

## How to Prevent Human Trafficking among People Travelling along Migration Routes to Europe

by Claire Healy

### Executive Summary

*The Strength to Carry On: Resilience and Vulnerability to Trafficking among People Travelling along Migration Routes to Europe* analyses the **incidence of human trafficking** among people travelling along migration routes to Europe; **factors of resilience** to trafficking and other abuses; and **factors of vulnerability** to trafficking and other abuses. The study covers the Eastern Mediterranean, Balkan and Central Mediterranean migration routes.

The research findings indicate the significance of **the context of the migration routes** for people's experiences: the **geography** of the routes; and the **policies and practices** applied during different periods in different places. Due to the lack of legal channels for migrating and seeking asylum, and the lack of possibilities to transit regularly along the routes, **almost everyone who travels the routes uses migrant smuggling services**, at least at some point. Migration policies and responses to the situation on the migration routes have focused largely on combating irregular movement and are characterised by border restrictions and fortification, which significantly increases the vulnerabilities of people using the routes.

**69 potential trafficking cases** were identified in the course of the research, and 14 cases of deprivation of liberty for extortion. A minority of these cases were officially identified by the authorities. People on the move are trafficked for **sexual exploitation, labour exploitation and forced migrant smuggling**. The study also shows that deprivation of liberty for extortion involves **the abuse of a person's rights in order to obtain financial or material benefits**.

The main *modus operandi* of traffickers in the context of the migration routes, regardless of whether or not they also provide migrant smuggling services, is **abusing people's position of vulnerability**. This vulnerability arises from their need to use, and to pay for, migrant smuggling, due to the **lack of alternatives for regular travel**.

### Evidence-based policy recommendations

To prevent human trafficking, the focus should be on how people can remain resilient to trafficking and other abuses, and on mitigating vulnerabilities and exposure to dangers. These recommendations are derived directly from the findings of this research study, providing evidence-based guidance to policymakers and practitioners, and to people on the move. They should be **implemented** in order to address the urgent need to respond to human trafficking, to resilience and vulnerability to trafficking, and to the protection of the

rights of adults and children on the move, contributing to overall stability, security and rule of law in the countries under study and the wider region.

The recommendations aim to redirect responses to protect people from intolerable rights abuses, with an approach that first intends to do no harm, and only secondly focuses on migration management. The implementation of some of the recommendations is in line with a **general consensus** about the rights of people on the move among policy-makers and practitioners, while other recommendations require significant **advocacy and political will** in order to become a reality. The intention of this study is to contribute on both fronts to an improvement in the situation portrayed by the research findings.

*The Strength to Carry On* is the outcome of the research project ‘Study on Trafficking Resilience and Vulnerability *en route* to Europe (STRIVE)’ funded by the US Department of State Office to Monitor and Combat Trafficking in Persons (J/TIP) and implemented by ICMPD. 91 people on the move and 245 key informants – organisations working directly with people on the move - were interviewed during 2018 in Greece, Bulgaria, North Macedonia, Serbia, Hungary, Germany and Italy. This Policy Brief sets out the main recommendations of *The Strength to Carry On*, which can be downloaded in full at: [www.icmpd.org/fileadmin/ICMPD-Website/2019/New Strive Study Final.pdf](http://www.icmpd.org/fileadmin/ICMPD-Website/2019/New_Strive_Study_Final.pdf).

## Recommendations on how to prevent human trafficking among people on the move

1. Expand alternatives for regular travel	
<b>What?</b>	Significantly expand the range of alternatives for regular travel for people on the move, including regular migration (e.g., labour migration, family reunification) and regular travel for refugees (e.g., resettlement, community sponsorship, humanitarian visas).
<b>Why?</b>	When people can travel safely, swiftly and regularly, they avoid all of the vulnerabilities arising from making the journey, including using migrant smuggling services.
<b>Who?</b>	European States; EU bodies, including EASO; international stakeholders, incl. UNHCR.
2. Allow for legal transit along migration routes	
<b>What?</b>	For those who cannot travel regularly, allow legal transit along the routes.
<b>Why?</b>	People who can transit legally through transit countries are more resilient to trafficking and other abuses. If transit is regularised, they are more likely to trust the authorities.
<b>Who?</b>	EU States; Governments of ‘transit countries’; EU bodies; international stakeholders.
3. Ensure timely access to a fair asylum procedure on arrival, or to other alternatives for regularisation of people’s status in transit and in a destination context	
<b>What?</b>	Provide effective access to all forms of international protection and to regularisation of status in transit, de facto destination and intended destination countries.
<b>Why?</b>	While people are awaiting status determination, and particularly if an asylum application

	is refused, or if they are without regular status, they are more likely to be exploited and to move on to another country using migrant smuggling services.
<b>Who?</b>	European States; EU bodies; UNHCR; asylum authorities; immigration authorities.
<b>4. Implement measures to ensure that families can remain together</b>	
<b>What?</b>	Ensure that families remain together: in countries of origin, by providing alternatives; in transit countries, by allowing families to travel and reside together, and to reunite if they become separated; and in destination countries, through family reunification. Individually assess members of a group to ensure that those claiming to be family members are in fact related, and to identify any abuses taking place in a family context.
<b>Why?</b>	Children and adults travelling or residing alone are more vulnerable than children and adults travelling or residing together with their families. Children travelling with adults who are not family members are more vulnerable to abuse.
<b>Who?</b>	European States; EU bodies, incl. EASO and Frontex; international stakeholders; immigration authorities; asylum authorities; police; child protection services; guardians of separated and unaccompanied children; border and coast guard staff.
<b>5. Ensure protection of unaccompanied and separated children transitioning into adulthood</b>	
<b>What?</b>	When unaccompanied children 'age out' of protection (when they turn 18), implement a transition phase during which certain child protection measures still apply, until the age of 21. Take their own wishes, decisions and best interests into account.
<b>Why?</b>	When unaccompanied children turn 18, they are no longer entitled to special protection services, and become acutely vulnerable to trafficking and other abuses.
<b>Who?</b>	European States; EU bodies; international stakeholders, including the UN Committee on the Rights of the Child; immigration authorities; asylum authorities; police; child protection services; guardians of unaccompanied and separated children.
<b>6. Put in place specific protection measures for girls, boys, women and men</b>	
<b>What?</b>	Put in place specific protection measures for girls, boys, women and men, recognising the special needs of women and children, and recognising that men and boys are also vulnerable to abuses, particularly unaccompanied and separated boys.
<b>Why?</b>	Women and girls require special protection measures in order to remain resilient. Also, when men and boys are not considered 'vulnerable groups', they may be denied access to essential services, rendering them more vulnerable to trafficking and other abuses.
<b>Who?</b>	Immigration and asylum authorities; police; child protection services; accommodation centre management; NGOs; guardians of unaccompanied and separated children.
<b>7. Ensure adequate, accessible and safe accommodation to provide conditions of resilience</b>	
<b>What?</b>	Provide humane living conditions, safety and services in accommodation centres, with special protection measures for women, girls, boys, and unaccompanied children. Adults should be in closed centres only as a last resort and children should not be detained. NGOs, translators, cultural mediators, lawyers and social workers should have access to all accommodation centres. Security procedures should be in place at centres to make

	sure that trafficking recruiters are not operating there.
<b>Why?</b>	Risks of trafficking and exploitation for people at accommodation centres may be mitigated if living conditions, safety measures and services are adequate. Traffickers target accommodation centres as locations for recruiting victims.
<b>Who?</b>	Accommodation centres; private security firms operating at accommodation centres; immigration and asylum authorities; child protection services; police; NGOs; lawyers.
<b>8. Provide access to vocational training and decent employment</b>	
<b>What?</b>	Teenagers and adults in intended and de facto destination countries should have access to vocational training, studies and regular employment, with measures to promote their labour market integration. People working irregularly should have access to justice and protection if they suffer labour violations or labour exploitation.
<b>Why?</b>	People in training, studies or decent employment are more resilient to trafficking.
<b>Who?</b>	Vocational training; third-level education; employment services; labour inspectors; immigration and asylum authorities; police; employers; trade unions; NGOs.

## Recommendations on how to protect people on the move who are trafficked

<b>9. Build the capacities of asylum authorities to identify trafficked people</b>	
<b>What?</b>	Incorporate screening of vulnerabilities, and of potential trafficking cases, into the asylum process, by providing specialist training to asylum authorities and through procedures for referral. Trafficked people who have a right to international protection should have access to both protection mechanisms. Trafficked people who do not have an asylum case should be granted residence permits as victims of trafficking.
<b>Why?</b>	The asylum procedure presents an opportunity to identify cases of vulnerability to trafficking and of potential trafficking, which, if taken advantage of, can increase the identification of trafficked people among asylum applicants, and ensure that people have access to the protection measures and justice that they are entitled to.
<b>Who?</b>	Asylum authorities; EU bodies, including EASO; anti-trafficking stakeholders; migrant communities; international organisations.
<b>10. Build capacities of anti-trafficking stakeholders to identify trafficked people among those using migration routes</b>	
<b>What?</b>	Provide specialist training, and put procedures in place, to ensure that people on the move, including asylum applicants, who have potentially been trafficked, are identified and referred to anti-trafficking stakeholders for protection and access to justice.
<b>Why?</b>	Anti-trafficking stakeholders may not have experience of working with asylum and immigration authorities to identify trafficked people. If these institutions work better together, more trafficked people can be identified and protected.
<b>Who?</b>	Anti-trafficking stakeholders (government and civil society); asylum authorities; immigration authorities; migrant communities; international organisations.

<b>11. Increase identification and protection of trafficked men and boys</b>	
<b>What?</b>	Ensure that anti-trafficking stakeholders are informed, trained and properly resourced to screen and identify trafficking cases among men and boys, as well as among women and girls, providing victims with protection and bringing traffickers to justice.
<b>Why?</b>	Men and teenage boys may be overlooked in anti-trafficking responses, meaning they are not identified as trafficked people and do not have access to protection and justice.
<b>Who?</b>	Social workers; NGOs; accommodation centre management; labour inspectors; police; prosecutors; judges; migrant communities; border and coast guard staff.
<b>12. Apply non-punishment provisions to people on the move who have been trafficked</b>	
<b>What?</b>	Ensure that people who have been trafficked for forced migrant smuggling and other forced criminal activities are not punished for these crimes, by making any legal and administrative amendments necessary, and train all relevant stakeholders.
<b>Why?</b>	People who have committed crimes such as migrant smuggling and drug trafficking as a result of trafficking should be subject to non-punishment provisions.
<b>Who?</b>	European States; EU bodies, incl. EU Anti-Trafficking Coordinator, Frontex; prosecutors; judges; immigration and asylum authorities; police; social workers; NGOs; UNODC; OSCE; Council of Europe; UN High Commissioner for Human Rights.
<b>13. Incorporate special measures related to people on the move into trafficking screening, identification, referral, protection and prosecution mechanisms</b>	
<b>What?</b>	Incorporate specific, adequate measures related to the context of people on the move into National and Transnational Referral Mechanisms for the protection of trafficked people, setting out the roles and responsibilities of asylum, migration and anti-trafficking stakeholders. Set up or strengthen bilateral and multilateral mechanisms for identification, protection, investigation and prosecution between transit and destination countries along the migration routes.
<b>Why?</b>	People on the move who are trafficked may not be identified or protected due to a lack of coordination between asylum, migration and anti-trafficking authorities, at national and transnational level.
<b>Who?</b>	National Referral Mechanisms; immigration authorities; asylum authorities; anti-trafficking stakeholders; social workers; NGOs; police; prosecutors; judges; Europol; Interpol; Eurojust; Frontex.

## Recommendations on how to bring traffickers to justice

<b>14. Investigate suspected cases of migrant smuggling for indications of trafficking, exploitation and abuse</b>	
<b>What?</b>	Focus law enforcement responses on cases of trafficking, exploitation and abuse by people providing migrant smuggling services.
<b>Why?</b>	Some people are resilient while using smuggling services, while others are rendered vulnerable by their interaction with people providing smuggling services, who intend to

	abuse or exploit them. Law enforcement efforts on migrant smuggling cases should focus on severe cases involving human rights violations, including trafficking.
<b>Who?</b>	Border and coast guard staff; police; prosecutors; judges; Frontex; Europol; Interpol.
<b>15. Combat forced migrant smuggling as a form of human trafficking</b>	
<b>What?</b>	Undertake any necessary legal amendments and ensure anti-trafficking stakeholders are informed, trained and properly resourced to identify cases where people who seem like perpetrators of migrant smuggling are actually victims of trafficking for forced migrant smuggling, to prosecute the actual perpetrators.
<b>Why?</b>	People forced to provide smuggling services may be considered perpetrators rather than victims, may not be identified as trafficked people and may not have access to protection and justice, as well as being held criminally responsible. Perpetrators of forced migrant smuggling are also rarely brought to justice.
<b>Who?</b>	European States; EU bodies, including the EU Anti-Trafficking Coordinator and Frontex; prosecutors; judges; immigration authorities; asylum authorities; police; social workers; NGOs; UNODC; OSCE; Council of Europe; UN High Commissioner for Human Rights; UN Committee on the Rights of the Child; Europol; Interpol.
<b>16. Combat deprivation of liberty for extortion</b>	
<b>What?</b>	Make any necessary legal amendments and ensure stakeholders are trained and resourced to identify deprivation of liberty for extortion and prosecute perpetrators.
<b>Why?</b>	Cases of deprivation of liberty for extortion may meet the definition of human trafficking. People who have suffered this human rights abuse are not generally identified as victims and the perpetrators are not brought to justice.
<b>Who?</b>	European States; EU bodies, including the EU Anti-Trafficking Coordinator and Frontex; prosecutors; judges; immigration authorities; asylum authorities; police; social workers; NGOs; UNODC; OSCE; Council of Europe; UN High Commissioner for Human Rights; UN Committee on the Rights of the Child; Europol; Interpol.

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