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FIGHTING HUMAN TRAFFICKING: THREE PRIORITIES FOR THE UN GLOBAL COMPACT FOR MIGRATION

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This sixth blog of the series looks at the identification and protection of trafficked people in the context of large-scale migration flows and provides suggestions on how the [Global Compact](#) can address this. The consultations for the Global Compact on Migration offer an opportunity to reflect upon existing anti-trafficking laws, policies and practices; to identify gaps and challenges and how to address them; and, most importantly, to consider how to better identify and protect trafficked people and prevent vulnerable groups from exploitation, within broader migration and humanitarian frameworks.

We identify three priorities for the Global Compact in the area of anti-trafficking:

1. The Global Compact must contribute to effectively improving the implementation of existing legal and policy frameworks on trafficking in persons, resulting in increased protection for victims and more convictions of traffickers.
2. The Global Compact should contain commitments and practical, evidence-based guidelines on identifying trafficking cases within asylum, migration and humanitarian assistance mechanisms and procedures.
3. Finally, and perhaps most importantly, the Global Compact provides an opportunity to address some of the key factors of vulnerability to exploitation and trafficking that affect many migrants during their journeys and while residing in transit and destination countries, particularly in the context of large-scale movements. These include lack of legal migration channels, irregular status, security-orientated immigration policies and border control measures that negatively affect people's resilience to trafficking and other human rights violations.

1. Appropriate anti-trafficking legislation and policies are often in place, so the focus must be on implementation

The UN Office on Drugs and Crime's 2016 [Global Report on Trafficking in Persons](#) notes that most countries – 158 in total – now have legislation criminalising human trafficking. Many countries across the world also have relevant anti-trafficking policy instruments in place,

including referral mechanisms and action plans. Nevertheless, despite an increase in some countries in the number of victims identified, it is widely acknowledged that large numbers of trafficked people are never identified and most perpetrators go unpunished, acting with impunity. The challenge, therefore, is to make sure that states effectively translate legal commitments and policy documents on combating trafficking into actions that punish perpetrators, and protect and support the recovery of trafficked people.

The Global Compact should therefore support states and provide mechanisms for them to better implement their anti-trafficking legislation and policies, ensuring that trafficking is prevented, victims are protected and traffickers are prosecuted. ICMPD's capacity-building initiatives in [Albania, Azerbaijan, Bosnia and Herzegovina, Moldova, Pakistan and Turkey](#); Jordan; and West Africa demonstrate how states can be supported in developing policies, initiatives and expertise to increase the impact of anti-trafficking actions.

2. Increase the identification of trafficking cases in asylum and migration contexts

During recent years, significant numbers of migrants and asylum applicants have travelled by sea and overland to the European Union, with over one million people entering EU countries along these routes in 2015 alone. Many people continue to make the journey from countries in West and East Africa across the Sahara into Libya, where the [situation for migrants is becoming increasingly dire](#).

If trafficked children and adults are not identified, they have no access to protection, justice, compensation or long-term rehabilitation. Recent research by ICMPD on conflict, displacement and trafficking in the Middle East and Turkey, and the preliminary findings of ongoing ICMPD research on trafficking along migration routes in the Balkans and the EU, indicate that the identification of trafficked people is too often overlooked in these migration and asylum contexts. This is because anti-trafficking policies and initiatives, as well as anti-trafficking practitioners, are generally not equipped to combat trafficking within dynamic mixed migration contexts. Similarly, migration, asylum and humanitarian assistance mechanisms, procedures and practitioners often do not take trafficking into account.

The Global Compact is an opportunity to connect policies, policy-makers, practices and practitioners from these two policy areas, making sure that they work together to identify trafficking in complex migration contexts.

3. Irregular migratory journeys and irregular immigration status increase vulnerability, which means that trafficking can be prevented by facilitating safe and regular migration

When irregular migration is the only option available, people become vulnerable to different forms of abuse and exploitation, including human trafficking, at various stages of their journeys. This vulnerability is exacerbated when migrants and refugees become stranded en route, often with limited access to basic assistance and with an unclear legal status. This vulnerability may be further compounded by the lack of legal channels for continuing the journey, and of durable solutions for migrants in transit countries, leading to an increased reliance on smugglers and irregular migration routes, as examined in our blog on [Counter-smuggling operations and protection](#). This reliance, in turn, contributes to increased vulnerability to trafficking and exploitation.

Irregular immigration status while someone is residing in a transit or destination country increases vulnerability by placing barriers to accessing basic services and decent work. In addition, general protection issues in the context of migration, displacement and conflict are also contributing factors for trafficking and exploitation: lack of access to basic needs, to opportunities for income generation, to accommodation, to education and to primary healthcare.

At a broader level, then, the Global Compact can help to avoid a situation where two policy areas are at cross-purposes: while anti-trafficking policies seek to protect vulnerable people from exploitation, policies in related areas such as labour migration and border management – including counter-smuggling – may unintentionally increase people’s vulnerability to exploitation. This risk should be a priori taken into account in drawing up the Global Compact for Migration, to ensure that migration is indeed safe and regular, making migrants more resilient to abuse, exploitation and trafficking.

The United Nations and its Member States have committed to adopting a major agreement on international migration in 2018, the Global Compact for Migration. The worldwide consultation process to determine what this agreement should actually entail continues in Vienna this week with a thematic session on smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims. UN Member States, NGOs, the private sector and intergovernmental organisations, including ICMPD, will gather to give their input and recommendations, feeding into the drawing up of the Global Compact itself.

Recommended Research and Policy documents:

ICMPD research on Trafficking and the Syrian War

[Study on smuggling of migrants: characteristics, responses and cooperation with third countries](#)

[Fight Against Trafficking in Human Beings](#)

Support to the Mobility partnership between the European Union and the Hashemite Kingdom of Jordan (JEMPAS)

Trafficking along Migration Routes (TRAM): Identification and Integration of Victims of Trafficking among Vulnerable Groups and Unaccompanied Children

[Support to Free Movement of Persons and Migration in West Africa](#)

[UNODC 2016 Global Report on Trafficking in Persons](#)

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