and exploitation in crisis had just started to surface, attracting the international community's attention and generating initial responses. The context of transit migration and mixed flows from the Horn of Africa through North Africa, or across the Gulf of Aden to Yemen en route to the Gulf Cooperation Council (GCC) was included as a particularly interesting example that presents relatively new forms of exploitation, trafficking and abuse. Nepal was also included in this report as one of the emergency settings where IOM managed to address trafficking at the onset of the crisis; it provides some interesting insight into the challenges faced and lessons learned.

The case studies provide central considerations; to complement these, the authors, as active practitioners, draw upon their own and IOM's experiences responding to trafficking in times of crisis. For example, additional experiences were included based on support for IOM interventions in previous and ongoing crises in Nigeria, Ukraine and Turkey (regarding its response to the Syrian crisis).

The research involved fieldwork conducted between November 2014 and June 2015 in Libya and Iraq; an assessment of IOM's CT response in MENA following the 2011 uprisings and the impact of the Syrian crisis specifically; and more global consultations and desk research on the Philippines, Haiti, Eastern Africa and countries affected by the 2004 tsunami. It is further complemented by data collected through internal IOM operational assessments on trafficking in crisis contexts undertaken in Lebanon, Jordan, Yemen and Nepal in 2014 and 2015.

The cases were selected to consider TiP in the context of:

- Armed conflict: Libya, Iraq, the Syrian Arab Republic, Yemen
- Natural disasters: the Indian Ocean earthquake, Haiti, the Philippines, Nepal
- Mixed flows in complex settings: Eastern Africa and the onward North Africa migratory route

## Armed conflicts

### Libya

Since the fall of the Gaddafi regime in 2011, political parties, clans and militias have divided the country, resulting in a state of quasi chaos with an almost total disruption of State authority, institutions and security services. By January 2015, it was estimated that 400,000 individuals had been forcibly displaced. At least 2 million are affected by the conflict, and hundreds of thousands of Libyans have sought refuge in neighbouring Tunisia. In addition, migrant workers, irregular migrants, asylum-seekers and refugees within the country have been subjected to trafficking and exploitation.<sup>20</sup>



Trafficking took place in Libya before 2011, although less frequently and more covertly, partially due to the severe punishment for being caught. The erosion of the rule of law has created a state of impunity, where traffickers act without the fear of arrest or condemnation. Militias and armed groups broadly took control of human trafficking activities related to migrants, asylum-seekers and refugees. They infiltrated government-run detention centres, thereby further abusing the migrants' vulnerability.<sup>21</sup> Asylum-seekers, refugees, labour migrants and irregular migrants transiting through Libya are considered the most vulnerable migrants to fall victim to TiP in the current Libyan setting, and they are a main target for traffickers.

Sub-Saharan Africans face racial discrimination on a regular basis, which is considered an important aggravating factor for violence and exploitation. Traffickers also take advantage of their vulnerability because of their irregular migration status in Libya. The forms of exploitation faced by migrants in Libya are numerous and include:<sup>22</sup>

- forced labour intended for private companies, individuals and households (domestic and agricultural work), Libyan officials, criminal networks, armed groups and militias;
- SGBV-related exploitation, including sexual exploitation of women; rape; and sexual violence related to the conflict;
- extortion of money/racketeering through the use of so-called "torture camps"; and
- arbitrary killings and other executions.

<sup>20</sup> In 2015, IOM estimates the number of migrants to be around 300,000 individuals, while UNHCR reports approximately 37,000 asylum-seekers and refugees.

<sup>21</sup> For more on the link between vulnerability and human trafficking, see IOM, Understanding the Interplay between Abuse of a Position of Vulnerability, Human Trafficking, and Exploitation of Mobile Populations during Conflict and Crisis, *International Migration Law Newsletter*, No. 11 (Geneva, Winter 2014). See also Altai Consulting, *Migration Trends across the Mediterranean: Connecting the Dots* (2015). Available from <http://publications.iom.int/books/migration-trends-across-mediterranean-connecting-dots>; Mixed Migration Hub, *Detained Youth: The Fate of Young Migrants, Asylum Seekers and Refugees in Libya Today* (Cairo, 2015b). Available from [www.mixedmigrationhub.org/resources/mmtf-noah-research](http://www.mixedmigrationhub.org/resources/mmtf-noah-research); Mixed Migration Hub, *Conditions and Risks of Mixed Migration in North East Africa* (Cairo, 2015a). Available from [www.mixedmigrationhub.org/resources/mmtf-noah-research](http://www.mixedmigrationhub.org/resources/mmtf-noah-research); MHub, *Monthly Trend Bulletins on Mixed Migration in North Africa* (2015). Available from [www.mixedmigrationhub.org/mixed-migration-trends/monthly-trend-bulletins](http://www.mixedmigrationhub.org/mixed-migration-trends/monthly-trend-bulletins); IOM, *The Middle East and North Africa: Annual Report 2014* (Cairo, 2015). Available from [http://publications.iom.int/system/files/pdf/mena\\_annual\\_report\\_2014.pdf](http://publications.iom.int/system/files/pdf/mena_annual_report_2014.pdf).

<sup>22</sup> IOM internal field assessment, Tunisia, January 2015.

## Iraq

During 2013, armed opposition groups (AOGs) – especially the Islamic State of Iraq and the Levant (ISIL) and affiliated armed groups – significantly increased their presence in Iraq and became more structured. By December 2014, the crisis had forcibly displaced more than 2 million Iraqis. A number of trafficking cases have been documented that state the involvement of parties to the conflict.<sup>23</sup> IOM fieldwork revealed:



- Most cases that meet the definition of trafficking involve the abduction of girls and women of religious or ethnic minorities. By the end of 2014, reports indicated that between 3,500 and 7,000 girls and women were kidnapped for sexual exploitation within Iraq or in the Syrian Arab Republic.<sup>24</sup> After being abducted, these girls and women were allegedly transferred to ISIL camps within Iraq and/or in the Syrian Arab Republic, where they were forced to convert and marry fighters; given to supporters as reward; or sold as domestic or sex slaves. Raqqa and Mosul have been identified as places where the trade in abducted women and girls takes place. Most of the females have been subjected to rape and sexual assault.<sup>25</sup>
- There have been reports that AOGs were actively and forcibly recruiting children as young as 13 to serve as fighters. Some of these children have been sent to join the fight in the Syrian Arab Republic, while others reported they have been used as human shields for ISIL fighters during combat and forced to donate blood for treating injured ISIL fighters.<sup>26</sup> In addition, reports have circulated stating that children have been recruited to serve as suicide bombers. Further assessments are needed about how and when these cases turn into cases of TiP.<sup>27</sup>
- AOGs have also established a system for collecting and selling human organs from fighters, captives and hostages. Organ trafficking – and possibly human trafficking for the purpose of organ removal, which involves medical institutions operating in other countries – could be an important source of income for criminal networks and armed groups. The case highlights possible risks to TiP.<sup>28</sup>
- There have been reports of migrant workers being taken as hostages in Iraq. A total of 132 migrants, employed in different sectors, were abducted following the ISIL advancement in 2014, mainly for the purpose of ransom payment.<sup>29</sup> A worrying development relates to the

<sup>23</sup> For the full list, please refer to UNAMI/OHCHR – Protection of Civilians reports. All reports on the protection of civilians in Iraq are available at [www.ohchr.org/EN/Countries/MenaRegion/Pages/IQIndex.aspx](http://www.ohchr.org/EN/Countries/MenaRegion/Pages/IQIndex.aspx).

<sup>24</sup> Some (unverified) reports indicate that some may also have been transported to neighbouring countries such as Saudi Arabia (Iraq research fieldwork, December 2014).

<sup>25</sup> See UNAMI/OHCHR Protection of Civilians reports.

<sup>26</sup> Ibid. In particular, UNAMI Human Rights Office, *Report on the Protection of Civilians in the Armed Conflict in Iraq* (6 July to 10 September 2014).

<sup>27</sup> Ibid. See report covering the period 5 June to 5 July 2014.

<sup>28</sup> TiP for organ removal and organ trafficking are also considered serious forms of trafficking. Both were mentioned in the same media report as one of the five major income sources for ISIL, together with the sale of oil, the imposition of royalties on residents, drug smuggling and trafficking women and girls. While OHCHR is quoted in these press articles, no formal report or documentation from the human rights organization could be found on specific organ trafficking by ISIL. The situation needs further investigation to constitute reliable evidence. Similar suspicions were reported in the Syrian Arab Republic, as was revealed in a March 2015 interview with the IOM mission in the Syrian Arab Republic. Traffickers are reportedly suspected of operating in clinics and hospitals in neighbouring countries. Also in need of further investigation are ways to identify the networks and to pinpoint organ trafficking's aim (whether it is financial and/or for transplants for injured fighters).

<sup>29</sup> Between 5 June and 5 July 2014, the UNAMI Human Rights Office reporting period, members of the insurgency in Iraq took a number of foreign hostages while consolidating their advance on Iraqi territory. Taking foreigners hostage is not a new phenomenon in Iraq. More than 200 hostages were taken from 2004 to 2011. However, 134 new hostages were taken in June 2014 alone. This report does not include the hostage-taking of humanitarian workers, journalists and members of the coalition against AOGs. However, the issue of their abduction, and the forced labour or state of servitude they may face – including to support the war propaganda – is also of interest.

trafficking of Filipino migrant women in Erbil for sexual exploitation.<sup>30</sup> While it is too soon to link this to an increased demand for sexual services by emergency responders, it is certainly an indicator that should be monitored.

## Syrian Arab Republic

The 2011 Syrian unrest turned into a deadly, protracted armed conflict between government forces and a number of AOGs. According to the UN, by early 2015, 12.2 million people were in need of assistance inside of the Syrian Arab Republic, including 7.6 million IDPs, 560,000 Palestinian refugees, and 4.8 million Syrians in “hard to reach areas”.<sup>31</sup> In addition, by March 2015, almost 4 million Syrians were registered as refugees by the United Nations High Commissioner for Refugees (UNHCR). In this pressing state of affairs, exploitation, trafficking and criminal activities are increasing.<sup>32</sup> The protracted nature of the conflict is also impacting host communities and migrant workers in neighbouring countries affected by the Syrian crisis.



The Syrian conflict led to the heightened vulnerability of many groups. To cope with the situation and constrained by the lack of opportunities, many families and individuals have adopted risky behaviours and negative coping mechanisms, which often result in exploitation and trafficking inside of the Syrian Arab Republic and in neighbouring countries that host Syrians. These include the following:<sup>33</sup>

- Families reportedly resort to practices such as forced early marriages as a “protective” coping mechanism. According to the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, forced marriage constitutes practices similar to slavery, which is a form of exploitation as listed in the Palermo Protocol.<sup>34</sup> As further documented in the Syrian communities in Jordan, “existing trends in early marriage within this community have certainly been influenced by the current crisis, but are strongly rooted in traditional and primarily rural practices that originate in Syria.”<sup>35</sup> Hence, a combination of factors – traditional ones and those related to crisis – create important risk factors for exploitation and potential TIP.

<sup>30</sup> See for example, <http://globalnation.inquirer.net/130591/10-trafficked-filipinas-rescued-in-iraqi-kurdistan>.

<sup>31</sup> OCHA, 2015 Strategic Response Plan (2014). Available from [http://reliefweb.int/sites/reliefweb.int/files/resources/2015\\_SRP\\_Syria\\_EN\\_AdvanceCopy\\_171214.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/2015_SRP_Syria_EN_AdvanceCopy_171214.pdf).

<sup>32</sup> Ibid.

<sup>33</sup> In September 2015, the Whole of Syria Protection Sector issued a “note of concern: discrimination and violence during humanitarian operations” where these forms of exploitation were underlined as grave concerns. Trafficking as a term was not mentioned explicitly by the note, which mentions how “women consistently fear sexual violence and are reporting to having to resort to survival sex and forced marriage.” See also Protection Cluster, Human Trafficking, Exploitation, and Displacement in Syria, *Echoes From Syria* no. 6 (2014).

<sup>34</sup> As recalled by OHCHR, the 1956 Supplementary Convention on Slavery refers to the institutions and practices of debt bondage, serfdom, servile forms of marriage and the exploitation of the labour of children, which are all held to be *similar to slavery*. In relation to *servile forms of marriage*, article 1(c) of the Supplementary Convention on Slavery refers to: Any institution or practice, whereby: (i) a woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or (ii) the husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or (iii) a woman on the death of her husband is liable to be inherited by another person.

<sup>35</sup> Child Protection and Gender-Based Violence Sub-working Group Jordan, *Findings from the Inter-Agency Child Protection and Gender-Based Violence: Assessment in the Za’atari Refugee Camp* (2013).

- The traditional practice of “temporary marriages”, or Muta’a, is on the rise, which particularly affects vulnerable refugees and IDPs fleeing conflict zones. Although initially considered for women who lost their husbands in the war, the practice now includes children.<sup>36</sup>
- In Iraq and Lebanon, Syrian refugee children have been seen begging and selling petty items on the street.
- Suspicions of labour exploitation especially related to the informal sector have been reported to IOM in the region outside of the Syrian Arab Republic, as a result of the massive influx of refugees and displaced people. Because of the increased pressure on the labour market, employers decreased wages and refugees were forced to accept exploitative practices such as longer working hours, lower salaries, and so on. Coercive measures are also most likely to be adopted in the informal sector.
- Strong suspicions of TiP and exploitation of unaccompanied and separated children (UASC) from the Syrian Arab Republic have been reported.<sup>37</sup>

## Yemen crisis (2015)

When conflict broke out in Yemen in 2015, IOM Djibouti served as operational hub and safe haven for migrants fleeing Yemen. It also worked with local and international actors to identify appropriate solutions for UASCs, women, and male victims of trafficking, as well as those at risk of trafficking who had been caught in the conflict in Yemen and arrived in Djibouti by their own means. Through a network comprised of relevant consular authorities, national social services, and international and national NGOs, efforts were launched to trace and reunify family members in countries of origin (primarily Ethiopia). A number of UASCs, as well as some female and male victims of trafficking, were also assisted in Ethiopia by being reintegrated and rehabilitated into communities of origin. This example demonstrates that even if efforts cannot be safely undertaken in the country in crisis (Yemen), a range of stakeholders can provide protective measures in countries of transit (Djibouti) and of origin (Ethiopia).



## Key findings for trafficking and exploitation risks in armed conflicts

In the cases of Libya and Iraq, the erosion of the rule of law creates a state of impunity in which traffickers in certain localities can act without the fear of arrest or condemnation. TiP may turn into a means to achieve armed groups’ objectives – such as recruiting fighters and workforce, financing groups’ activities, and providing for sexual services – but also in terms of ideology, due to the systematic trafficking and enslavement of ethnic minorities, where the trafficked persons have been deliberately targeted because of their vulnerable position and to meet the group’s goal of, for example, sexual slavery. In addition, crises may create new demands from humanitarian responders,

<sup>36</sup> The literal translation of the Muta’a is temporary marriage. It is an informal agreement with a specified period. Such arrangements also require a woman to renounce the typical rights that a wife is entitled to in an Islamic marriage, such as the right to financial and material support, including support for any children that result from the marriage. See Child Protection and Gender-Based Violence Sub-working Group Jordan, *Findings from the Inter-Agency Child Protection and Gender-Based Violence: Assessment in the Za’atari Refugee Camp* (2013). See also Save the Children, *Too Young to Wed: The Growing Problem of Child Marriage among Syrian Girls in Jordan* (London, 2014).

<sup>37</sup> In particular within the Protection Working Group for Iraq.

as was seen in the Balkan crisis, in Haiti and more recently in the Central African Republic, just to cite a few examples, where demands for sexual services led to instances of human trafficking to “ensure” a supply. Both these examples stand as a permanent warning to present and future emergency responders.<sup>38</sup> Labour migrants, irregular migrants, asylum-seekers and refugees are considered to be most vulnerable to TiP in Libya, and thus traffickers expressly target these groups. TiP of minorities also highlights the fact that discrimination is an important risk factor in this process. Similar to the racial discrimination observed in Libya, in Iraq discrimination appears also to be based on ethnic (racial) and religious factors. The Iraqi scenario also highlights the strong gender dimension of TiP in times of crisis, as girls and women are specifically targeted and there are clear links to sexual exploitation and sexual slavery.<sup>39</sup> In the Syrian Arab Republic, many families and individuals have adopted negative coping mechanisms such as forced early marriages and child labour, which often result in exploitation and trafficking. Migrants caught in crisis contexts are particularly at risk of becoming stranded and exploited because they tend to face discrimination and do not enjoy the same level of protection that is afforded to nationals in the State in which they work.<sup>40</sup>

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<sup>38</sup> United Nations General Assembly, *Report of the Independent Expert on the Situation of Human Rights in the Central African Republic*, Marie-Thérèse Keita Bocoum, A/HRC/30/59 (2015). Available from [www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A\\_HRC\\_30\\_59\\_ENG.DOCX](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_59_ENG.DOCX).

<sup>39</sup> While the Iraqi setting has been highlighted above, similar patterns can be found in other ongoing armed conflicts, such as Nigeria and the crimes committed by Boko Haram, with the mass abductions of girls in the territories under their control, and the forced recruitment of children, including to serve as suicide bombers. Suspicion of trafficking for organ removal was also reported in the Syrian Arab Republic, as was forced recruitment of children.

<sup>40</sup> As reported in IOM and Walk Free Foundation, *The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa* (Geneva, 2015:10): “There is a strong statistical link between high levels of instability within a country and an increase in that population’s vulnerability to modern slavery. In cases of armed conflict, there is often a corresponding weakening of the rule of law, providing fertile ground for traffickers to profit with impunity.”

## Disasters

### 2004 Indian Ocean earthquake and tsunami

The issue of TiP during natural disasters first appeared on the international community's agenda after the devastating tsunami that hit South Asia in late 2004. The tsunami particularly affected Indonesia, Sri Lanka and Thailand. During this crisis, several issues arose that deserve mention:



- A number of child protection organizations raised the alarm over potential child abductions, especially for international adoption purposes, in the immediate aftermath of the disaster.
- In the post-crisis phase, displaced populations were the first to report (suspicions of) TiP cases. They described suspicious behaviours of unidentified individuals who were coming into the camps to offer jobs or free education opportunities for children.<sup>41</sup>
- Despite the fact that at that time there were no confirmed cases of child trafficking, authorities intercepted groups of children who were being transported by non-relatives to different areas of Indonesia for the alleged purpose of receiving education.<sup>42</sup>
- The presence of suspicious people observed in a number of regions and camps, and the interception of minors in transit, triggered efforts to raise awareness about the risk of trafficking.

According to UNICEF, mass campaigns to address and prevent child abduction and child trafficking in post-tsunami Indonesia may have spread fear among already vulnerable populations, in an environment where no cases were ever substantiated during follow-up investigations conducted by UNICEF and its partner organizations. However, it is important to note that it is inherently difficult to measure the effectiveness of awareness-raising activities to prevent actual trafficking incidents. While it is possible to assess and quantify the scope of dissemination, whether messages were received/understood is much harder to determine, as well as how many cases were prevented. This should not, however, discourage responders from undertaking preventative activities after a natural disaster or conflict,<sup>43</sup> especially in countries in which recognized and documented human trafficking networks operate (such as Indonesia). Failure to consider these risk factors at the onset of an emergency, or relying on substantiated cases of exploitation to trigger a response strategy, is reactive and could be detrimental to affected populations. It is critical that information campaigns are

<sup>41</sup> Internal exchanges with former IOM Aceh staff, March 2015.

<sup>42</sup> 18 trafficked children aged 2-21 were assisted by IOM with the return and reintegration into their home communities (IOM internal source). Moreover, after the island of Nias was devastated by an earthquake on 28 March, three months after the tsunami, "groups of between 8 and 45 children of both sexes, ranging in age from 3 to 17 years, [were] taken from Nias to other parts of Indonesia by national non-governmental organizations, ostensibly for educational purposes and with the knowledge and 'will' of their primary care-givers." See UNICEF *Nias Weekly SitRep* (New York, 2005), para. 4.1. Available from <http://reliefweb.int/report/indonesia/unicef-nias-weekly-sitrep-23-jul-2005>.

<sup>43</sup> Various actions are vital to reducing children's risk of becoming victims of trafficking, including conducting rapid assessments on the situation of children; preventing and addressing the separation of minors, including interim care; implementing family tracing systems; meeting basic needs and providing psychosocial support; and establishing procedures to ensure that children who are travelling during emergencies are with their parents or primary caregivers. UNODC, *Toolkit to Combat Trafficking in Persons*, Chapter 9, "Tool 9.11 Rapid Response: Prevention during Emergencies" (Vienna, n.d.). Available from [www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296\\_tool\\_9-11.pdf](http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_9-11.pdf). "There are no substantiated cases of trafficking of tsunami-affected children, but all partners must continue to be vigilant, and continue with current prevention efforts." Yin Yin New, "Children and the Tsunami." In: *A Year On, A Draft UNICEF Summary of What Worked* (2005), p. 2. Available from [www.unicef.org/files/WhatWorked.pdf](http://www.unicef.org/files/WhatWorked.pdf). See U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report* (Washington, D.C., 2004). Available from [www.state.gov/j/tip/rls/tiprpt/2004/33191.htm](http://www.state.gov/j/tip/rls/tiprpt/2004/33191.htm); and U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report* (Washington, D.C., 2005). Available from [www.state.gov/documents/organization/47255.pdf](http://www.state.gov/documents/organization/47255.pdf).

informative and designed in close consultation with communities. Doing so helps ensure that the content of such campaigns features specific tools to protect people who are considering migrating, either within or across borders, and that messages are conveyed in a manner that is both culturally appropriate and accessible by vulnerable populations.<sup>44</sup> In Aceh, for example, additional preventative activities aimed at decreasing key groups' vulnerability were carried out. These included support for income generation for extremely vulnerable women and support for formal and informal education facilities in an effort to keep children in school; the latter included transportation as well as distribution of uniforms, food and school supplies.

The post-tsunami crisis indicates that chaos in the aftermath of a natural disaster – which includes destroyed infrastructure and social service facilities, ineffective or hampered law enforcement, unmet basic survival needs, disrupted social fabrics, and trauma – can exacerbate affected communities' vulnerability to exploitation. Such people become more prone to accepting, for example, traffickers' or criminal networks' bogus offers of employment or education. The presence of such vulnerability factors, particularly in a country with recognized trafficking trends, should at a minimum trigger a basic risk assessment and preliminary awareness-raising efforts among affected populations. These should be informative, culturally appropriate, and executed in a manner that does not compound trauma or incite fear. Such prevention efforts should not be viewed as a competing priority with lifesaving assistance, but rather embedded within immediate response strategies in an effort to prevent the abuse and exploitation of a vulnerable population.

## 2010 Haiti earthquake

A devastating earthquake struck Haiti on 12 January 2010. Major urban centres were destroyed, over 220,000 people were killed, and more than 300,000 were injured.<sup>45</sup> The government's capacity to respond was severely hampered by the damage to administrative buildings and the loss of government staff. At the peak of the post-earthquake displacement in July 2010, approximately 1.5 million people were living in 1,555 IDP sites throughout the country.<sup>46</sup> It is not known how many IDPs lived outside of camps in host communities. In this particular crisis, some of the most salient points to note include:



- Immediately after the earthquake, cross-border movements increased. These included the smuggling of irregular migrants and TiP (specifically of children), especially at land borders and to a lesser degree at air and sea borders.
- In the weeks following the earthquake, UNICEF reported that approximately 25 to 100 children went missing every day because they were either smuggled or trafficked to the Dominican Republic, supposedly for the international adoption market.<sup>47</sup>

<sup>44</sup> See U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report* (Washington, D.C., 2004). Available from [www.state.gov/j/tip/rls/tiprpt/2004/33191.htm](http://www.state.gov/j/tip/rls/tiprpt/2004/33191.htm); and U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report* (Washington, D.C., 2005). Available from [www.state.gov/documents/organization/47255.pdf](http://www.state.gov/documents/organization/47255.pdf).

<sup>45</sup> Secretariat permanent de gestion des risques et des désastres, Comité thématique évacuation et gestion des abris provisoires, 'Reponse aux desastre : Abris d'urgence, habitat et regroupements' (2014), Partie 1, 1.a, p. 12; and UN News Centre, 'Haiti Earthquake: Situation Updates' (2010). Available from [www.un.org/News/dh/infocus/haiti/haiti\\_quake\\_update.shtml](http://www.un.org/News/dh/infocus/haiti/haiti_quake_update.shtml).

<sup>46</sup> Brookings Institution and IOM, "Supporting Durable Solutions to Urban, Post-Disaster Displacement: Challenges and Opportunities in Haiti" (2014), p.13. Available from [http://publications.iom.int/system/files/pdf/supporting\\_durable\\_solutionstodisplacement\\_haiti\\_feb2014\\_brookings.pdf](http://publications.iom.int/system/files/pdf/supporting_durable_solutionstodisplacement_haiti_feb2014_brookings.pdf).

<sup>47</sup> Reported in the IOM Haiti CBMM project assessment.

- On 29 January 2010, members of an American missionary group were caught attempting to illegally transport 33 Haitian children who ranged in age from 2 months to 12 years from Haiti to the Dominican Republic, to ultimately be adopted in the United States.

Despite the fact that most cases of actual or attempted irregular border crossing were not formally identified as trafficking,<sup>48</sup> there were indeed serious suspicions that smugglers and traffickers – both individuals and networks – operated with the aim of procuring children and babies for illegal adoption, and that this was facilitated by the lack of border control.<sup>49</sup>



Camps Jean Marie Vincent, Haiti. © IOM Haiti 2013

In the immediate aftermath of the earthquake, on the request of the local government, IOM helped set up rapid response team that consisted of national and international immigration, police and customs officers tasked with responding to emergencies within the country, and particularly at the Haitian borders. The team remained active through the end of 2011 and carried out a number of operations that specifically addressed irregular activities and movement at borders.<sup>50</sup>

The Haiti case raised important protection concerns as well as definitional issues; these should be further assessed as related to child adoption in particular, and when such cases become cases of human trafficking (and when they do not). Moreover, deploying a rapid response team to identify vulnerable cases at borders provided immediate, tangible results in terms of apprehending smugglers, identifying vulnerable individuals in need of immediate support and assistance, and so on; the team's efforts were appreciated both by the local government and international organizations. This example is currently being considered within IOM's strategy to fight trafficking and exploitation in times of crisis.

## 2013 Typhoon Haiyan in the Philippines

In 2013, the super typhoon Haiyan wreaked significant havoc on one of the poorest regions in the Philippines. Even before the disaster, the poverty rate of the Eastern Visayas region was 10 per cent higher than the national average.<sup>51</sup> The region had previously struggled with the sexual exploitation of women and children and the labour exploitation of men and boys, in particular in the Metro Manila area. Certain facts about this crisis are worth considering:



- Approximately 14.1 million people were affected by the disaster; 4.1 million were displaced and 1.1 million houses were damaged.<sup>52</sup>

<sup>48</sup> The identified cases could not have been formally recognized as trafficking, as Haiti at that time had not yet adopted a national counter-trafficking law.

<sup>49</sup> During the whole of 2010 and part of 2011, both Haitian and Dominican border officers eased border control to help the flow of humanitarian aid on the island (IOM Internal source).

<sup>50</sup> In 2010 and 2011, the mobile team DIP (*Douanes, Immigration, Police*) apprehended various adults trying to cross the border with babies or small children. Interviews revealed that the adults in question were not related to the children, nor had they any documents from the children's parents. The police apprehended the adults and the children were later referred for assistance. The mobile team DIP identified these cases as intending to send children for illegal, international adoption in the Dominican Republic.

<sup>51</sup> See <http://firstperson.oxfamamerica.org/2013/11/09/typhoon-haiyan-slams-most-impoverished-regions-of-philippines>.

<sup>52</sup> According to OCHA, *Philippines: Typhoon Haiyan* (2014). Available from <http://reliefweb.int/report/philippines/philippines-typhoon-haiyan-situation-report-no-34-28-january-2014>.

- The economic and livelihood losses from the typhoon significantly increased the population's vulnerability, which traffickers manipulated to deceive or coerce victims into exploitative situations.
- In the case of children, the loss of parents or other caregivers created a protection gap that put them at particular risk for being trafficked.
- Various government bodies responsible for CT confirmed the heightened risks of human trafficking among the afflicted populations. A few TiP cases were identified in areas that were known to be trafficking hotspots before the crisis, which highlighted the importance of documenting such hotspots and vulnerabilities before crises strike, as part of preparedness plans.<sup>53</sup>

In the first week after the typhoon, IOM provided relief support to a large group of crisis-affected people, including unaccompanied minors, who were moving towards Tacloban in search of shelter. As covered in more detail in the section on best practices below, IOM, in collaboration with the local CT agency, led CT efforts within the Protection Cluster. All CT activities were undertaken in close collaboration with the Protection Cluster member.

## 2015 Nepal earthquake

The 2015 earthquake was the deadliest in Nepal in more than 80 years, killing over 8,000 people and destroying more than 600,000 houses. The first earthquake was magnitude 7.8, and hit the country on 25 April. A second earthquake, magnitude 7.3, followed just two weeks later, on 12 May. Despite the fact that a decade-long civil war ended in 2006 and it has tried to achieve political stability, Nepal remains significantly underdeveloped. The caste system and male-centred culture have strongly influenced the social fabric.



Before the crisis broke out, 14 out of the country's 75 districts were known as places of origin for trafficked and exploited victims. Specifically, women are known victims of trafficking in brothels in urban centres, where labour exploitation and sexual coercion are prevalent in the night entertainment industry.<sup>54</sup> Brokers and traffickers heavily target this sector. Children are employed as forced labour in construction, factory work, as domestic workers and in other sectors. Organ trafficking from both consenting and non-consenting victims is a real and concerning phenomenon. Moreover, Nepal was and remains a major source of migrant workers who mainly travel to the Middle East, Malaysia and China. The trafficking of large groups of migrant workers to a number of destination countries has been repeatedly reported and was a concern even before the crisis broke out. It must also be mentioned that while trafficking women for sexual exploitation in India is an acknowledged phenomenon, trafficking through "marriage bureaux" to foreign men, especially in East Asian countries, is an emerging form of exploitation.

This tragic earthquake hit as IOM was responding to the lessons from the July 2015 "Finding and Recommendations" edition of this report. Hence, IOM worked to ensure that anti-trafficking responses were mainstreamed into the emergency response plan.

<sup>53</sup> The press statement by the IACAT chairperson is accessible via [www.doj.gov.ph/news.html?title=GPH+to+impose+the+Full+Force+of+the+Law+on+those+who+will+prey+on+Yolanda+Survivors&newsid=238](http://www.doj.gov.ph/news.html?title=GPH+to+impose+the+Full+Force+of+the+Law+on+those+who+will+prey+on+Yolanda+Survivors&newsid=238).

<sup>54</sup> See Walk Free Foundation and AATWIN, *Modern Slavery in Nepal: Understanding the Problem and Existing Responses* (2015).

In the aftermath of the earthquake, it is relevant to point out the following:

- The type of migration trends traditionally connected to trafficking, as well as trafficking types that had existed prior to the earthquake, persisted; some were even exacerbated during the crisis. In particular, some women resorted to negative coping mechanisms in the entertainment sector in urban areas, which often led to sexual and labour exploitation and to a concerning increase in women migrating to India through Nepal, a well-known migration route for women to end up as victims of trafficking for sexual exploitation in Indian brothels. Specifically, in the absence of customers in Kathmandu, cases were reported of some women being transferred by pimps to work in other urban areas in Nepal.
- Various forms of SGBV and gender discrimination against girls and women – child marriage, trafficking, and not sending girls to school – existed in Nepal as negative coping mechanisms to deal with poverty prior to the earthquake. At the outset of the crisis, humanitarian and development actors, including IOM, had predicted that these practices would increase in affected areas due to lost livelihoods and eroded social networks. During the implementation of protection activities in IDP camps, IOM and other actors noted that this was indeed the case, and, in the aftermath of the earthquake, many affected families had not sent their daughters back to school, and some had even resolved to send their daughters abroad for foreign employment.<sup>55</sup>
- In the immediate aftermath of the crisis, UNICEF reported to the Protection Cluster members that a number of USACs were intercepted at district borders by the local police and local NGOs. Other sources indicated that some of these children were travelling in search of job opportunities in other urban areas in Nepal.
- The initial prevention activities led by the Child Protection actors and Nepal Police, which aimed to intercept USACs at checkpoints, recently integrated efforts, in some of the affected areas, to prevent adult trafficking, with IOM's support.
- About 1–2 months after the earthquake, IOM started to notice that an increasing number of affected populations, such as IDP camp residents (especially young ones), were submitting passport requests at the district level with the intention of migrating abroad in search of employment. This was noted by NGOs working in the passport office as well as NGOs working in IDP camps. This raises concerns, especially considering the history of Nepalese migrant workers becoming victims of trafficking networks abroad, the increase in demand for passports and the subsequent likely increase in the search for employment opportunities abroad.

Furthermore, despite the fact that those intercepted cases were not confirmed as victims of trafficking, IOM, UNICEF and the AWO International, in collaboration with local NGOs that specialize in trafficking and safe migration, carried out prevention campaigns aimed at the identified children's communities of origin, as well as at other crisis-affected communities. These campaigns addressed various issues, including the risk of trafficking posed by bogus job offers, especially if such offers are for work abroad; the risks of unsafe migration; as well as other protection issues within the IDP camps. Furthermore, such campaigns addressed the need to set up Protection Committees or Watch Groups within the communities to strengthen self-surveillance capacity.

IOM, in collaboration with a local NGO, identified a group of approximately 200 vulnerable girls and women, including their children, who were directly affected by the earthquakes and believed to be at risk of trafficking. These women survived by working in the entertainment sector (at massage and dance parlors, and Dohori music shows)<sup>56</sup> in the urban areas of Kathmandu where they had lived for

<sup>55</sup> People in Need, *Her Safety Assessment Report* (Prague, 2015). Available from [www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/her\\_safety\\_assessment\\_final.pdf](http://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/her_safety_assessment_final.pdf).

<sup>56</sup> Nepalese folk dance.

several years. Many of them lacked citizenship, even before the earthquake. Statelessness can be considered a reason why, in the absence of other livelihood alternatives, vulnerable women resort to working in the entertainment sector and one of the root causes of their vulnerability. In Nepal, citizenship is not conferred at birth; one must apply for citizenship upon reaching the age of 16.<sup>57</sup> In the 1990s, under the previous citizenship regime, a woman's application for citizenship needed to be legally endorsed by a male relative. Despite improvements heralded by the adoption of a new constitution in 2015, Nepali women continue to face a number of discriminatory provisions.<sup>58</sup> In the aftermath of the earthquake, it was feared that the vulnerability of this group would be exacerbated by a loss of customers and the consequent acceptance of extreme and abusive sexual practices that they would have refused before the crisis (lower pay, and so on). It was also feared that this group would become more prone to becoming victims of trafficking by pimps and other criminals. Because their houses were seriously damaged by the earthquakes, they slept in the open air and refused to move to temporary camps, since working in the entertainment sector is the only way they know how to survive. Having no other source of income, they are compelled to continue to work under hazardous conditions in broken buildings, and thus were less exposed to humanitarian actors.

According to the testimony of local NGOs, in the post-earthquake phase, some women were not paid for their services, but continued to work by clinging to a hope that business would gradually resume. As they spend longer hours at work, children are left behind, which could lead to neglect. Out of desperation, some women also approached NGO staff asking if there were any job opportunities abroad. This is clear evidence indicating the crisis-induced forms of exploitation that are closely linked to pre-existing practices.

IOM, in collaboration with a local NGO run by survivors of trafficking, organized a sensitization workshop aimed at assessing these women's post-earthquake immediate needs and explored possibilities for alternative livelihoods. This intervention also provided immediate humanitarian assistance to reduce their immediate vulnerability to trafficking. The case of these women was brought to the attention of the Protection Cluster.

Based on findings and recommendations from the initial version of this study, IOM included CT efforts and activities into its emergency response activities in Nepal from the onset of the crisis. This work has now been undertaken by a dedicated team addressing both protection and CT in crisis issues within IOM that works closely with local relevant agencies, especially the local police and Protection Cluster members.

## **Key findings on trafficking, exploitation and natural disasters**

Natural disasters heighten the risk of and create the right environment for traffickers to exploit a population's vulnerabilities. The examples from the Indian Ocean earthquake-impacted countries (Haiti and the Philippines) illustrate the vulnerability of children (especially girls) and women in the immediate aftermath of a large-scale natural disaster. The Haiti case also highlights how some individuals, organizations and criminal networks take advantage of the chaos and of individuals' pre-disposition towards vulnerability. As the case of Nepal shows, vulnerability has its root in pre-existing social fabric and crisis further fosters the reliance on negative coping mechanisms.

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<sup>57</sup> N. Laurie et al., Post-Trafficking Bordering Practices: Perverse Co-production, Marking and Stretching Borders. *Political Geography*, vol. 48 (2015:83–92).

<sup>58</sup> For example, a Nepali woman must establish that her father is Nepali. Moreover, the mother of a child needs to prove who the father is. Consequently, children of women who were sexually abused or were sex workers face considerable challenges in proving the identity of their father. Moreover, Nepali migrant workers whose offspring are born outside Nepal – for example, though sexual abuse by an employer, or if the father denies their relationship – may never be able to obtain Nepali citizenship for their children. For more information about citizenship provisions against women under Nepal constitution 2015, see <http://thehimalayantimes.com/nepal/citizenship-provisions-discriminate-against-women>.

## Mixed flows and complex migratory settings<sup>59</sup>

### The Horn of Africa towards North Africa or across the Gulf of Aden to Yemen, en route to the GCC

Over the last few decades, migration flows from the Horn of Africa have been typified by mixed migration flows, particularly since the Ethiopia–Eritrea war (1998–2000). It is also one of the most dangerous routes to Europe through North Africa, or to the Gulf States across the Gulf of Aden and through Yemen.

Trafficking is considered a low-risk and lucrative illicit activity in the region, particularly for the local Bedouin tribes along the migratory routes. Victims predominantly originate from Eritrea, Ethiopia, Somalia, and occasionally from Sudan.<sup>60</sup> With an increasing flow of Eritreans and other nationalities, trafficking for multiple forms of exploitation has become more common. At its peak, exploitation was heightened by the direct kidnapping of persons from refugee camps, although these have now reportedly declined.<sup>61</sup>



### Key findings on mixed flows in complex settings

Mixed flow settings feature different push and pull factors as well as shifting vulnerabilities and myriad protection needs for those on the move. Across the board, however, conflicts – combined with protracted displacement, few ways to legally emigrate to third countries, poor quality education and lack of livelihood opportunities – make asylum-seekers, refugees and irregular migrants vulnerable to trafficking. On the other hand, the lack of awareness of the dangers of the trafficking business and the lack of alternative livelihood opportunities in countries of transit encourage young people to get involved in these criminal activities. In essence, trafficking occurs in a mixed-flow context where the complex interplay of supply and demand is driven by opportunism and necessity.

<sup>59</sup> TiP in the Sinai was documented by a number of actors. See Amnesty International, *Egypt/Sudan: Refugees and Asylum-Seekers Face Brutal Treatment, Kidnapping For Ransom, and Human Trafficking* (New York, 2013a); M. van Reisen, M. Estefanos, and C. Rijken, *Human Trafficking in the Sinai: Refugees between Life and Death* (Brussels, 2012); M. van Reisen, M. Estefanos, and C. Rijken, Sinai Trafficking: Origin and Definition of a New Form of Human Trafficking, *Social Inclusion*, vol. 3, no. 1 (2015:113–124); R. Humpris, *Refugees and the Rashaidas: Human Smuggling and Trafficking from Eritrea to Sudan and Egypt*, Research paper n°254, University of Oxford/UNHCR (2013). Available from [www.unhcr.org/51407fc69.pdf](http://www.unhcr.org/51407fc69.pdf); IOM Cairo, *A Comprehensive Assessment on the Human Trafficking of Eritreans and Ethiopians Along the Eastern Migratory Route, with a focus on Sinai Peninsula* (2013, unpublished).

<sup>60</sup> See M. van Reisen, M. Estefanos and C. Rijken, Sinai Trafficking: Origin and Definition of a New Form of Human Trafficking, *Social Inclusion*, vol. 3, no. 1 (2015:113–124). See also Altai Consulting, *Migration Trends across the Mediterranean: Connecting the Dots* (2015). Available from <http://publications.iom.int/books/migration-trends-across-mediterranean-connecting-dots>; Mixed Migration Hub, *Detained Youth: The Fate of Young Migrants, Asylum Seekers and Refugees in Libya Today* (Cairo, 2015b). Available from [www.mixedmigrationhub.org/resources/mmtf-noah-research](http://www.mixedmigrationhub.org/resources/mmtf-noah-research); Mixed Migration Hub, *Conditions and Risks of Mixed Migration in North East Africa* (Cairo, 2015a). Available from [www.mixedmigrationhub.org/resources/mmtf-noah-research](http://www.mixedmigrationhub.org/resources/mmtf-noah-research); Mixed Migration Hub, *Monthly Trend Bulletins on Mixed Migration in North Africa* (2015). Available from [www.mixedmigrationhub.org/mixed-migration-trends/monthly-trend-bulletins](http://www.mixedmigrationhub.org/mixed-migration-trends/monthly-trend-bulletins); and IOM, *The Middle East and North Africa: Annual Report 2014* (Cairo, 2015). Available from [http://publications.iom.int/system/files/pdf/mena\\_annual\\_report\\_2014.pdf](http://publications.iom.int/system/files/pdf/mena_annual_report_2014.pdf).

<sup>61</sup> IOM/UNHCR, *Addressing Human Trafficking, Kidnapping and Smuggling of Persons in Sudan*. Joint Strategy (Geneva, 2014a).

## PART III

# BEST PRACTICES

Challenges to addressing human trafficking in times of crisis can be partially explained by the lack of evidence of such cases in the aftermath of a crisis, but more fundamentally by the complex nature of this phenomenon. This is because of the following issues:

- Human trafficking often occurs across the broader spectrum of the migration cycle; potential victims are on the move across district and national borders and often outside the reach of humanitarian response.
- Moreover, organized criminal networks can be highly fluid and adaptable and involve a chain of different actors; the fact that they work underground, coupled with the type of exploitation, makes evidence difficult to gather.
- The inherent nature of this crime, coupled with the confusion that typically surrounds a crisis response, often results in cases remaining hidden for quite some time, to victims' great detriment. When cases finally emerge, some have been exploited, abused and suffered violence for prolonged periods of time, already with devastating effects.

Despite the overall absence of an institutionalized, standardized and coordinated approach to human trafficking in crisis situations, a number of tools and best practices have been identified.<sup>62</sup>

### **Haiti – establishing a rapid response team to address vulnerabilities at border posts**

Immediately after the earthquake that hit Haiti, entry and exit activities at all border posts greatly increased. This included smuggling of migrants and trafficking in persons, including children, especially at land borders, and to a lesser degree at air and sea borders.

In collaboration with the relevant governmental institutions, IOM, which had been running a programme aimed at strengthening the capacity of border institutions even prior to the crisis, responded to this urgent situation with an emergency strategy that included the following three elements:

- The creation of a rapid response team, called mobile team DIP (*Douanes, Immigration, Police*), composed of previously trained border officers for special interventions at borders. These included supporting their colleagues in dealing with the increased workload and identifying vulnerable individuals as well as those at risk of trafficking.
- The development of emergency-tailored mobile border management training courses to be delivered directly at border posts. The goal of these was to strengthen border officers' skills in dealing with the larger caseload and to ensure the coordinated operation of border operations during and after the emergency period.
- The organization of binational border workshops with the neighbouring Dominican Republic to tackle emergency and non-emergency border management issues.

Between 2010 and 2011, the mobile team continued to operate at various formal and informal border posts throughout the country and identified a number of cases of smuggling and potential

<sup>62</sup> See also IOM, *Responding to Human Trafficking and Exploitation in Times of Crisis: Reducing the vulnerabilities of victims, including migrants, in preparedness, response and recovery efforts* (Geneva, forthcoming); and IOM and Walk Free Foundation, *The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa* (Geneva, 2015).

trafficking of people who, depending on each specific case, were channelled through the national referral mechanism for support. Rescue operations were coordinated with the relevant national institutions, such as the *Institut de Bien-Etre Social et de Recherche*, the *Brigade de Protection des Mineurs* of the Haitian National Police, as well as international agencies such as UNICEF.

The Government of Haiti recognized that the mobile team's control operations brought tangible results, relief and assistance to situations that would otherwise remain unresolved. Considering its success, the Government of Haiti replicated the mobile team model from mid-2011 through 2014 for border management and anti-corruption efforts.

The experience of Haiti indicates the vital importance of addressing the mobility of crisis-affected populations through far-reaching initiatives that target formal and informal border posts. This must be coupled with the involvement of law enforcement institutions, specifically those that operate at borders, within CT and other vulnerability prevention activities. Otherwise, such protection and prevention gaps will remain unaddressed by the humanitarian response mechanism.

## **The Philippines – Integrated humanitarian response in regions prone to trafficking in persons**

Following Typhoon Haiyan, CT was positioned as an integral part of IOM's emergency response from the onset of the crisis, along with other immediate needs such as shelter, NFI, CCCM (Camp Coordination and Camp Management) and health. Due to their interconnectedness, CT and SGBV were simultaneously addressed. Fundraising efforts based on available baseline data were conducted from the onset.

The stance of IOM and other local actors was that traffickers would exploit affected populations' vulnerabilities unless appropriate prevention and protection measures were immediately enacted. Therefore, the integrated CT and SGBV outcome (as part of the protection goals of the Strategic Response Plan for Haiyan) was to strengthen the capacity of the Government of the Philippines; Cluster partners and community members to minimize the risks associated with human trafficking and SGBV; and to ensure the provision of and safe access to protection support.

Because of the scale of this emergency, IOM asked the Inter-Agency Council Against Trafficking (IACAT) to participate in the national Protection Cluster meeting. This was the first time that IACAT participated in a cluster in the Philippines. Along with Cluster members, IOM and IACAT addressed the emergency's counter-trafficking needs.

CT responses become integrated within the Protection Cluster outcome indicators and the Multi-Cluster/Sector Initial Rapid Assessment (MIRA) conducted in the immediate aftermath of the Level 3 (L3) crisis. Joint IOM/governmental CT rapid intervention teams were set up at the onset of the crisis and were positioned at key exit points (such as airports and seaports) to screen and register vulnerable populations fleeing from the affected areas. CT questions were also introduced within the IOM–DSWD<sup>63</sup> Displacement Tracking Matrix (DTM).

The humanitarian community was made more aware of human trafficking, in part through field-based orientations about the prevention of sexual exploitation and abuse (PSEA). In addition, communication materials regarding human trafficking risks were circulated to affected populations. These included banners about the main forms of exploitation and the central elements of TiP; key messages were also put on relief goods. CT efforts also included sensitizing key stakeholders (community leaders, police, army and local government officials) to TiP issues through CT

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<sup>63</sup> Government of the Philippines, Department of Social Welfare and Development (DSWD). The DSWD is the primary government agency mandated for emergency response during disasters. Under the government adaptation of the UN Cluster System, it is the lead for the CCCM Cluster, with IOM as co-lead.

orientations, and building the capacity of key stakeholders through joint UN<sup>64</sup> trainings with the IACAT Secretariat for the local NGOs, local governments and cluster members.

All activities were conducted in close cooperation with the Cluster System, United Nations agencies and local authorities. Specifically:

- IOM, UNICEF and UNFPA led joint and coordinated local (regional and provincial) awareness campaigns and capacity development for local governments and civil society organizations.
- UNHCR and IOM worked hand in hand on the Migration Outflow Desks (MOD) to register individuals leaving the Haiyan-affected areas in the Visayas.
- UNICEF and UNFPA partnered with IOM to conduct joint field assessments on GBV and human trafficking incidents in the Haiyan-affected areas. These same agencies also carried out a joint regional training on GBV and human trafficking in emergencies for local IACAT members and other humanitarian/development actors in the Haiyan-affected areas.
- IOM was designated as CT sub-working group leader at the local-level Protection Clusters, particularly in Leyte (Tacloban and Ormoc hubs) and by the local ordinances sustaining the CT representation in the local bodies in the early recovery phase and future disaster preparedness undertakings led by the local governments. Through its field offices and CT and protection teams, IOM directly assisted victims of human trafficking and GBV.
- IOM partnered with national and local media to reach vulnerable post-Haiyan communities. The work aimed to promote the national helpline against trafficking (1343) and to stress the importance of adopting a victim- and survivor-centred approach in protecting the vulnerable women and men.

This practice is currently being considered for ongoing crises and will inform the internal IOM strategy that is currently being developed and tested in the field.

## **Nepal – Integrating CT efforts into in all sectoral activities in humanitarian response**

Building on the experience in the Philippines, CT efforts in Nepal were incorporated into IOM's emergency operations from the onset of the earthquake response. Information, Education and Communication (IEC) materials on CT, SGBV, safety in camps and safe migration were developed in collaboration with civil society organizations. Various methods of awareness raising were employed with the goal of targeting various beneficiaries at different levels, including households at the community level; schools; hospitals; passport offices; highways; checkpoints; and public busses (to target passengers and drivers).

During the crisis, CT efforts were incorporated into wider relief activities and were specifically included in activities pertaining to IOM's emergency response. As noted in the previous sections, affected populations increasingly intended to go abroad in search of employment opportunities. This was noted by IOM as well as by NGOs working in passport offices and in IDP camps. In response to this alarming situation, IOM mobilized local NGOs that specialize in safe migration and incorporated messages on the risk of unsafe and irregular migration into wider protection activities. Messages about safe migration should be an integral component of CT efforts. This could be relevant especially when the affected country is a supplier of migrant workers, as is Nepal. Moreover, about a month after the crisis hit Nepal, there was evidence that criminal groups operating in crisis-affected communities had become operational specifically to take advantage of affected populations' increased vulnerability.

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<sup>64</sup> Particularly with UNICEF, UNFPA and UNHCR present in the Visayas.

## Human trafficking concerns in natural disasters – Inter-agency guidelines

The issue of trafficking is included in the *Protecting Persons Affected by Natural Disasters: IASC Operational Guidelines on Human Rights and Natural Disasters*, released in 2006. In 2011, the *IASC Operational Guidelines on the Protection of Persons in Natural Disasters* was published. The latter makes additional references to CT activities in an emergency response. Recommended activities include:

- conducting awareness-raising campaigns targeted towards affected populations about the risks of trafficking and exploitation;
- enrolling children in formal or informal educational activities or providing child-friendly spaces at the earliest possible moment;
- building the capacity of law enforcement agencies to investigate and respond to incidences of trafficking, child labour, and similar forms of exploitation;
- including sufficiently trained female staff in law enforcement activities, either through fast-track recruitment or by involving women in the shelters;
- setting up, in collaboration with local law enforcement officials, the judiciary and shelter management committees, of child- and women-friendly procedures to enable victims and their families to report incidents of trafficking, child labour and similar forms of exploitation;
- developing thorough investigation methods to prosecute perpetrators of trafficking, child labour, recruitment of children, and similar forms of exploitation, as well as developing effective victim and witness protection.<sup>65</sup>

## IOM/UNHCR framework document – Developing SOPs to facilitate the protection of trafficked persons<sup>66</sup>

In 2009, IOM and UNHCR developed a joint framework to establish standard operating procedures (SOPs) between both agencies at the global and country levels. The SOPs help ensure that each agency's available expertise, capacities and potential are effectively employed at the onset of a crisis to better address human trafficking and protect vulnerable migrants. More specifically, the SOPs enable:

- the identification of specific cases of TIP that fall through the cracks of existing protection and assistance frameworks, including:
  - ✓ identified VoTs who may be eligible for asylum/international protection
  - ✓ refugees who may need special VoT-tailored support
  - ✓ other cases (for instance, VoTs in need of resettlement, emergency contexts);
- enhanced protection for trafficked persons by combining both agencies' available expertise and capacities;
- an improved range of protection and assistance options available to VoTs by developing a stronger cooperation framework between the organizations.

The SOPs are currently being used in a number of armed conflict and protracted crisis settings.<sup>67</sup>

<sup>65</sup> IASC, *Operational Guidelines on the Protection of Persons in Situations of Natural Disasters* (Washington, D.C., 2011).

<sup>66</sup> IOM and UNHCR, *Developing Standard Operating Procedures to Facilitate the Protection of Trafficked Persons* (Geneva, 2009). Internal document.

## Building regional capacity and responses: The case of MENA

Since the Arab uprisings, IOM has worked to ensure tailored anti-trafficking interventions in response to ongoing crises in the Syrian Arab Republic, Iraq, Libya and Yemen. This has included internal staff training;<sup>68</sup> developing an internal, operational regional framework to protect vulnerable migrants and combat human trafficking and migrant exploitation in the MENA region;<sup>69</sup> building capacity and offering technical assistance to humanitarian actors and emergency responders; providing anti-trafficking awareness raising and advocacy to potential victims, host communities and key responders within the context of the humanitarian response; using rapid assessments to continuously monitor trafficking-specific risks in changing emergency contexts; and providing direct assistance to trafficked persons and at-risk communities. To sustain this approach, IOM missions have worked to ensure that CT activities and efforts to protect vulnerable migrants are integrated into crisis response (project) documents such as Humanitarian Response Plans,<sup>70</sup> common humanitarian appeals and contingency planning tools.

## The Migrants in Countries in Crisis (MICIC) Initiative

The Migrants in Countries in Crisis (MICIC) Initiative is a government-led undertaking that is co-chaired by the Philippines and the United States. It seeks to improve the ability of States and other stakeholders to respond to the needs of migrants caught in countries experiencing crises, whether as the result of conflict or natural disaster, including by protecting their rights and dignity and alleviating suffering. When countries experience conflicts or natural disasters, preparedness and response mechanisms may not account for migrants, who may need specific support to find safety and rebuild their lives. In mid-2016, the Initiative will launch voluntary, non-binding principles, guidelines and effective practices that address the roles and responsibilities of States, international organizations, the private sector, civil society and migrants before, during and after a crisis.<sup>71</sup>

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<sup>67</sup> IOM has started to implement its SOP in crisis-affected countries such as Nepal, Nigeria, Malawi and Mozambique, and new countries are currently being considered.

<sup>68</sup> In September 2013, IOM Regional Office for MENA organized a regional workshop on “Responding to Human Trafficking and Protection Gaps during Complex Emergencies while ensuring Minimum Standards.” The aim of the workshop was to gather staff from IOM offices in Iraq, Jordan, Lebanon and the Syrian Arab Republic to reflect upon the forms of trafficking present during ongoing regional crises and to reach consensus on the necessary interventions. Specifically, the workshop aimed to ensure that minimum standards for anti-trafficking interventions were met, while sufficiently adapting them to IOM’s operating methods in constrained environments. Emphasis was also given to vulnerable groups such as minors.

<sup>69</sup> IOM MENA, *Regional Guidance Note on Addressing Trafficking in Persons and Protecting Vulnerable Migrants in Crisis & Post-Crisis Contexts: Ensuring a Regional Mainstreaming Approach (Man-made Disasters; Protracted Crises)* (2014b).

<sup>70</sup> Including the Syrian 3RP; the 2015 HRP for Iraq; the 2015 HRP for the Syrian Arab Republic; the 2015 HRP for Yemen; and the 2015 HRP for Libya.

<sup>71</sup> More information about the MICIC Initiative is available at <http://micicinitiative.iom.int>. For queries, please contact: [MICICSecretariat@iom.int](mailto:MICICSecretariat@iom.int).

## PART IV

# ANALYSIS: THE NEXUS BETWEEN TRAFFICKING AND CRISIS SETTINGS

### Risk factors for vulnerable populations

Responding to TiP and exploitation in times of crisis should be considered a life-saving protective activity. According to the Central Emergency Relief Fund (CERF), life-saving activities are “actions that within a short time span remedy, mitigate, or avert direct loss of life, physical and psychological harm or threats to a population or major portion thereof and/or protect their dignity.”<sup>72</sup> Countering human trafficking involves preventing death, physical harm, the spread of lethal communicable diseases, and mitigating psychological harm.

Several risk factors related to TiP are similar in both crisis and non-crisis situations. However, crises prompt additional and specific risk factors, which vary whether crises are induced by armed conflicts, natural disasters or protracted situations. TiP may not develop similarly or to the same extent in all types of crises. Some similarities can, however, be observed in the different crisis settings analysed in this report:

- Crises are likely to impact TiP, not just in directly affected areas, but also in regions that host migrants and/or neighbouring regions, independent of the nature of the crisis and the legal status of the migrant.
- Many large-scale crises feature the erosion of rule of law, institutional breakdown, the development of criminal activities, the corruption and impunity of officials, and the enhanced reliance on negative coping mechanisms and risky survival strategies. These all represent important risk factors for TiP.
- At the onset of a crisis, existing criminal networks may become disrupted but may also adapt to the new situation – by targeting new victims in new places, such as refugee and IDP camps, transit points, or within local populations hosting high numbers of mobile populations.
- Migrants caught up in crises are at particular risk of becoming stranded and exploited.
- Traffickers may seek to take advantage of populations receiving humanitarian assistance, and may increase their criminal activities through fraudulent and ultimately exploitative opportunities for employment or onward migration.
- Independent of the type of crisis, IDP and refugee camps as well as formal and informal holding sites for stranded migrants are a rich source of new victims for traffickers and other criminal networks looking for a cheap or free workforce, sexual services and other exploitative services.
- The general lack of economic opportunity and affected populations’ increasing reliance on negative coping mechanisms can translate, in some cases, into heightened vulnerability to TiP.
- Traditional harmful practices – such as early/forced marriage – increase during crisis settings, and some might lead to trafficking. Cultural practices such as sponsorship schemes also render migrant workers vulnerable to trafficking.
- New demands for cheap, illicit and often exploitative services by those involved in the emergency response are generated, such as the demand for sexual services by humanitarian responders.

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<sup>72</sup> CERF, *Life-Saving Criteria* (2010).

- The absence of protection and lack of immediate solutions increase exposure to trafficking, especially in protracted settings.
- Weak governments are less equipped to respond to large-scale crises, and when a crisis hits, it will strongly exacerbate the vulnerability of affected populations.
- Other aggravating factors are related to discrimination, whether gender-based, ethnic, racial, religious, social, within a community or at the national level.

Based on the above observations, response strategies should be adapted to each setting to make sure interventions address and encompass all realities and particulars. In addition, the nature of a crisis typically dictates the response. For instance, in the aftermath of a major natural disaster, the humanitarian community is more likely to rely on a national government for assistance, whereas in armed conflict situations, governments might be unwilling or unable to contribute. Armed conflicts usually trigger a number of serious security concerns that may restrict humanitarian access and compromise the safety of both humanitarian workers and local populations. Natural disasters also bring their share of security issues, in particular when resentment and frustration grow among affected populations and lead to post-disaster violence, such as was the case in Haiti in 2010 and in the Philippines in 2013. All such factors should be carefully considered before implementing CT activities in emergency settings.

## **At-risk populations**

Crisis-affected populations are at risk of trafficking and exploitation, especially those that presented vulnerabilities prior to the crisis. At-risk populations in times of crisis can include irregular migrants, migrant workers, asylum-seekers and displaced populations (refugees and IDPs) directly caught up in a crisis or in transit, or people left behind (such as the families of migrant workers caught up in a crisis), as well as local communities. Particularly at-risk locations can be transit or holding points for irregular migrants, displacement camps, informal settlements and host communities. Predominantly vulnerable groups may include:

- UASCs and children on the move
- Female-headed households
- Female (adult and child) victims of domestic violence
- Trafficking victims caught up in a crisis
- Migrant workers, including victims of exploitation, already caught up in a crisis, especially those whose identity documents have been withheld by their traffickers
- Minorities and victims of discrimination – ethnic, racial, religious, social
- Individuals who are vulnerable because of their gender, age, irregular status, or social, economic or political circumstances, and so on
- Persons with disabilities
- Displaced populations intending to resort to unsafe migration (for work or protection)

Women and girls are considered most vulnerable to trafficking, but they are not the only ones targeted. Men and boys are also victims of TIP and exploitation, mainly related to labour exploitation, forced recruitment and deceptive smuggling practices. Besides gender-based discrimination, other forms of discrimination have also been identified as aggravating factors in the rise of trafficking.

## Protection gaps

Some forms of TiP and exploitation are referenced under the framework of the Protection Cluster and its two relevant AoRs, namely the Gender-Based Violence AoR and Child Protection AoR (see Table 1). However as highlighted in Table 1, trafficking as a specific crime with grave human rights concerns, as well as some specific forms of exploitation that further affect specific populations, remains unaddressed within the Cluster System, and therefore represents an important protection gap in crisis settings. The absence of human trafficking within the Protection Cluster can be partially explained by the lack of evidence and recognition of the issue as a matter of life-saving protection by the humanitarian community, but more fundamentally because of the complex nature of this phenomenon.

The two above-mentioned AoRs are increasingly trying to address and respond to the issues surrounding human trafficking in times of crisis. However, their specific focus on children and GBV addresses the victims of certain crimes and abuse, while other victims' needs remain unaddressed. This is, for example, the case of victims of non-gender-based trafficking, as well as the victims of non-child abuse-related trafficking.

Although GBV and human trafficking are closely linked, it is important to understand the nexus and differences between the two. While root causes of GBV and human trafficking have much in common – discrimination and power imbalance on the basis of gender; low levels of education; and the existence of harmful practices, to name a few – human trafficking is about exploiting human beings as a commodity. Organ removal and labour exploitation of male adults or taking for ransom as hostages are but a few examples. Moreover, while men and boys can be survivors of some forms of GBV (particularly sexual violence), prevention and protection measures – including national legislative provisions – typically focus on women and girls, which risks overlooking the rights of male survivors.

Moreover, human trafficking takes place across the broader spectrum of the migration cycle – from the point of departure, during transit and at the intended (or otherwise) place of destination. Potential victims are on the move across IDP camps, district and national borders, and often outside the reach of humanitarian responders. As the experience in the Philippines and Nepal showed, awareness-raising campaigns on human trafficking, for example, were far reaching. CT activities require mobilizing various actors who are not systematically present in the humanitarian fora, such as immigration, police, law enforcement and border management personnel. Local anti-trafficking NGOs and trafficking task forces or committees are not always kept abreast of discussions at the Cluster level. Thus, there is a critical need for a platform that connects the humanitarian fora and non-humanitarian actors with the Protection Cluster and its two AoRs. Establishing such a platform should be supplementary but not exclusive. Ultimately, the platform should aim to reinforce the capacity of the existing structure at the national level, instead of acting as a parallel system.

IOM has been working on the protection, assistance and rehabilitation of victims of trafficking and exploitation since 1997. Since then, it has provided direct protection and assistance to over 76,000 victims. IOM's core work on countering trafficking in human beings includes providing technical assistance, capacity-building and training to government officials, NGOs and civil society on the human rights of migrants, as well as on the identification, referral and protection of trafficked victims and other migrants in situations of vulnerability. Moreover, IOM is a global humanitarian actor that provides a range of operational responses to crisis. IOM is the CCCM Global Cluster lead agency in natural disasters and plays a critical role in a number of other clusters (for example, Shelter and NFI, Health, Protection, and so on). Considering IOM's valuable experience in both humanitarian and development settings, IOM is well placed to lead counter-trafficking efforts in humanitarian settings. One proposed way could be for IOM to coordinate anti-trafficking activities within the Protection Cluster, both as a thematic area and/or as a specific working group in collaboration with the existing sub-clusters/Areas of Responsibility, as happened in the Philippines in 2013. IOM is strengthening its capacities to ensure this leading role.

**Table 1: Protection gaps in the existing Protection Cluster**

Addressed		Unaddressed
Child protection	Gender-based violence	Trafficking in persons as a separate crime
– Forced child labour	– Forced early marriage	– Labour exploitation
– Forced child recruitment	– Forced temporary marriage	– Forced begging
– Child violence and abuse	– Forced prostitution	– Slavery
– Child kidnapping and abduction	– Domestic violence	– Organ removal
– Illegal adoption	– Sexual violence, rape and sexual exploitation	– Exploitation of stranded migrants
	– Sexual exploitation and abuse by aid workers	– Abduction of stranded migrants or migrant workers
		– Exploitation of discriminated minorities
		– Kidnapping migrants for ransom payments

## **PART V**

# **RECOMMENDED RESPONSE STRATEGY**

### **Collective and shared responsibility**

TiP does not suddenly manifest itself in isolation. The links between the vulnerability of populations and exploitative practices that existed prior to a crisis need to be factored into a humanitarian response.<sup>73</sup> To launch an appropriate response to TiP in crises, **TiP should be recognized as a phenomenon interrelated to crises, not merely as a side effect. In addition, CT activities should be considered life saving.** Current humanitarian responses to crises do not encompass the full reality of human trafficking and exploitation, and therefore leave forms of trafficking unaddressed and victims unassisted. An adequate response must ensure the comprehensive protection of vulnerable individuals. CT activities should therefore find a dedicated place or platform in the existing Cluster System. Human trafficking and exploitation offenses should consequently be documented and reported to quash impunity.<sup>74</sup> CT strategies should be part of the overall protection approach that is implemented during emergencies.

As indicated by a number of case studies in this research, failure to consider risk factors at the onset of an emergency – or allowing substantiated exploitation to trigger a response strategy – is reactive. A response generated by the presence of victims of exploitation or abuse is one that comes too late. These are cases that could have been prevented had counter-trafficking activities been addressed in the immediate aftermath of the crisis. In other words, a reactive response has the potential to be detrimental to affected populations; instead, the anti-trafficking response should be proactive and preventative as well as protective.

It is also critical to stress the importance of working collaboratively and in coordination with partners during a humanitarian response to a crisis. Collaboration and coordination are essential at every stage of the fight against trafficking, starting from when prevention strategies are adopted to when vulnerable cases are identified to the delivery of short- and long-term assistance. Collaboration and coordination are also necessary to strengthen the capacities of local and international actors and to implement follow-up activities to identify success and failure.

Donors should be sensitized to the relevance of human trafficking before, during and after crises. Specifically, as the case studies included in this research showed, either very clear signs of the existence of trafficking or clear suspicions of it are present from the very beginning of the crisis. One of the first activities to be carried out is a trafficking survey, which should take into account trends related to the crime of trafficking prior to the crisis, and also the features of the crisis.

There tends to be a divide between humanitarian and development funding, with trafficking being too often associated to the latter. While protection actors increasingly look at diversifying the pool of donors and advocate for the life-saving nature of protection activities, combating trafficking should become part of these efforts. In addition, traditional humanitarian donors should look at combating trafficking as part of the sustainable efforts that go beyond the immediate response; CT efforts are part and parcel of building an environment free from harm and violence and where rights may be restored from the outset.

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<sup>73</sup> IOM Migration Crisis Operational Framework (MCOF) document refers to the necessary linkage with development concerns.

<sup>74</sup> See IOM MCOF documents (MC/2355), art. 3(c) and the necessity to tackle “unaddressed migration dimensions of a crisis”.

## Recommendations

### States

- International actors should strengthen States' capacity and commitment<sup>75</sup> to getting involved in CT responses; partnerships with CSOs/NGOs should be fostered (where relevant and feasible).
- Cooperation with national and international law enforcement agencies should be enhanced, as well as CIMIC and cooperation with available legal mechanisms, including regional and international bodies.
- States should conduct awareness-raising and educational campaigns about human trafficking and referral pathways that target the general public, crisis-affected populations, and especially at-risk populations, governments and aid workers as well as peacekeepers with the aim of bridging the knowledge gap before, during and after a crisis.

### The humanitarian community, the UN system and the donor community

- The IASC should be called upon to strengthen the humanitarian community's response and issue operational guidelines for CT interventions during a crisis.
- Adopting a rights-based approach, specific working groups (at the AoR/sub-cluster level) or task forces on TiP and CT measures should be set up; they should report directly to the Cluster System. With a focus on mainstreaming, CT activities could be given a dedicated space/platform within the Cluster System or be linked to other relevant concerns, such as irregular migration, GBV and child protection. IOM could be one of the actors to lead this effort.
- Existing special procedures within the UN system – in particular the Special Rapporteur on Trafficking in Persons, especially women and children – should continue to raise awareness on this topic, report findings to higher levels, and provide technical support to the humanitarian community and the authorities of affected countries. The Special Rapporteur should also carefully examine the situation of migrants caught in crises as well as the specific needs of men, women and children.
- Strengthening the CT measures and approaches during crisis will require strong commitments from the donor community. Donors should help bridge the divide between humanitarian and development settings and recognize the relationship between pre-existing trafficking patterns and the heightened risks and vulnerabilities that exist during crises.
- Stakeholders, especially the donor community, want to see evidence of trafficking risks and occurrences immediately after the crisis to justify funding an intervention. However, given the complex nature of TiP, such evidence may not be readily available, so it is important to draw from the global patterns of risk outlined in this research. In so doing, CT efforts, particularly preventive measures, should be carried out from the onset of the crisis even if the scale or impact of TiP has yet to be revealed. This requires understanding and commitment from the donor community.

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<sup>75</sup> As a general best practice in the anti-trafficking field and equally applicable to prevent crisis-related forms of trafficking, "All States, irrespective of their place in the trafficking cycle, have an international legal responsibility to act with due diligence in preventing trafficking; investigating and prosecuting suspected traffickers; and providing assistance and protection to those who have been trafficked" – OHCHR (2002), Principle 2. United Nations Recommended Principles and Guidelines on Human Rights and Human Trafficking.

- Humanitarian actors need to link up with development actors already there during pre-crisis, and vice versa. Uniting the humanitarian and development community is therefore important and requires working in close collaboration with partners, both national and international, on all aspects of CT in crisis.

## **Specific parameters of response: Before, during and after**

### ◀◀ **Before**

#### **States**

- Ensure that governments, the international community, the donor community and local actors prioritize TiP as a life-saving and livelihood factor in times of crisis.
- Ensure that key legal reforms are adopted to address the most vulnerable, including migrant workers (for example, by addressing the predominance of withholding the passports of certain migrant workers).
- Ensure that States institute systems to identify trafficked persons within broader refugee populations, as well as migrant worker populations.
- Take steps to avoid victims being further traumatized by arrest and detention.
- Encourage States to promote the adoption of national CT laws and their effective implementation in the field; regional initiatives should also be encouraged.
- Whenever possible, States' commitment to combating trafficking should be encouraged and supported (this includes prosecuting criminals, including culpable public-sector officials; and decriminalizing victims).
- Baseline studies should ensure that main TiP trends and risk factors are known and understood locally, and that at-risk populations are identified. There should also be clarity regarding the formally and informally reported number of migrants working abroad and in respective destination countries.
- CT components should be integrated within emergency preparedness and contingency planning, including in a National Referral Mechanism in times of crisis.
- Livelihood activities should be enhanced to reduce vulnerabilities to TiP and at-risk populations' potential for exploitation.

#### **The humanitarian community, the UN system and the donor community**

- CSOs should be encouraged to participate in the process and build up their capacity accordingly; direct agreements between governmental and non-governmental actors should be fostered in the fields of assistance and protection.
- Capacity-building efforts should integrate a component on preparedness and response to TiP in crisis situations, and target multisector stakeholders involved in humanitarian responses.

## ○ **During**

### **States, the humanitarian community, the UN system and the donor community**

- CT measures should be part of the humanitarian response to crises; their goal should be to prevent TiP and protect vulnerable and at-risk populations. Advocacy should be undertaken through the Cluster System, specifically the Protection Cluster and its AoRs.
- Rapid assessments should be undertaken by trained staff at the onset of a crisis to assess the scope, scale and risk factors to TiP (specific assessment indicators could be developed with the support of IOM). The findings should inform evidence-based responses to ensure the protection and assistance of vulnerable populations caught in crises.
- Local/national SOPs should be drafted, or when they already exist should be adapted to the crisis context. SOPs should be informed by rapid assessments and outline short-, medium- and long-term protection responses, including durable solutions.
- Emergency referral mechanisms that define the roles and responsibilities of actors should be drafted regarding how to ensure effective assistance to VoTs.
- CT measures should be proactive, preventive and protective. Waiting until evidence of trafficking and exploitation is gathered is reactive. A response triggered by the presence of victims of exploitation and abuse is one that comes too late, and fails to address the crime when it starts. Preventive measures should be carried out from the very onset of a crisis, even when evidence is yet unavailable.
- Preliminary awareness-raising efforts, such as advocacy and prevention campaigns, must be developed and implemented to inform the local population about the risks of trafficking, and to address these risks. They must be informative, culturally appropriate and executed in a manner that does not compound trauma or incite fear. Such prevention efforts should not be viewed as a competing priority with life-saving assistance, but rather embedded within immediate response strategies in an effort to prevent the abuse and exploitation of a vulnerable population.
- Whenever possible, prevention campaigns must be associated with direct assistance to the most vulnerable groups.
- When government support is not available, alternative solutions should be identified within resources in the field, among the international and national community, such as GBV, Child Protection (CP), CCCM actors and NGOs and CSOs.
- Synergy with all relevant humanitarian efforts should be created to ensure victims are efficiently protected.
- Specific and targeted inter-agency cooperation mechanisms should be created based on needs to allow for a more coherent CT response during crises (these cooperation mechanisms could be led by IOM).
- CIMIC should be established at an early stage of the crisis to develop an adapted response in terms of rescue, security and other potential concerns.
- PSEA should be promoted at all stages of the response, targeting both peacekeepers and humanitarian workers involved in crisis response.
- Adapted TiP-related capacity-building trainings should be delivered to multisector stakeholders involved in any humanitarian response. Specific attention should be paid to training staff positioned at key geographic and strategic points, including border guards, camp managers, peacekeepers, health professionals or other front line workers (IOM's expertise could be used for capacity-building initiatives).

- Tools used by international actors in crisis situations should be adapted to include CT concerns. This could include adapting UN special reporting and monitoring mechanisms on violence in armed conflict settings, information and case management systems, and other protection emergency tools.
- Safe places for VoTs should be identified and secured throughout the crisis. When relevant, additional solutions should be explored, including international protection in cooperation with UNHCR.
- Specific mechanisms should be established for migrants caught in crises.
- When VoTs or exploited migrants are evacuated or return home to their place of origin, individual reintegration assistance should be provided. Where feasible, it is imperative to refer them to national services for onward support.
- UASC VoTs should benefit from tailored support, including best interest determination, the appointment of a legal guardian, family tracing and reunification, when relevant.
- Whenever the crisis situation allows, VoTs and exploited mobile populations should be able to benefit from relevant legal support, whether from State or non-governmental actors, and be informed of their rights.

## ▷▷ **After**

### **States**

- States should encourage prosecution and strengthen capacity-building measures for criminal justice actors.
- Governments should be supported to address the needs and risk factors identified with the above-mentioned analysis through further capacity-building, CT law implementation, awareness raising and direct assistance for victims.
- Risks inherent to post-crisis settings should be further examined and documented; States are encouraged to analyse and evaluate measures enacted during a crisis phase.

### **The humanitarian community, the UN system and the donor community**

- The humanitarian community's CT efforts should contribute to building resilience, empowerment and safety nets for at-risk populations to ensure that the post-conflict phase does not lead to new forms of trafficking as structures are rebuilt.
- Further individual integration/reintegration support may be needed for identified VoTs, who must be able to benefit from relevant assistance; local actors should be systematically engaged in the response.

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