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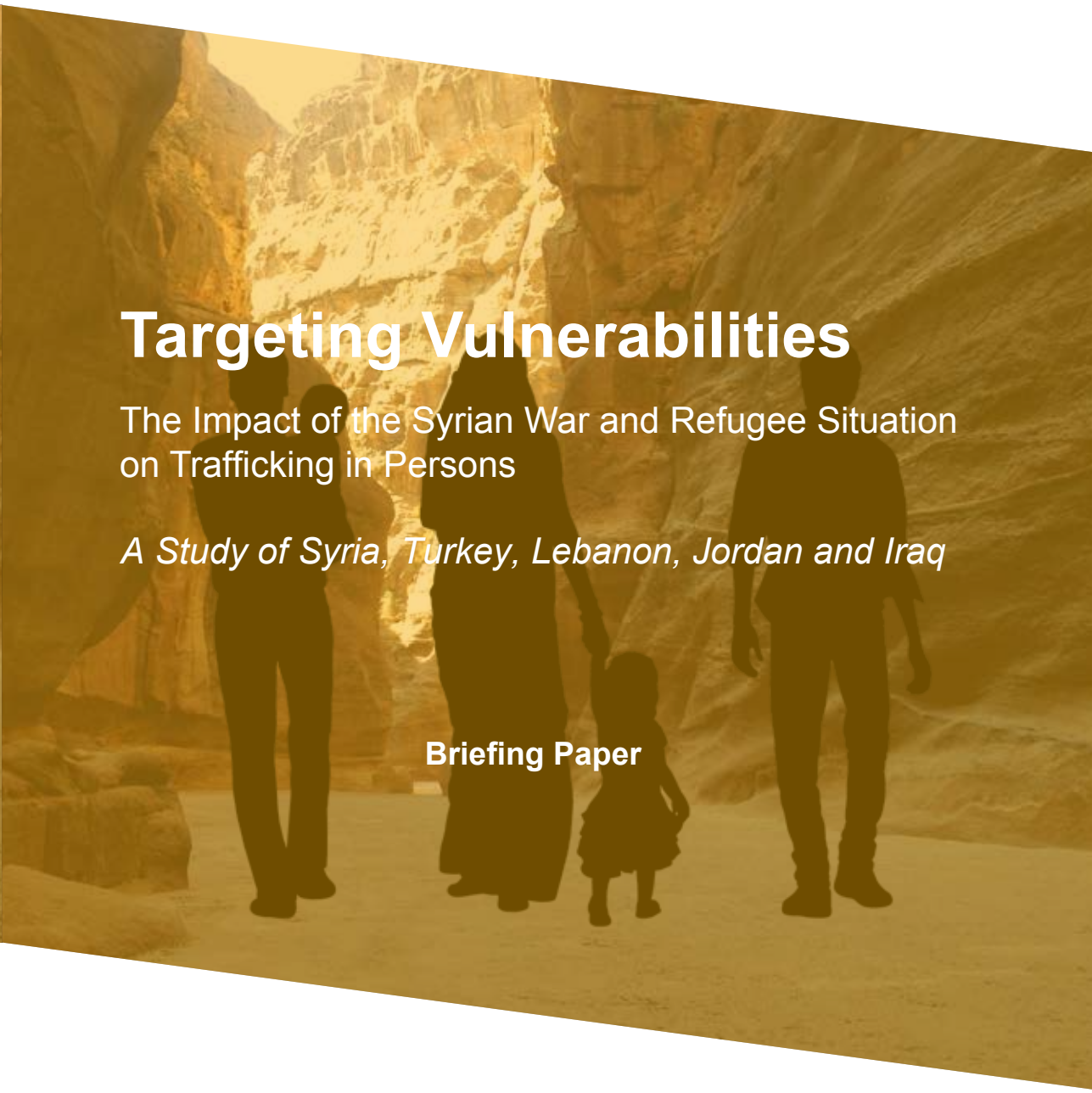

Targeting Vulnerabilities

The Impact of the Syrian War and Refugee Situation on Trafficking in Persons

A Study of Syria, Turkey, Lebanon, Jordan and Iraq

Briefing Paper

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Prepared by the International Centre for Migration Policy Development, Vienna - Austria

Commissioned and funded by the United States Department of State, Office to Monitor & Combat Trafficking in Persons (J/TIP)

International Centre for Migration Policy Development • January 2016

Report Author:
Claire Healy

Research Team:
Zaid Khaldoon Adelby, Erica Aiazzi, Vanessa Iaria, Fulya Memişoğlu, Şenay Özden

ICMPD Team:
Nedaa Amraish, Lukas Gehrke, Melita Gruevska Graham, Elisa Trossero

International Centre for Migration Policy Development (ICMPD)
Gonzagagasse 1
A-1010 Vienna
Austria
www.icmpd.org

International Centre for Migration Policy Development

Suggested Citation: ICMPD (2016). *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons – Briefing Paper.* Vienna: ICMPD.

This publication was made possible through support provided by the United States Department of State, Office to Monitor & Combat Trafficking in Persons (J/TIP) under the terms of Award No. S-SJTIP-14-GR-1022. The opinions expressed herein are those of the author and do not necessarily reflect the views of the United States Department of State.

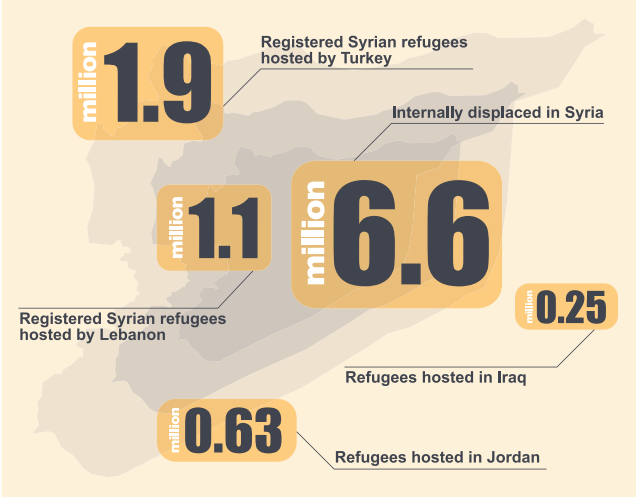
Layout by Marc Rechdane
Printed and bound in Austria by Druck and Graphikservice GmbH - DGS

ISBN:
978-3-902880-65-9 EN (print)
978-3-902880-66-6 EN (pdf)
978-3-902880-67-3 AR (print)
978-3-902880-68-0 AR (pdf)
978-3-902880-69-7 TR (print)
978-3-902880-70-3 TR (pdf)
978-3-902880-71-0 Iraqi KR (print)
978-3-902880-72-7 Iraqi KR (pdf)

1 INTRODUCTION

The study *Targeting Vulnerabilities* assesses the effects of the Syrian war and refugee crisis on trafficking in persons (TIP) in Syria and the surrounding region. The five countries under study - Syria, Turkey, Lebanon, Jordan and Iraq - were selected on the basis of the magnitude of internal and refugee displacement. The human trafficking phenomenon itself is the thematic focus of this research, which aims to understand the forms of trafficking in persons that are taking place and whom they affect, as well as who the perpetrators are, rather than examining anti-trafficking policies or initiatives. This Briefing Paper sets out the main findings and recommendations of the Study, which can be downloaded in full, including all references to field research and literature, at: www.icmpd.org/our-work/capacity-building/trafficking-in-human-beings/publications/.

As of October 2015, Turkey hosted around 1.9 million registered Syrian refugees, mostly in the southeastern and southern Turkish provinces. The second most important hosting country in absolute numbers, Lebanon, hosts over 1.1 million registered Syrians, while Jordan hosts around 630,000 people who have fled from Syria. Finally, Iraq hosts a total of around 250,000 Syrian refugees, the majority of whom reside in the Kurdistan Region of Iraq (KR-I),[1] an autonomous region in the federal state. In addition, around 6.6 million people are internally displaced within Syria.



1 Iraqi Kurdistan is an autonomous region comprising the four governorates of Duhok, Erbil (Hewler), Sulaymaniyah and the newly established (early 2014) governorate of Halabja.

These numbers do not, however, include people who have fled from Syria to the neighbouring countries, but are not registered as active with the UN Refugee Agency (UNHCR) - nor, in the case of Turkey, with the national authorities. In Syria, around 17% of internally displaced people (IDPs) are in camps, and in all of the four hosting countries, the majority of Syrians are living outside of official refugee camps. In Iraq, 39% of Syrians are in camps; in Jordan 19%; in Turkey 15%; and Lebanon has no official camps for Syrians.

The Study is the result of a research project "Assessment of the Impact of the Syrian War and Refugee Crisis on Trafficking in Persons (AIS-TIP)" funded by the US Department of State Office to Monitor and Combat Trafficking in Persons (J/TIP) and is being implemented by the International Centre for Migration Policy Development (ICMPD).

The Study applied an interdisciplinary methodology, combining primary research in the field with secondary desk research and remote consultations, as well as analysing qualitative and quantitative sources. Due to the logistical difficulties of carrying out field research with a sufficiently representative sample among refugees, displaced people and vulnerable groups themselves, because of the diversity of groups affected and the high numbers involved, quantitative and qualitative data and information was obtained directly from international organisations, national and local state authorities, international, national and local NGOs and humanitarian organisations, journalists and other media sources, researchers and other interlocutors identified as having relevant information. The country research findings, based on desk and field research for the five countries, together with regional desk research, have been compiled and analysed for the Study.

Of the four hosting countries under study, only Turkey has ratified the 1951 UN Convention on the Status of Refugees and its 1967 Protocol, but it did not ratify the provisions of the Protocol to extend its geographical scope beyond Europe. Therefore, none of these countries apply the Convention definition of a refugee to those fleeing the war in Syria. This means that refugee issues are in practice addressed by national legislation. Therefore, those fleeing Syria are subject to specific *ad hoc* regulations issued prior to and since the outbreak of the war and the beginning of the forced migration movement.

All of the countries under study have ratified the 2000 UN Convention against Transnational Organized Crime and its Anti-Trafficking Protocol. At the national level, while Turkey added a new article to the Penal Code in 2002, criminalising

trafficking in persons, the other countries under study all passed anti-trafficking legislation within the last six years. Jordan's Anti-Trafficking in Persons Law no. 9 is from 2009; Syria's Legislative Decree No. 3 to Combat Trafficking in Persons from 2010; Lebanon's Law no. 164 on Punishment for the Crime of Trafficking in Persons introduced amendments to the Penal Code and Criminal Procedure Code in 2011; and Iraq's Anti-Human Trafficking Law is from 2012.

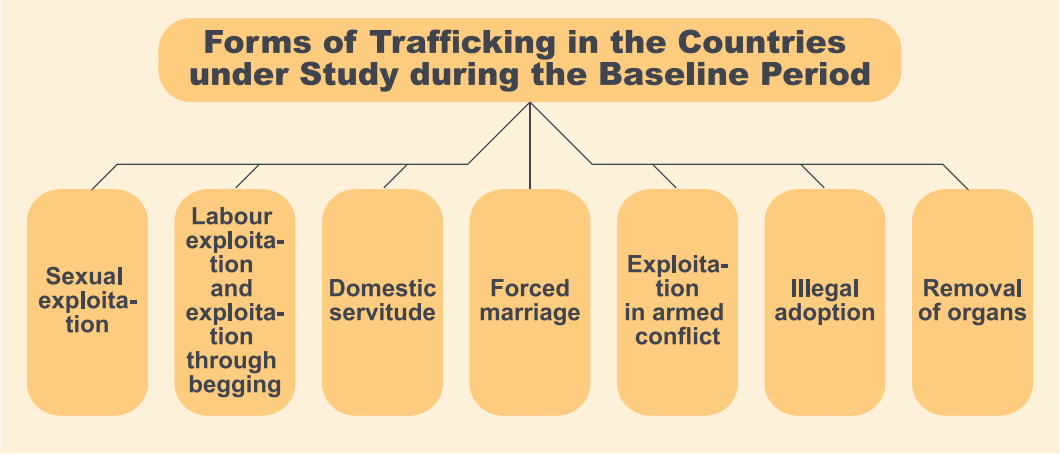
The chronological scope of the Study facilitates a comparison of the situation at the beginning of 2011, referred to throughout as the baseline date, with the situation throughout 2011-2015 inclusive, in order to assess the effects of the conflict.

2 TRAFFICKING DURING THE BASELINE PERIOD

During the baseline period for this study – 2001-2010, people were trafficked to and within the countries under study, particularly **from South and Southeast Asia**. **East Africans** were also trafficked to Syria and Lebanon, while **Eastern Europeans** were trafficked to Turkey, Syria, Jordan and Lebanon. **North Africans** were identified as trafficked to Lebanon, and to a lesser extent to Turkey, while **people from CIS[2] countries** comprised a large proportion of identified trafficking victims in Turkey, with Russians also trafficked to Syria. Among the countries under study, **Iraqis** were also trafficked to, and through Jordan, Turkey and Syria; and **Syrians** were reported as trafficked to Lebanon, and, to a lesser extent, to Turkey, during this period. Citizens and residents of Lebanon and Iraq were also identified as **internally trafficked** within those countries, particularly for sexual exploitation.

Prior to 2011, identified trafficking cases in the countries under study were mainly for the purposes of **commercial sexual exploitation, domestic servitude, labour exploitation of adults and children, exploitation through begging, forced marriage and exploitation in armed conflict**, as well as isolated cases of trafficking for illegal adoption and for removal of organs in Lebanon, as set out in Graph 1 below.

Graph 1: Forms of Trafficking during the Baseline Period



2 The Commonwealth of Independent States (CIS) is a regional organisation, whose Member States are: Armenia; Azerbaijan; Belarus; Kazakhstan; Kyrgyzstan; Moldova; Russia; Tajikistan and Uzbekistan; and its Associate States are Turkmenistan and Ukraine.

Trafficking for sexual exploitation in prostitution during the baseline period in the countries under study was largely reported as an intra-regional phenomenon within the Middle East and the Arabian Gulf, as well as to Turkey. Iraqi and Syrian women and girls were particularly affected. Women and girls were also reported as trafficked for sexual exploitation from North Africa and Eastern Europe to Lebanon, Jordan, Turkey and Syria, and from Central Asia to Lebanon and Turkey. Internal trafficking for sexual exploitation was also identified in Iraq, Lebanon and Jordan.

Most cases of **labour exploitation, worst forms of child labour and poor working conditions** identified during the baseline period in all five countries under study were in construction, agriculture and factory work, as well as in the service industry in Syria. The involvement of children in begging and other street-based work was identified in Lebanon and Jordan.

Trafficking for domestic servitude was reported in the literature during the baseline period in Syria, Lebanon and Jordan, particularly affecting women from South and Southeast Asia, and East and Southeast Africa. In Syria and Iraq, **trafficking for forced temporary marriages** was in evidence during the baseline period, a phenomenon which has now also been observed in Lebanon and Jordan since the outbreak of the Syrian war. Children were exploited in armed conflict during the baseline period in Syria, Turkey, Lebanon and Iraq.

3 DISPLACEMENT CONTEXT, 2011-2015

As of September 2015, there were an estimated **6.6 million internally displaced people** (IDPs) in Syria (OCHA, 2015). Routes for internal migration, the facilitation of internal migration and internal trafficking inside Syria vary according to the shifting of battle lines; control of specific areas by the Assad regime and different opposition groups; and the areas of origin and destination of IDPs. Many IDPs and intending refugees have moved multiple times since the beginning of the war. A research informant spoke of a group of Syrians from the Aleppo governorate, recently arrived in Turkey:

"*They said, 'we moved from Aleppo to Idlib, then to Homs, then to Qamishli. We fled from the PYD,*[3] *Da'ish, the Free Syrian Army, the Assad regime. We had no strength to run any longer, no bread, nothing*'" (TR16).[4]

Specific internal routes are also taken by Syrians intending to flee the country and seek refuge abroad, requiring them to travel through the war-torn country from their area of previous residence to the borders with Turkey, Lebanon, Jordan or Iraq. Although Syrians have generally been granted legal entry to neighbouring countries since 2011, **irregular crossings of international borders assisted by smugglers** have also been reported in all four of the hosting countries under study.

Graph 2: Refugee and IDP Country Profiles

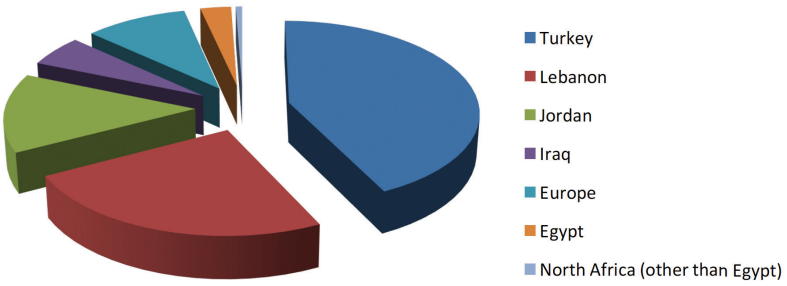
	Total Population	Total Area (km²)	Syrian refugees/IDPs as of end 2014	As % of population	Syrian Refugees/ IDPs as of 30.09.2015
Syria	23,000,000	185,180	7,632,500 IDPs	30.4%	6,600,000 IDPs
			Other people of concern: 315,155 (of which 160,000 stateless)		
Turkey	76,667,864	783,562	1,700,000	2.2%	1,938,999
Lebanon	5,882,562	10,452	1,200,000	20.4%	1,113,941
Jordan	6,459,000	96,188	650,000	10.1%	628,887
Iraq	33,000,000	437,072	225,000	0.7%	248,503
KR-I	5,200,000		207,000	4.0%	
Total					**3,930,330 refugees**

3 PYD: Democratic Union Party (*"Partiya Yekîtiya Demokrat"*), a Syrian Kurdish opposition party.

4 Original interview in Turkish, translation by the Country Researcher.

Turkey, Lebanon, Jordan and Iraq host 86.7% of Syria's refugees abroad. An additional 441,246 Syrians sought asylum in Europe from April 2011 to August 2015, and 159,147 in Egypt and other North African countries,[5] giving an overall total of 4,529,572 Syrian refugees.

Graph 3: Registered Syrian Refugees



After the US-led invasion of Iraq in 2003 and the subsequent sectarian violence, **many Iraqis were displaced to neighbouring countries**, with Syria receiving the highest numbers. At the baseline date, the Syrian government estimated that there were approximately 471,400 Iraqi refugees living in Syria, though UNHCR was assisting only 101,900 Iraqi refugees in January 2012. By the end of 2012, UNHCR's numbers had decreased to some 62,700.[6]

The nature of **internal mobility in Iraq** since 2011 has varied according to the region and the ethnic or religious group involved. As of end 2014, Da'ish[7] had taken control of areas in the western and north-western Iraqi governorates of Anbar and Nineveh, including the city of Mosul. This caused a new wave of internal displacement in Iraq. As of September 2015, there were 3,182,736 internally displaced Iraqis. The KR-I hosted around 27% of the total number (852,660 people) (IOM Iraq, September 2015).

Significant numbers of **Palestine refugees** were already present in all the countries under study, apart from Turkey, prior to the outbreak of the war in Syria. A total of

5 26,700 Syrian refugees are hosted in North African countries other than Egypt. http://data.unhcr.org/syrianrefugees/regional.php, accessed 01.10.2015.

6 See: www.unhcr.org/51b1d63cb.html, accessed 04.11.2015.

7 Da'ish is also referred to as: Islamic State in Iraq and Syria (ISIS), Islamic State in Iraq and the Levant (ISIL) and Islamic State (IS). "Da'ish" is an acronym for the name of the organisation in Arabic: "*al-Dawla al-Islamiya fi Iraq wa al-Sham*," and is used to refer to the group throughout this Paper.

around 80,000 Palestine refugees from Syria are estimated to have left the country since 2011, 53,000 of them to Lebanon (UNRWA, 1 July 2014).
There were about 300,000 **stateless Kurds in Syria** at the outbreak of the war. However, a Presidential Decree dated April 2011 granted citizenship to over 100,000 stateless Kurds in an attempt to discourage them from joining the uprising.

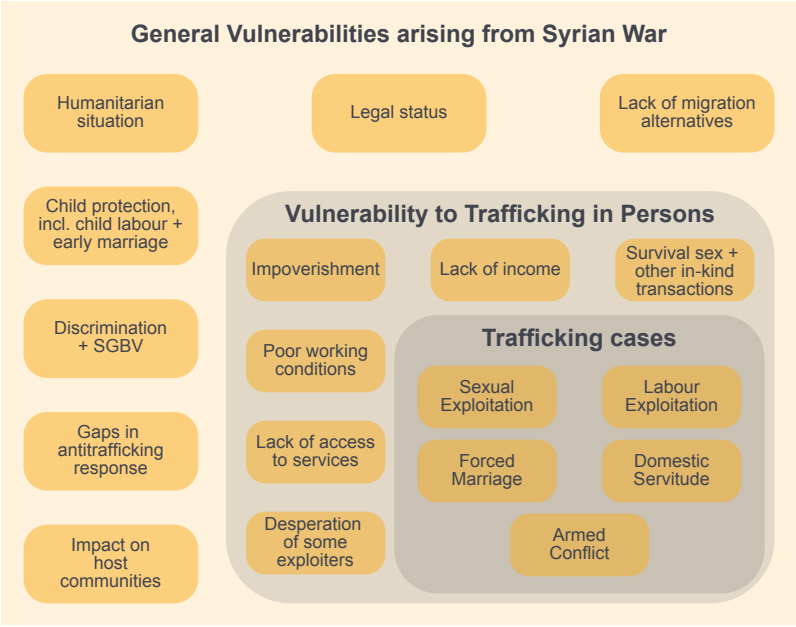
At the outbreak of the war, there were around 4,000 Sudanese **asylum applicants and migrants in Syria**, as well as around 2,400 Somalian and 1,740 Afghani refugees. In 2012, IOM reported that there were also more than 100,000 migrant workers, mainly from Indonesia, the Philippines and Ethiopia, with around 15,000 migrants in need of evacuation assistance, having been abandoned by their employers, often without travel and identity documents (IRIN, 2012).

4 SITUATIONS OF VULNERABILITY TO TRAFFICKING IN PERSONS

The violence that has characterised many parts of Syria since 2011, and certain areas within Iraq since mid-2014, has affected people in those territories and those who have fled abroad in a myriad of ways. The complexity of their situations is influenced by the war and violence itself, but also by **the legal and institutional systems that they must navigate** within Syria and in the four hosting countries in order to **maintain a legal status, seek employment and generate income, access humanitarian aid and public services, and seek legal redress if they are victims of abuse**.

The desperation of some of these people, who cannot provide for sustenance, accommodation and essential services for themselves and their families, can lead to them exploiting members of their own families. Nevertheless, not all exploiters and traffickers in this context are themselves in a situation of vulnerability, as others exploit and traffic vulnerable people as a form of war profiteering. The relationship between general vulnerability, vulnerability to trafficking, and trafficking itself, is visualised in Graph 4 below.

Graph 4: General Vulnerability, Vulnerability to Trafficking and Trafficking Cases



Situations of vulnerability to trafficking in persons in the countries under study since 2011 may be linked to the **general humanitarian context** of Syrian refugees and IDPs, leading to severe impoverishment and difficulty in meeting basic subsistence needs, as well as preventing or restricting access to essential services such as accommodation, healthcare and education. Assistance from aid providers is not always sufficient, due to shortfalls in funding and restrictions on access for refugees who are not registered, as well as difficulties in fair distribution of aid within Syria. IDPs and refugees face difficulties in paying for rent, basic household items, water, sanitation and food, as well as access to healthcare, education and livelihoods. This means that they may go into debt, or engage in risky coping strategies, working informally or engaging children in employment and income-generation.

Such situations also arise from a **lack of legal status, restrictions on legal status and difficulties in renewing legal status**, as well as attendant challenges in employment and other income-generating opportunities in the four hosting countries under study. National legal provisions applying to the residence in the host countries of people fleeing the war in Syria are of a temporary nature, which means that in the short term, refugees face difficulties in renewing their status, and in the long term, they do not guarantee permanent residence and do not allow refugees to plan for or invest in their future. The legal status of Syrian refugees governs their access to humanitarian aid, essential services – including education for children -, and to regular, legal employment opportunities and methods of income generation.

The fact that adults work on the **informal labour market**, due to the availability of jobs, the size of the informal markets and their lack of legal authorisation to work, places them at increased vulnerability to exploitation and trafficking. In some cases, remuneration for work is not financial, but rather an **in-kind transaction**, such as working in exchange for rent, or marrying off teenage daughters in exchange for protection from eviction. Poor working conditions, low wages and other employment-related abuses are prevalent among Syrians in the countries under study.

Child protection issues such as **access to education, birth registration and the migration of separated children** may also render children more vulnerable, and contribute to the incidence of **early marriage, child labour and child begging**. In addition, the humanitarian situation and the legal residence and employment status of their parents influences children's vulnerability. UNICEF estimates that one in ten Syrian refugee children in Syria's neighbouring countries is engaged in

child labour, some of whom may be subject to trafficking for that purpose (UNICEF, March 2014).

The risk of trafficking for women and girls is also influenced by **sexual and gender-based violence** (SGBV) in all of the hosting countries under study, as well as in Syria itself. This is exacerbated by a reported reticence in seeking help from the authorities in such cases. Despite this reticence in speaking up, widespread sexual and gender-based violence was indicated by many interviewees for the Study as a factor increasing the vulnerability of girls and women to trafficking (SY12).

A lack of protection for trafficked people due to **gaps in the anti-trafficking response** – prevention, protection and prosecution - also renders people more vulnerable to trafficking in persons. Very few cases of trafficking of Syrian IDPs and refugees have been identified by the competent authorities in the five countries under study. In addition, many Syrian refugees are reluctant to report crimes that they have suffered, such as trafficking, to the police, for social and cultural reasons. This reluctance is also related to the fact that for certain forms of trafficking, a victim who reports to the authorities may be considered criminally responsible, instead being protected as a trafficked person.

Restrictive legal entry routes to the European Union (EU) are also a factor increasing Syrian refugees' vulnerability to trafficking, as well as increasing their vulnerability to human rights violations perpetrated by migrant smugglers, and other dangers experienced *en route* outside of the region. Because Syrian refugees have the right to seek recognition as Convention refugees in the EU, but not to travel regularly to EU countries, they are dependent on migrant smugglers to facilitate the trip.

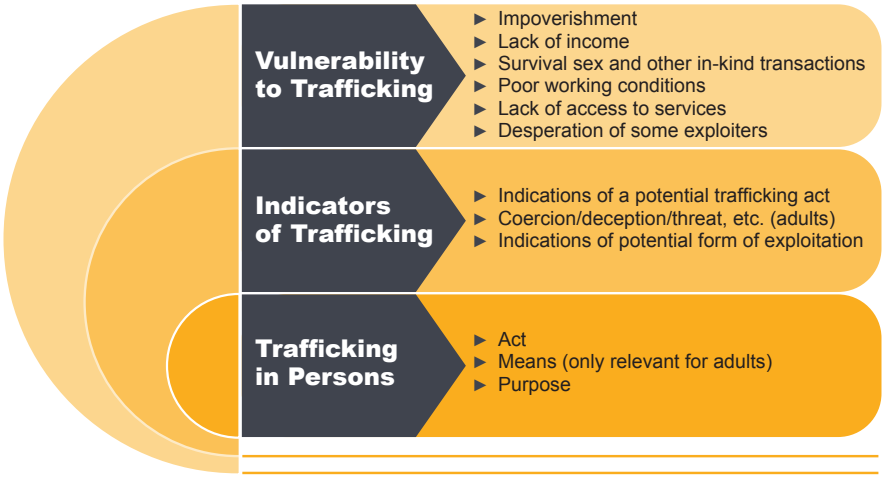
Apart from Syrians and Iraqis affected by internal displacement and forced migration, **host communities** in the four hosting countries under study and **migrants who were in Syria when the war broke out** were also found to be vulnerable to trafficking due to the war, as well as due to pre-existing situations of impoverishment and legal and social exclusion. Lebanon is particularly affected, due to the high percentage of Syrians and Palestine refugees from Syria in its population, though certain areas in southern and southeastern Turkey and in the Kurdistan Region of Iraq, as well as northern Jordan, also accommodate high numbers of Syrians relative to the local population. This has implications for the local labour markets, prices of consumer goods, political and security issues, and aid.

5 IMPACT ON HUMAN TRAFFICKING IN SYRIA, TURKEY, LEBANON, JORDAN AND IRAQ

The effects of the war and refugee crisis, placing people in a situation of increased vulnerability to trafficking in persons, have in some cases resulted in actual trafficking cases. This has not, however, manifested itself in a significant increase in the identification of trafficking related to the war and refugee crisis by the authorities. The nature of the research methodology for the Study, and its limitations, did not allow for the definitive categorisation of cases as constituting trafficking in persons, which, in any case, may only be established by State authorities. Therefore, this section presents and analyses cases that, due to a strong possibility that trafficking took place, would merit further investigation. The analysis is informed by indicators of various forms of trafficking in persons, together with relevant international legal frameworks.

This **conceptual framework** is presented in Graph 5 below. Graph 5 should be understood in conjunction with Graph 4 at the beginning of the previous section, in order to understand how in certain specific cases, situations of vulnerability to TIP can present indicators of actual trafficking cases, which, in turn, on further investigation by the relevant authorities, may be determined to constitute the crime of trafficking in persons.

Graph 5: Indications of Trafficking Cases



Note: for more information on the indicators applied, see: UNODC (2013). *Human Trafficking Indicators* and ILO (2009). *Operational Indicators of Trafficking in Persons*.

People officially identified as trafficked in the countries under study since 2011 are mainly **from Syria, North Africa, South and Southeast Asia and Eastern Europe**, though in Lebanon, Jordan and Iraq, as well as Syria, national citizens were also identified as **trafficked internally**. Most of the trafficking routes originating outside of the region continued largely unaffected by the Syrian war. Cases were also reported in which people involved in migrant smuggling from Syria to host countries engaged in trafficking.

Official statistics on trafficking cases identified by the authorities would suggest a minor or negligible impact of the Syrian war on trafficking in all five countries. However, the desk and field research conducted paints an entirely different picture. The caveat here is that all of the potential trafficking cases identified through the research, other than the official statistical data, have not been determined by law enforcement or state social services to be actual trafficking cases. Nevertheless, based on trafficking research methods, indicators and elements of adult trafficking and child trafficking crimes have been analysed in order to shed light on **the significant proportion of trafficking cases that have never come to the attention of the responsible authorities**.

There are many reasons why the authorities have not been involved. In Syria, and, to a lesser extent, Iraq, the exigencies of war, together with the disintegration of the Syrian State and of rule of law in that country, render the collection of reliable data extremely problematic. While data collection and identification of trafficked people in the hosting countries under study has in some cases improved since the baseline period, particularly due to the passing of dedicated anti-trafficking laws and other legislative and institutional reforms, challenges persist. Furthermore, many research informants pointed to reasons why trafficked people do not report their case to the authorities, including:

- fear of arrest, detention or deportation due to incorrect categorisation as irregular migrants or perpetrators of crimes such as prostitution and begging;
- stigmatising of victims of certain forms of trafficking by their own communities; and
- lack of income-generating alternatives, leading trafficked people to consider that their conditions would be even worse if they were to be removed from the trafficking situation.

Therefore, beyond the statistics on trafficked people and suspected traffickers identified by the authorities is the information and data obtained and analysed

for this Study on the exploitation and trafficking of children and adults, which has not come to the attention of governmental anti-trafficking authorities. Based on the research findings, the following **forms of trafficking** were identified in the countries under study, and each is dealt with here in turn. The order in which they are examined here does not necessarily reflect their relative prevalence. However, it does reflect the extent to which data and information was available through this research on each form of trafficking identified.

Graph 6: Forms of Trafficking in the Countries under Study, 2011-2015

1. Sexual Exploitation in Prostitution

Syrian women and girls are trafficked for sexual exploitation in all five countries under study. In all these countries, prostitution is illegal and women and girls exploited in prostitution risk being detained and/or deported by the authorities (Harroff-Tavel & Nasri, 2013). In Turkey, for example, some landlords

were reported to offer rent-free accommodation if a woman agreed to prostitution, with the landlord receiving financial gains (TR21). A research informant in Syria commented that Syrian girls and women are usually exploited by either their fathers or their husbands (SY09). Also, as in the other countries under study, in Turkey it is common for the exploiter to be a family member (TR26). Syrian women and girls trafficked to Lebanon for sexual exploitation are also often subjected to a forced or fraudulent marriage (LB48; LB05).

Some Syrian men and boys are also sexually exploited in prostitution in Lebanon. The Lebanese NGO Mosaic, which works with the LGBT community, reported that since 2011, around 80% of the cases of sexual exploitation that they have come across involve Syrians (LB17).

Iraqi girls and women were also reported as trafficked for sexual exploitation in both Iraq and Syria. Before and since the outbreak of the war in Syria, Iraqi refugee girls and women who fled to Syria following the 2003 US-led invasion of Iraq have been trafficked for commercial sexual exploitation.

Apart from the cases where it was possible to discern elements and indicators of trafficking for sexual exploitation, there are also cases of Syrian refugee women involved in prostitution where it remains unclear whether exploitation is present, though vulnerability is in evidence. In addition, research informants frequently observed what they termed '**survival sex**', prompted by severe economic hardship, or of sexual abuse perpetuated against Syrians (LB28).

2. Forced Marriage

From the findings of this research, it is possible to identify **three distinct categories of forced marriage**:

1.	Trafficking for the purpose of forced marriage (i.e. the main purpose is making a profit from the marriage itself)
2.	Trafficking for the purpose of sexual exploitation, where a marriage is used to facilitate the sexual exploitation
3.	Early marriage

The second category is dealt with under trafficking for sexual exploitation, as sexual exploitation in prostitution is its principal purpose, with forced marriage used as a means. For the third category, the cases of early marriage encountered do not necessarily all constitute child trafficking, and would need to be examined on a case-by-case basis.

The first category, **trafficking for forced marriage, is very much in evidence** in the countries under study and commonly involves irregular, short-term forms of marriage known as temporary marriage (*muta'h*) or tourist marriage (*mishyar*). They target girls and young women, and are a type of sex tourism. The Study found men from the countries under study and the GCC States[8] using the services of "matchmakers" to arrange temporary marriages with Syrian refugee women and girls, for the purpose of having sexual relations with them. In addition, cases involving forced marriage of Syrian girls to citizens of the host countries under study, which do not involve temporary marriage, were also found. The perpetrators of trafficking for forced marriage are commonly immediate family members.

Some forced marriages were also facilitated by older women in refugee camps, and some Syrian girls and women were forced to marry members of Islamist armed groups in return for some form of protection or payment for their impoverished families (SY01; Qiblan & Hammoud, 2 October 2015). In some early marriages, there is little age difference between the bride and the groom, while in others, the age difference is significant. It is important to underline this difference because the reasons leading to families marrying off their girls at a young age differ according to the 'type' of marriage (LB17; LB25; Harvard School of Public Health, 2014). Where there is a significant age difference, it is more common for **substantial sums of money** to change hands (LB25)."

3. Labour Exploitation

The ongoing conflict in Syria and the refugee crisis have caused an increase in **trafficking for the purpose of labour exploitation, as well as exploitative labour conditions**, involving Syrian IDP and refugee men, women and children. Children are sometimes exploited or subjected to exploitative conditions together with adult family members. Syrian men, women and children are exploited particularly in agriculture, factory work and services. In agriculture, they are exploited by

8 The Gulf Cooperation Council (GCC) comprises Bahrain, Kuwait, Qatar, Oman, Saudi Arabia and the United Arab Emirates (UAE).

farm-owners and some *shawish*[9] who supervise workers on farms. Farm-owners who also rent land for accommodation may use the threat of eviction to force a community to work under exploitative conditions.

A recent study on **worst forms of child labour in Syria** found that the conflict has drastically increased the number of children engaging in hazardous work. Inside Syria, mainly boys, but also some girls, are exploited in hazardous manual work for long hours in factories, mechanical workshops, and on farms, causing serious damage to their health, wellbeing and development (UNICEF, 2014). Worst forms of child labour, child labour exploitation and the exploitation of children through begging have become a visible problem in Syria since 2011 (SY04). Also in the hosting countries, Syrian children are exploited on the streets, collecting refuse, in agriculture, in refugee camps, in transportation of goods, construction, street vending and similar jobs, and in cafés. In some work environments, children also pick up habits that are harmful to their health (JO15; JO06; JO12).

4. Domestic Servitude

Both prior to and since the beginning of the Syrian conflict, **criticism has been levelled at the *kafala* sponsorship system** that governs the employment and immigration of foreign domestic workers in Syria, Lebanon and Jordan, as well as in the GCC States. Similar issues were identified with the Iraqi system governing migrant domestic workers. The Iraqi Minister of Interior recently issued instructions to contribute to resolving this (IQ17). The impact of the Syrian war and refugee crisis on this form of trafficking has been minimal, as it continues, with similar characteristics and profiles of trafficked people. In Turkey, on the other hand, trafficking for domestic servitude was not found to be a relevant issue.

Indeed, many **migrant women from Southeast Asia and East Africa who were not evacuated and repatriated by their embassies were stuck inside Syria**, and some were arrested and detained by the Syrian authorities as undocumented migrants. They remained in Syria as they could not contact their embassies, or could not be evacuated without their passports, which had been withheld by employers or recruitment agencies (SY03).

9 Supervisors or foremen on farms.

5. Exploitation through Begging

In general in the countries under study, there was little awareness of exploitation through begging as a possible form of trafficking. Inside Syria, it is difficult to determine whether the reportedly **growing number of women, children and people with disabilities observed begging** in regime and opposition-controlled areas are trafficked and exploited or engage in begging on an individual or family basis. It was also not possible to obtain detailed information about exploitation through begging in Turkey, though begging in general has increased with the Syrian crisis. In Jordan, it is generally assumed that begging is not exploitative but is rather driven by Syrians' dire economic need. Similarly, in Iraq, there is no research available that examines begging situations in more detail (IQ12). However, some interviewees still considered trafficking and exploitation of Syrian women, children and disabled people to be taking place in some cases.

6. Exploitation in Armed Conflict

Most cases of children involved in armed conflict are likely to constitute child trafficking due to evidence of recruitment. A number of official documents and reports from human rights organisations provide evidence of **exploitation of children by the different armed factions** in the Syrian governorates of Aleppo, Homs, Hama, Raqqa and Dera'a, including the Nusra Front, Da'ish and the Kurdish People's Protection Units (YPG). The regime's armed forces and its allied militias; the Nusra Front; and Da'ish almost exclusively exploit boys, while the YPG exploits both boys and girls (SY07; SY08; SY12; Human Rights Council, 16 June 2014; UN General Assembly, 5 February 2015; Human Rights Watch, 15 July 2015; Avaneesh, 16 July 2015).

Children are exploited as soldiers, informants, executioners, human shields, suicide bombers and for other support roles in both Syria and Iraq (UN General Assembly, 5 February 2015; Human Rights Council, 16 June 2014). In the Kurdistan Region of Iraq, for example, one in three children has been approached for recruitment into armed conflict (UNICEF & Save the Children, 2015). Other forms of exploitation related to the conflict involve **kidnapping and hostage-taking, and forced military labour**.

7. Sexual Slavery and Forced Marriage by Da'ish

During 2014 and 2015, Da'ish perpetrated severe forms of trafficking, including for **slavery, forced marriage and exploitation in armed conflict, particularly**

targeting Iraqi Yazidi people. This followed the group's military expansion into parts of northeast Syria and northwest Iraq. One of the interviewees for this research in Iraq, himself a member of the Iraqi Yazidi community, provided detailed information about Da'ish's trafficking of Iraqi Yazidis, as he has carefully documented the events (IQ14).

8. Illegal Adoption

Most informants interviewed had not come across cases of children trafficked for the purpose of illegal adoption. However, the significant numbers of **unaccompanied refugee children and unregistered new births** amongst Syrians are considered as indicators of vulnerability of these children to trafficking for the purpose of illegal adoption. It should also be noted that adoption in general outside of the extended family is not common in the countries under study, except among Christian communities in Lebanon (Stoughton, 2013).

9. Organ removal

There is **little evidence of trafficking for organ removal** in the countries under study, with the exception of a case involving Syrians in Turkey. On the other hand, trafficking for organ removal is a specific concern for people - mainly Palestinians from Syria - who use migrant smugglers to migrate to Europe through Sudan and Libya, as they may get kidnapped in the Western Desert in Sudan and Libya and become victims of trafficking for organ removal.

10. Exploitation in Criminal Activities

Similarly, **little evidence was found on trafficking for exploitation in criminal activities**, other than exploitation in armed conflict. Nevertheless, it should be noted that prostitution is illegal in all five countries (*de facto* in Lebanon), and, in all countries except Turkey, begging is an offence. Although there were indications of some Syrians involved in criminal activities, it was not possible to determine whether exploitation was present. One exception was a case described by an interviewee for the Study in Lebanon, who had identified a number of children exploited to sell illicit drugs by Lebanese and Palestinian drug traffickers (LB31).

6 CONCLUSIONS

The Study shows that the five countries under study have made significant efforts to respond to the displacement of IDPs and refugees. However, the incidence of trafficking in persons, and the nature and magnitude of vulnerabilities to trafficking, have been affected in a number of ways. These effects are partly related to the sheer **magnitude of the displacement** and partly to **the legal, policy, infrastructural, security and socio-economic contexts** in the five countries.

Some of the vulnerabilities and trafficking cases are specific to the context of the Syrian war and refugee movement since 2011, while others are also relevant to many other war and refugee situations, or, indeed, are in evidence in countries and regions not affected by wars or mass displacement. While taking into account ongoing debates, research and policy development on refugees, trafficking, migration in the context of crises and other related topics, the conclusions presented here are drawn exclusively from the research findings of the Study. The implications of the findings for responses to trafficking and vulnerabilities to trafficking, including concrete recommendations, will be further discussed and analysed during the dissemination phase of this project (the first half of 2016).

Exploitation and Trafficking in Persons

➥ The classic organised crime paradigm commonly used for understanding trafficking does not fit neatly onto the actual situation of people trafficked or vulnerable to trafficking in the context of the Syrian conflict. Very severe forms of exploitation and trafficking are indeed taking place, committed by highly organised criminal networks, but **the most common type of exploitation is at a lower level, involving fathers, mothers, husbands, extended family, acquaintances and neighbours**. Indeed, there are often factors that leave families with no viable alternative for survival other than situations that could be defined as exploitation and trafficking according to national and international law.

➥ Worst forms of child labour, child trafficking for labour exploitation, exploitation through begging and trafficking for sexual exploitation affected people in the countries under study before the war, but have now **increased among**

Syrians. Particularly in the case of sexual exploitation, a certain replacement effect is in evidence, with Syrian women and girls being exploited in prostitution, where before people trafficked for this purpose were of other nationalities. Child labour and child begging have been affected in the sense that conditions have become more severe, with more serious abuses of child rights. The incidence of these phenomena has also increased overall.

➥ **Some forms of trafficking have emerged that are directly related to the war**. This is the case for trafficking by Da'ish for sexual slavery, forced marriage and exploitation in armed conflict; and forced marriage and exploitation in armed conflict by other parties in the Syrian war.

➥ In most of the cases revealed through this research, **trafficking is not a cross-border phenomenon related to the migratory movement itself**, though cross-border trafficking is present in some cases. In general, the forms of trafficking in evidence target the vulnerabilities caused by displacement *post facto*, with the trafficking process beginning when IDPs and refugees are already among host communities.

➥ Nevertheless, **not all forms of human trafficking have been influenced by the Syrian crisis**. Indeed, the trafficking of migrants - most of them women - for exploitation in domestic servitude continues, and was only marginally affected by the refugee crisis in the host countries. Even within Syria, since the start of the conflict in 2011, some migrant domestic workers continue to be exploited in domestic servitude.

➥ The benefits received by traffickers or exploiters are not always financial. Indeed in a number of cases observed, a child or adult was **exploited in return for an in-kind transaction**.

➥ Despite the empirical findings of the Study that there is a significant incidence of trafficking as a result of the war, **Syrians are not being identified by the authorities as victims of trafficking**, other than to a minimal extent.

Situations of Vulnerability to Trafficking in Persons

➥ A prevalent underlying factor that contributes to trafficking situations, as well as to vulnerability to trafficking, is **complications in relation to legal status in the host countries, and in relation to legal authorisation to work**. This is often compounded by a lack of availability of jobs and other possibilities for income generation, and in Syria this concern is paramount.

➥ The vast **majority of Syrians are not living in official IDP or refugee camps**, which affects their access to essential humanitarian aid and other services like education, accommodation, vocational training and healthcare.

➥ **Host communities have also been affected** by the war and displacement, particularly the areas within each of the countries that have received higher proportions of internally displaced people and refugees.

➥ A multitude of **child protection issues** arise in the context of the conflict and the refugee crisis, particularly children remaining out of school and not having birth registration, placing them more at risk of being trafficked.

➥ Some refugees and displaced people have started to move on to countries outside the region, particularly EU Member States. While they are still within the five countries, the need to pay substantial sums of money - and possibly become indebted - to facilitators of internal movement and migrant smugglers is causing people to resort to risky methods of obtaining that money, rendering them vulnerable to trafficking. One major risk is that **a situation of internal movement facilitation or migrant smuggling can develop into one of trafficking in persons**.

➥ The war and displacement have caused **added vulnerability for migrants and refugees** whose situation was already precarious prior to 2011 and who were in Syria when the war broke out, including:

- Palestinian refugees from Syria;
- Iraqi refugees;
- Stateless people;

- Refugees of other origins, particularly from Afghanistan, Sudan and Somalia;
- Migrant domestic workers from South and Southeast Asia and East Africa.

➥ The overriding conclusion of the Study is that **the effects of the war and refugee situation on trafficking in persons are driven by the affected people's lack of means to meet their basic needs**, as a key element of a lack of durable solutions for Syrian refugees and IDPs.

There is a need for a **paradigm shift in how trafficking, refugee, migration and child protection policy are perceived in relation to access to protection.** While policy-makers and practitioners might see themselves as working in distinct fields, on specific topics, the human beings affected by these policies do not always fall under one single, clear-cut category. Efforts must be combined and concentrated to provide access to basic needs and safety for people displaced from and within Syria. In addition, there is a cumulative effect in that the longer the war continues, the more people's savings or income from sale of properties are depleted, while 'donor fatigue' results in insufficient funding for humanitarian aid, and so they become increasingly vulnerable to trafficking and other rights violations.

Just as traffickers and exploiters are targeting these vulnerabilities in order to profit or benefit from abusing people's rights, so **policy-makers and practitioners can target these vulnerabilities in a positive way**, alleviating them in order to prevent trafficking, exploitation and other abuses. This can contribute to increasing people's resilience, giving them alternatives that are not merely the 'least bad option', and providing them with what they need in order to better cope with the ravages of violence and displacement.

7 RECOMMENDATIONS

Because anti-trafficking capacities are significantly affected by the ongoing war and related conflicts in Syria and Iraq, and because the hosting countries are overwhelmed with the arrival of large groups of people fleeing Syria, these Recommendations primarily address vulnerabilities to trafficking and propose short-term and medium- to long-term actions to meet the needs of identified and unidentified victims of trafficking, as well as other people vulnerable to trafficking in the countries under study and beyond. The primary focus is therefore **prevention of trafficking and addressing vulnerabilities to trafficking**. However, the protection of trafficked people and the prosecution of perpetrators is also a central concern, and Recommendations in this sense are also included.

Wherever feasible, Syrians and other affected communities should be directly involved in implementing the recommendations. Where relevant, host communities should also be the focus of initiatives and policies, as they are also affected by some of the vulnerabilities highlighted. The Recommendations presented below are **not intended to be exhaustive** in responding to the research findings. Subsequent to the publication of the Study, the research findings and recommendations will be disseminated and discussed with research participants and other relevant stakeholders. The Recommendations will be adapted and added to during a series of dissemination workshops. They should therefore be seen as a work-in-progress, to be finalised in mid-2016.

Recommendations
1. Address low-level trafficking
Short Term: Families should be first supported in order to exit situations of extreme vulnerability and desperation, before considering family members as perpetrators of the serious crime of trafficking in persons. People affected by the war should be provided with viable alternatives to exploiting or being exploited. Non-family members involved in exploitation should be investigated and sanctioned.
Medium to Long Term: There should be a focus on vulnerability when designing anti-trafficking strategies and policies, with targeted initiatives to build the resilience of vulnerable populations. This also requires an evidence-based assessment of vulnerability factors in each context, in order to establish the knowledge base.

2. Identify trafficking of refugees

Short Term: Identification of potential trafficking cases should be incorporated into refugee registration procedures in the countries under study and other hosting countries outside the region. All relevant authorities and NGOs, including organisations dealing directly with refugees and IDPs, should be trained to identify and refer potential trafficking cases. Capacities for prosecution of trafficking should be reinforced.

Medium to Long Term: Specific indicators of trafficking in persons, and of vulnerability to trafficking, including long-term vulnerabilities beyond initial displacement, should be developed for use in humanitarian emergencies. International and national humanitarian staff should be trained in the use of these indicators and mechanisms for referral of potential trafficking cases in a crisis should be established. Capacity-building on the prosecution of such cases should be incorporated into criminal justice responses.

3. Provide protection to refugees who are trafficked

Short-Term: Anti-trafficking actors should be trained to understand refugee issues and identify potential trafficking victims among refugees and other vulnerable groups. National anti-trafficking strategies, referral mechanisms and initiatives should be revised to take into account that trafficked people may also be refugees, IDPs or undocumented migrants.

Medium to Long Term: Existing legal and operational understandings of trafficking, refugee, migration and child protection as separate policy areas should be altered. Protection needs should be prioritised in determining a person's legal status.

4. Provide access to regular employment and regularisation of legal status

Short Term: Syrians and other affected populations should have legal authorisation to work, be the focus of livelihoods schemes and vocational training, and be facilitated in moving around within a country without fear of detention or deportation. Policies and practices should address a vulnerable person's protection needs first, and only subsequently examine minor infractions related to legal status. Victims of exploitation and trafficking should be facilitated in reporting and seeking legal redress.

Medium to Long Term: The prospect of a more medium- or long-term refugee status in host countries would allow refugees to plan for their future, to develop an understanding of their rights and duties and to be gradually included into mainstream social services and the labour market. However, this is only possible with: international investment in the hosting countries and hosting communities; and resettlement of some refugees outside the region, as the capacities of the four hosting countries under study are overstretched.

5. Guarantee sufficient funding and fair distribution of aid

Short Term: All stakeholders should guarantee the equitable distribution of aid in Syria and the neighbouring countries, inside and outside camps, and ensure that this distribution is not abused in order to take advantage of vulnerable people.

Medium to Long Term: International organisations and governments outside the region should ensure the sustainability of aid donations as long as the war continues and counteract 'donor fatigue', as well as exploring possibilities for large-scale investment in the hosting countries through the financial markets.

6. Ensure birth registration for children

Short Term: Children born in Syria since the outbreak of the war; children born to Syrian refugees in the hosting countries; and any other children who do not have birth registration, should be provided with birth registration from Syria if possible, but if this is not possible, births should be registered in the hosting countries.

Medium to Long Term: In the event of the violence ending and Syrian refugees returning to the country, the birth registration of any children not registered should be prioritised.

7. Ensure children are in school

Short Term: Children's access to regular schooling should be urgently facilitated, to grant them their basic right to education and render them less likely to be involved in child labour or begging. Parents should also be supported in generating income without involving their children, and in providing for children's safe transportation to and from school.

Medium to Long Term: Children who have had their schooling interrupted, and who have become involved in child labour, early marriage or begging, are likely to suffer disadvantages on their return to school, which should be taken into account within education systems. Special school-based programmes should be implemented to allow them to catch up.

8. Address forms of trafficking directly related to the war

Short Term: The heightened risk of exploitation in armed conflict should be alleviated through the active enforcement of bans on the recruitment of child soldiers. Those wounded during the war should be provided with proper healthcare, without exposing them to the risk of trafficking. The specific grave violations of Iraqi Yazidi people's rights should be recognised, and those affected should be urgently provided with protection and rehabilitation services. Such trafficking cases should be prosecuted.

Medium to Long Term: Reintegration programmes should be implemented for Syrian and other children exploited in armed conflict.

9. Improve aid and other services for non-camp refugees and IDPs

Short Term: Food aid, non-food items, cash assistance, healthcare, accommodation and income-generating opportunities should be improved in non-camp environments, as well as in refugee and IDP camps.

Medium to Long Term: The needs of displaced populations who are not living in official IDP or refugee camps should be incorporated into planning for humanitarian crises and the provision of aid and other services.

10. Incorporate internal trafficking into anti-trafficking policy and initiatives

Short Term: Anti-trafficking initiatives in the countries under study should be designed and implemented in such a way as to prevent, identify and respond to internal trafficking as well as cross-border trafficking. Procedures for identification, access to information, regularisation of migration status, rehabilitation and reintegration should be tailored to the needs of victims of internal trafficking, as well as of cross-border trafficking. Criminal justice procedures should also incorporate prosecution and witness protection for internal trafficking cases.

Medium to Long Term: Anti-trafficking policy measures, such as national referral mechanisms, awareness-raising campaigns, strategies and plans of action, and prosecution, should ensure that internal trafficking is not overlooked.

11. Enforce sanctions to combat abusive practices

Short-Term: Effective sanctions and binding codes of conduct should be put in place to combat corruption and abusive practices among law enforcement and border officials, humanitarian staff, landowners and landlords, military personnel, service providers and others, in order to reduce the incidence of 'in-kind' exploitation and abuse.

Medium to Long Term: Lack of enforcement of the law and certain corrupt practices should be rectified. Prosecution of cases of trafficking among these abusive practices should be carried out.

12. Identify and respond to labour exploitation

Short Term: Violations of workers' rights should be actively identified and perpetrators held responsible, requiring the development and use of indicators, and training programmes for labour inspectors and law enforcement agencies on trafficking for labour exploitation. Labour inspectors should have sufficient resources to carry out inspections of workplaces.

Medium to Long Term: Capacity-building programmes and training curricula for labour inspectors, prosecutors, the judiciary and other anti-trafficking stakeholders should incorporate components on the identification and prosecution of labour rights abuses, labour exploitation and trafficking for labour exploitation, and the protection of victims.

13. Combat gender-based discrimination and reduce the risk of sexual and gender-based violence

Short Term: Training and other programmes should be put in place to facilitate and promote women's access to the labour market. It should be ensured that accommodation for refugees and IDPs provides sufficient safety and privacy for children and women. Discrimination and sexual harassment at the workplace should be sanctioned. SGBV programmes should acknowledge that boys, men and LGBT people may be victims of discrimination and sexual and gender-based violence, as well as women and girls.

Medium to Long Term: Training and awareness-raising programmes should be put in place for men, women and children on gender-based discrimination and sexual and gender-based violence, and incorporated into school and vocational training curricula. Girls' education and women's vocational training should be promoted. Traditional and religious leaders should be involved in information sessions on gender-based discrimination and SGBV.

14. Address the vulnerabilities of host communities

Short Term: Humanitarian assistance and other services and initiatives for refugees and IDPs should also include vulnerable members of host communities, particularly in areas with a high concentration of displaced people.

Medium to Long Term: Host communities should be included in crisis planning from the outset and information should be provided to them about the influx of displaced people and what they are entitled to, in order to prevent tensions and hostilities.

15. Implement prevention programmes at community level

Short Term: Prevention programmes and awareness-raising campaigns among vulnerable groups on different forms of trafficking and related abuses should be carried out together with local host communities and refugee communities. Where there is a language barrier, cultural mediators should be employed from both communities.

Medium to Long Term: Awareness-raising programmes should be designed to target both host communities and refugees, taking into account the linguistic, cultural and religious diversity of the populations in question.

16. Reform *kafala* systems for the immigration and employment of migrant domestic workers

Short Term: The situation of migrant domestic workers who are still inside Syria should be urgently investigated and addressed. They should be repatriated to their country of origin or resettled to a safe third country, depending on their best interests. Trafficked migrant domestic workers should have access to information on legal rights and remedies, and perpetrators should be prosecuted.

Medium to Long Term: The *kafala* systems in Syria, Lebanon and Jordan should be amended to reduce the inherent risk of exploitation and trafficking.

17. Put specific measures in place for particularly vulnerable groups

Short-Term: Palestine refugees from Syria and Iraqi refugees, as well as other refugee groups, should be urgently included in any measures and policies for refugees who are Syrian citizens. In particular, the different mandate at international level for Palestine refugees in Lebanon and Jordan should not be detrimental to their basic rights.

Medium to Long Term: Humanitarian planning and refugee policies must take into account that not all those fleeing a war will have the national citizenship of the country they are fleeing. Special legal and humanitarian measures should address this.

18. Significantly expand legal channels for settlement outside the region

Short Term: EU Member States and other safe countries outside the region should significantly increase the numbers of Syrian and other affected people who are offered refugee resettlement. Other legal channels for moving outside the region should be offered for people in need of international protection who are not registered with UNHCR. Resettlement and other legal channels for refugees would also be beneficial to the overburdened infrastructures and labour markets of the hosting countries.

Medium to Long Term: The dynamics of the Syrian war and refugee situations in neighbouring countries should be monitored in order to continue to increase resettlement quotas and expand legal channels for resettlement as necessary, in accordance with the hosting capacities of neighbouring countries and countries outside the region.

19. Disseminate, discuss and respond to the research findings and recommendations

Short Term: Workshops and other events should be held in the countries under study, and in other transit and destination countries of Syrian refugees who move on to the EU and other regions, to disseminate the findings of the Study, discuss and adapt the Recommendations, and develop additional recommendations. These events should involve all relevant actors, including anti-trafficking, refugee and migration professionals, as well as experts and activists on child protection and women's rights. International organisations, international NGOs and donors should be lobbied to respond to the findings and implement the recommendations.

Medium to Long Term: In recognition of the vulnerabilities to trafficking identified through this research, the four hosting countries under study and other transit and destination countries for Syrian refugees should work in partnership to prevent and combat trafficking among this group, by, among other programmes and initiatives, establishing and/or reinforcing transnational referral mechanisms for trafficked people, and prosecuting internal and cross-border trafficking cases.

Targeting Vulnerabilities - Briefing Paper

International Centre for Migration Policy Development, 2015

Over six-and-a-half million people are internally displaced in Syria, while Turkey, Lebanon, Jordan and Iraq are hosting over four million Syrian refugees. Some of the most vulnerable people among them are affected by one of the most serious of human rights violations: trafficking in persons. People who have fled within and outside of Syria should be able to set up a new life for themselves safe from the war, and safe from trafficking and exploitation. This Study assesses the impact of the Syrian war on trafficking in the region and presents timely recommendations on how to respond.

ISBN: 978-3-902880-66-6