



Organization for Security and Co-operation in Europe

**Office of the Special Representative and Co-ordinator
for Combating Trafficking in Human Beings**

EXECUTIVE SUMMARY

7th ALLIANCE AGAINST TRAFFICKING IN PERSONS

HIGH-LEVEL CONFERENCE

“ASSISTANCE TO TRAFFICKED PERSONS: WE CAN DO BETTER”

10-11 September 2007, Vienna, Austria

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According to UN figures, an estimated 12.4 million people are trafficked globally every year. Although this number is shocking, the real number is predicted to be much more staggering, due to the clandestine nature of the crime. Over the last ten years State responses to trafficking in human beings (THB) have begun to evolve, allowing for positive steps to aid victims of trafficking. However, there remain gaps in many national and international mechanisms that serve to identify, assist and protect victims. Although State policies are still maturing, too many of the policies are based on assumption rather than empirically based evidence. This means that a large proportion of trafficked persons is either not identified or does not identify themselves to authorities and social services for fear of being prosecuted for immigration offences.

On 10-11 September 2007 the 7th *Alliance Against Trafficking in Human Beings* conference was held in Vienna under the motto '**Assistance to Trafficked Persons: We Can do Better**'. One of the main objectives of this event was to present the most recent qualitative and quantitative research available on identification, protection and assistance of trafficked persons. Following a similar thematic issue dealt with at the 6th *Alliance Conference* on the national rapporteur and equivalent mechanisms, the aim of the 7th *Alliance Conference* was to address the importance of the collaboration between research efforts and policy makers in order to provide a more comprehensive policy in which a victim centered approach is adopted.

The conference gathered together over 270 experts, including leading government representatives, national anti-trafficking coordinators, national parliamentarians, international organizations, NGOs and academia from OSCE participating States and partners for Co-operation. The conference provided a platform for the exchange of information on good practices and for the elaboration of practical conclusions in the field of victim identification protection and assistance. The key thematic points stressed during the conference were:

- the importance of a multi-disciplined approach and research to understanding human trafficking;
- the need to reconstruct the notions of assistance, protection and identification to allow for effective policy responses based on empirical evidence; and
- the benefits of closer co-operation between states and non-state actors (in particular researchers and policy makers).

The representative of the Spanish Chairman in Office, Ambassador **Silvia Escobar**, reminded the audience of the growing trend of human-trafficking since the 1980s and the connection this has had with the expansion of different clandestine organizations. Furthermore she highlighted an important contradiction within European societies that must be addressed, namely that while Europe stands to protect human rights and values there is also discrimination towards beneficiaries and indeed other migrants due to their immigration status. Moreover, Ambassador Escobar stressed the importance of States addressing this issue as enthusiastically as other threats to human security, and called for more co-operation among countries.

The OSCE Special Representative and Co-ordinator for Combating Human Trafficking, **Eva Biaudet**, reminded the audience of the persisting gaps in national and international counter trafficking policies, urging States to bridge these by encouraging more research programmes that focus on empirically based evidence. She reminded the participants that the analysis of trafficking in human beings through a multi-dimensional framework would give policy

makers a broader tool kit to work from. In particular, the Special Representative stressed the importance of adopting a victim centered approach which would allow policy makers not only to understand victims better, but also to tailor policies to their needs. In addition, empirical evidence can also contribute toward better understanding of how trafficking networks operate and how to better address the phenomena.

The EU Presidency representative, Portuguese State Secretary, **Jorge Lacão**, highlighted the commitment his country has taken in combating human trafficking, emphasizing the implementation and the expansion of international treaties and recommendations in Portuguese legislation. The National Action Plan and its four main points for intervention received particular attention (e.g., acknowledgment and diffusion, prevention and awareness, protection, support and integration). The State Secretary stressed the importance of expanding criminal prosecution towards not just the individual traffickers but also to those that were responsible for contracting the trafficker's services. Recognizing that trafficking and immigration should be seen as separate issues, the government has given much attention to the reformed immigration law of 2005 in which victims of trafficking are entitled to a 30–60 day reflection and recuperation period. This development was only possible through the findings of the EU pilot project CAIM which focused on the assistance given to female victims of trafficking. Further cementing commitments to international standards State Secretary Lacão announced Portugal's intention to ratify in due time the Council of Europe's Convention on trafficking in human beings.

The Head of the Department for Rights and Equal Opportunities, Presidency of the Council of Ministers, **Silvia Della Monica** presented developments in the Italian counter trafficking initiatives. These were largely possible due to the efforts made by a number of specialized NGOs which carried out research on THB and co-operated with local authorities to provide services to victims. Furthermore, legal initiatives which allowed for the provision of assistance and protection to victims without the mandatory collaboration with authorities have provided good results. Although these are positive steps, Della Monica pointed out that they are in part also responsible for the changing patterns in trafficking and exploitation. In particular, the movement of forced prostitution from the street to indoor locations was highlighted. Della Monica finished by stating the need to be more flexible in co-operation so as to adapt anti-trafficking measure quickly.

The core tenets of **Zosa De Sas Kropiwnicki's** research (Researcher, Save the Children) are to identify the particular thinking patterns of trafficked children. Through this child centered approach she was able to identify the tricks that traffickers use to lure children into exploitation. The presentation focused on particular risk groups, such as: (1) children that faced violence and social rejection either in State institutions or on the street, in which a sign of compassion and understanding for the child's situation was an effective tool used by traffickers, and (2) children that had to support the family, in particular children that felt compelled to work, as promises of education and well paid jobs were very attractive. Kropiwnicki criticized current social and educational structures as they did not adequately equip children with the correct information about trafficking which would allow children to identify danger scenarios and give them the necessary tools to avoid being trafficked. Moreover, Kropiwnicki pointed out that many children feel they are patronized by policy makers in that they are portrayed as helpless victims and are often stigmatized in an imagery of pity. This, she stated, was counter productive as it creates a homogenous profile of a child victim which does not take into account all the variables and differences between victims. As a result, many trafficked children feel that they do not fit the profile or do not want to be

identified for fear of being stigmatized. The main ethos of the presentation was for policy makers to design polices that will *'enable children to speak out'*.

Expanding on the need for a victim centered approach, **Rebecca Surtees** (Researcher NEXUS Institute) presented the ICMPD study, "Listening to Victims – Experiences of Identification, Return and Assistance in South Eastern Europe" under the TRM project. Her presentation highlighted the importance of listening to victims and expanding the qualitative research in this field, thus centering the work on victim's experiences, perceptions and opinions about assistance. She critically examined State responses and assistance, protection and referral programs in South East Europe, bringing forth both positive and negative outcomes. Surtees' findings showed that vital information between the service provider and the beneficiaries was not always properly diffused. This means that in many cases the beneficiaries' rights were not always known and led to confusion and in some cases refusal of assistance. She noted that a delicate and individualized balance had to be reached between protection, assistance and reintegration into a stable life. She reminded the audience that reintegration is a non-linear process and that the programs had to be flexible and deal with victims adequately. Surtees stressed the need to train other frontline professionals, specifically medical staff, to identify victims. Making assistance and protection a two way process is vital in achieving this flexibility as feedback from victims will allow the programmes to be more adaptable to the beneficiaries needs.

The presentation of **Mike Dottridge**, consultant for Terre des hommes, was a critical response to current preventative trafficking initiatives taken by NGOs, International Organizations and participating States. It was suggested that many of these mechanisms are based on lack of evidence and on minor misconceptions. The main theme throughout the presentation was that an analysis of victims and their experiences was a central feature in creating effective prevention measures. To this end, victim profiling is a central feature which must also take into account non-victims with similar backgrounds allowing for easier identification of potential victims. This is an important step to *'unlocking [the] door: it allows you to focus both prevention initiatives and your efforts to identify individuals being trafficked on the people who are most likely to be involved'*. Moreover, further analysis of trafficked persons would allow for the development of an itemized approach that would directly target the root causes in specific regions. Underpinning this approach Dottridge presented findings from his research in which six salient characteristics of trafficked children were identified. In addition, Dottridge pointed to the benefits of profiling by highlighting the indicator system established in the Netherlands and parts of the United Kingdom. Ethical question concerning beneficiary confidentiality was carefully scrutinized, as in some cases it hindered the development of extensive research. Furthermore, Dottridge also pointed towards the fact that victim observation must exceed the initial protection and assistance period and as such must be a long term project.

The main theme of **Richard Danziger's presentation**, (Head of Counter Trafficking Services, International Organisation for Migration (IOM) Geneva), was to highlight the value of the IOM Counter Trafficking Module database as a tool for conducting in-depth and precise qualitative and quantitative research. The database provides information not only on victims but also about traffickers, trafficking routes and their modus operandi; to this end a three part research series using the database was the kernel of the presentation. Danziger built on the need to improve current research methods by expanding not only on studying the supply side of trafficking but on the demand side in destination countries. He further criticized the lack of gender analysis in research on THB in general. The first paper of the

research series focused on gender discrimination by policy makers and researchers as these are more concerned with female victims of trafficking for sexual exploitation than with male victims, trafficked for all purposes. The second paper focused on the issue of re-trafficking, which is becoming a more prominent finding in ongoing research. The qualitative nature of this study provided in-depth information on the causal factors for re-trafficking which included an inability of migrants to re-integrate into the host society/ community/ family, desire to migrate, lack of family support or family rejection upon return etc. The third paper in the series considered trafficking and issues of social exclusion which aimed at tracing the trends of trafficking experienced by socially excluded populations. Findings here emphasized that *'the multiple causes of trafficking require a multi-pronged longer-term approach in prevention activities'*.

Shivaun Scanlan's three-part presentation - Senior Anti-Trafficking Advisor, Office for Democratic Institutions and Human Rights - focused on conflicting agendas within the victim identification process. Firstly, however, she analyzed the different ethical considerations behind responses to trafficking, drawing attention to the fact that some efforts are not as wholehearted as others, and not based on OSCE commitments. She continued to focus on the key factors involved in successfully identifying victims. First of all, Scanlan stressed the need for a clear and coherent definition of what exactly a victim of trafficking is, while stating to the audience that despite the adoption of the UN Protocol on THB, there is still a lack of clarity in national law and practice. She underpinned this by giving an example of a country where a variety of definitions for identifying 'genuine' victims are used by different agencies. Scanlan stressed the need for increased collaboration between State agencies and Civil Society through the use of National Referral Mechanisms. She drew attention to a contradiction within many States whereby agencies were reluctant to use civil society to assist in the identification of cases, however requested that these same organizations train their staff on trafficking issues. The third key factor pointed out in her presentation, concerned the self identification of trafficked persons. Scanlan pointed out that many victims do not regard themselves as such, stating that *'our preoccupation with "rescuing" people from themselves through identification methods is patronizing and underscores more our own desire to be "useful" to humanity and impose our own ideas on how others should lead their lives'*. She suggested that alternative methods, such as out-reach programmes, should be implemented to allow beneficiaries a quiet exit from the exploitation situation

Daja Wenke, Child Trafficking Officer, UNICEF Innocenti Research Centre, focused on the results from the study 'Identification of Child Victims of Trafficking' based on case studies from countries of origin and destination in Europe. She underlined that identification of child victims of trafficking is in general understood as an action that has to be taken in order to allow a trafficked child to exit the situation of exploitation and abuse and to proceed to a safer environment where he or she will receive assistance and protection. However, the reality is not that straightforward. In fact, Wenke stated that very often identification does not take place as a single event, but as a process that may at times be prolonged and equally dynamic and complex as the trafficking process itself. In many cases, identification may never take place at all. Wenke highlighted that currently there is no unified definition of what identification of child victims of trafficking means and how it can best be achieved. No doubt experiences in identifying victims of trafficking have been made in OSCE participating States. However, these experiences are often merely individual initiatives and consistency in the efforts throughout the OSCE region – or even at national levels – has not yet been achieved. Wenke pointed out in her presentation that little documentation or evaluation of the effectiveness of such initiatives is available. This, she stressed is particularly true with

regard to specific strategies aiming at the identification of child victims of trafficking. Her presentation led through a discussion of existing modalities of identification and what has been learned from research about the roles and challenges for different actors in this process. Particular attention was given to the role of the child him- or herself, as well as to the views and experiences of children who have been identified as victims of trafficking. Overall, in order to support and assist children in the identification process, a better understanding of their situation, their aspirations and needs is required.

Elena Tyuryukanova, Researcher at the Institute for Socio-Economic Studies of Population, Russian Academy of Sciences, divided her presentation into two parts, each part respectively corresponding to the research papers carried out under the NRM initiative by OSCE/ODIHR and the EC/IOM project. The findings of the first paper '*Assessment of structures providing protection and assistance to victims of THB*' exhibited the extent of exploitative labour practices for migrants in the Russian Federation and concurred that 21% of those interviewed were not able to freely leave their employer and that 23% work over-intensively. Due to the irregular nature of employment, victims of trafficking were increasingly vulnerable as many employers would report the victim to police rather than pay them their wage. There were also positive signs in that 10% of the victims knew of organizations that would provide assistance in case of being trafficked and that 25% would go to the police in case they recognized they were working under slavery like conditions. The second part of the presentation focused on the IOM Project 'Trafficking in Persons in the Russian Federation'. This paper focused on the emerging national referral mechanism, it highlighted the work done by NGOs, social services and trade unions in particular those active in the construction sector. The report also highlighted the gaps in anti-trafficking policies in particular those concerning identification of victims and the necessity to provide victims with a reflection and re-cooperation period. Tyuryukanova emphasized the need for the implementation of an action plan and specialized counter-trafficking legislation. The data was particularly helpful in order to analyze the situation in the Russian Federation but also for Russian nationals exploited abroad.

Cathy Zimmerman - Researcher London School of Hygiene and Tropical Medicine - made a two part presentation focused on the mental and physical health of 207 trafficked women and based on the study 'Stolen Smiles' carried out on behalf of a variety of service providers in seven different countries. The first part of her intervention focused exclusively on trafficked women (e.g., who they are, their history of domestic violence, etc.), while the second part emphasized the importance of providing adequate assistance, in-particular outreach work. Assistance, she stressed should take into account the psychological impacts of the exploitation in order to respond to the needs of trafficked persons. Starting off with an analysis of victims' backgrounds, Zimmerman pointed out that 60% of women had previous experience of domestic violence and sexual abuse, over one quarter of these cases were carried by a family member (i.e., father or step-father). Furthermore 82% of re-trafficked victims were single mothers; for many of these the possibility of migration represents a survival strategy. The presentation emphasized that trafficked persons share a very similar profile to victims of torture whereby situational uncontrollability and unpredictability over a long time disabled the individual's instinctive ability to respond appropriately to situations. As a result, 56% of women interviewed developed post traumatic stress disorder this means that "*women participating in legal proceedings [are] likely to impair their ability to respond in any meaningful way*" thus making co-operation with authorities strenuous for both parties. The importance of outreach work was stressed throughout the presentation as a means to allow beneficiaries to become aware of the health risks presented by trafficking but also as a means to identify trafficking situations through frontline agents. Zimmerman suggested that

psychological assistance with a 90 day reflection and recuperation period reduces both the physical and psychological strain on trafficked persons. The study also concurred that immediately rescued beneficiaries suffered from high levels of anxiety, depression and hostility, with 38% of women exhibiting suicidal tendencies. The importance of this form of assistance is that service providers build a safe space whereby victims are under no pressure with regards to legal proceedings. Overall, she urged authorities to take into account the violence experienced, and to time interviews with victims carefully, taking into account their mental state of mind.

Anette Brunovskis, Researcher with the Fafo Institute of Applied International Studies, dealt critically with the questions surrounding the decline of assistance by female victims of trafficking. Her presentation focused on both the social forces confronting the beneficiary and problems in assistance methods. In many cases pressure from the family is a defining reason for declining assistance, as family members often discourage assistance due to suspicion about the programme itself. Many trafficked persons do not identify themselves or their situation with the role of the 'victim', this makes it difficult for many to break away from the exploitative situation. Furthermore, a great number of trafficked persons do not wish to be stigmatized in the community as a victim, for fear of being either ostracized or pitied. Brunovskis emphasized that often there is a lack of trust between victims and authorities, especially when the trafficked person already has a negative experience with previous assistance. The second part of her presentation occupied itself with a critical analysis of current assistance programs. It was shown that in many cases there is no clear flow of information between service providers and beneficiary, leading to confusion and hostility towards the service providers. An additional point of concern was the type of assistance offered. Closed shelter models often have major drawbacks as many of them are too restrictive, resulting in tension between the beneficiary and the service provider. This means that a beneficiary's reintegration is often impinged. Brunovskis pointed out that within closed shelter models victims very rarely share experiences with one another for fear of accusations from other victims; this has resulted in very tenuous situations that should be avoided.

Since the inception of new legislation in Italian National Law concerning the assistance given to trafficking victims in 2000, Italy has seen an extensive system of assistance emerge that relies on resources and service developed by local and national, governmental and non-governmental actors. **Professor Prino**, University of Torino, focused on the research conducted within the framework of the Equal Project 'Observatory and Resource Centre on Trafficking in Human Beings' and on the evaluation of the intervention models of the Italian agencies engaged in anti-trafficking work and of emerging professional profiles. His study points to the fact that the network is very well structured and that there is active co-operation between service providers to address THB. Although most of the assistance dealt with victims of sexual exploitation, there are signs that the network is expanding to address other areas of trafficking. The presentation did touch on problematic issues within the provision of staying permits for victims of trafficking by authorities, stating that in many cases this was irregular and varied widely between regions. Furthermore, he pointed out that the spirit of providing protection and preserving the dignity and rights of trafficked persons, which is the basis for this legislation, is being undermined by the pressure exerted by authorities on victims to collaborate in investigations. Another indicator that emerged from the research project hinted towards the fluidity of traffickers and ability of criminal organizations to adapt quickly to new legislation.

Aarti Kapoor of the Children Exploitation and Online Protection Centre based her presentation on a report prepared for the United Kingdom Home Office on child trafficking. The report critically assessed the various service providers and authorities dealing with child trafficking and aimed to gauge the current knowledge about trafficking in the United Kingdom. The first part of the presentation focused on showing statistical data referring to the numbers of children trafficked to the United Kingdom and the methods of exploitation to which they were subjected. In the second part Kapoor pointed towards the inconsistency in data systems in the United Kingdom, stating that the organizations held scattered information which made it difficult to collate information on specific cases. She urged for a standard definition of trafficking and standardized victim profiling across the board so as to facilitate the identification of trafficked children.

Closing remarks

In her concluding remarks, the OSCE Special Representative and Co-ordinator for Combating Human Trafficking, Eva Biaudet summarized the results of the conference by pointing out the importance of research in highlighting the success and the short comings of current preventative strategies. Acknowledging the different human and financial resources, the Special Representative called upon donor agencies to devote more resources towards information gathering and analysis using a multi-disciplinary approach. Furthermore, she reminded the audience of the importance of the function of the national rapporteur or equivalent mechanism as an important vehicle for improving knowledge on the issue of THB. In the spirit of the event, the Special Representative called upon the OSCE participating States and partners for Co-operation to take into consideration the implementation of international instruments and recommendations, in particular the OSCE Action Plan.