

ICMPD Comments on the Draft General Recommendations on TWGCGM

Dear CEDAW Committee,

On behalf of ICMPD, I would like to thank you for providing the opportunity to comment on the Draft General Recommendations. We find the document comprehensive and would like to congratulate you on your work.

Please see below input from our side based on ICMPD’s empirical research on the phenomenon of **human trafficking in dynamic mixed migration contexts and humanitarian crises**. Namely, in 2015 ICMPD published a comprehensive study entitled [*Targeting Vulnerabilities*](https://www.icmpd.org/our-work/capacity-building/programmes/anti-trafficking-programme/trafficking-and-the-syrian-war/)*,* the first empirical, multi-country research study to assess the links between conflict, displacement and trafficking. The research focus was initially on the effects of the Syrian conflict and displacement on human trafficking in Syria and its neighboring countries: Turkey, Lebanon, Jordan and Iraq. In mid-2018, ICMPD published [*Trafficking Along Migration Routes*](https://www.icmpd.org/fileadmin/1_2018/Bridging_the_Gap_between_Migration__Asylum_and_Anti-Trafficking.pdf), a research assessment of gaps, needs and challenges in the identification, referral, protection and rehabilitation of trafficked people who used migration routes to Europe, covering Greece, Bulgaria, North Macedonia, Serbia, Austria, Germany, Sweden and Finland. ICMPD then adapted the research methodology used for *Targeting Vulnerabilities* to carry out the recently published (March 2019) [*The Strength to Carry On*](https://www.icmpd.org/fileadmin/ICMPD-Website/2019/New_Strive_Study_Final.pdf)*: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*. The countries under study are situated along the main Balkan migration route: Greece (which is also the first country of arrival along the Eastern Mediterranean route), Bulgaria, North Macedonia, Serbia and Hungary. In addition, the research covered Germany, the main destination country for people travelling along these routes, and Italy, the first country of arrival along the Central Mediterranean route.

**ICMPD suggestions**

**Paragraph 42: Suggestion to include specific point on effective access to adequate, safe accommodation, both along the migration routes and in a destination context.** Traffickers target accommodation centres for people on the move as locations for recruiting victims, making people residing at these centres particularly vulnerable. It is important to make sure that human traffickers are not residing at accommodation centres or using centres in order to recruit victims. Establish identification and security procedures at accommodation centres, to make sure that the centres are not locations for trafficking recruitment.

**Paragraph 45: Suggestion to include:**

1. **Special measures related to people on the move into trafficking screening, identification, referral, protection and prosecution mechanisms, as such:**
* Incorporate specific, adequate measures related to the context of people on the move into National and Transnational Referral Mechanisms for the protection of trafficked people, setting out the roles and responsibilities of asylum, migration and anti-trafficking stakeholders in the screening, identification, referral protection and assistance of trafficked people.
* Set up or strengthen bilateral and multilateral mechanisms for people, setting out the roles and responsibilities of asylum, migration and anti-trafficking stakeholders in the screening, identification, referral protection and assistance of trafficked people.
* Set up or strengthen bilateral and multilateral mechanisms for identification, protection, investigation and prosecution between transit and destination countries along the migration routes.
1. **Incorporate the screening and identification of vulnerabilities, and of potential trafficking cases, into the asylum process, by providing specialist training to asylum authorities and putting procedures in place for referral.**
* People who are trafficked and have a right to international protection should have access to both protection mechanisms.
* People who are trafficked, and as a result of the trafficking have a right to international protection, should also have access to both protection mechanisms.
* People who are trafficked and who do not have a right to international protection, should be protected as a trafficked person and granted a residence permit as a victim of trafficking.
1. **Provide specialist training, and put procedures in place**, to ensure that people on the move, including asylum applicants, who have potentially been trafficked, are screened, identified and referred to anti-trafficking stakeholders for protection and access to justice. Anti-trafficking stakeholders may not have experience of working with asylum and immigration authorities to identify trafficked people. If these institutions work better together, more trafficked people can be identified and protected.
2. **Assess groups of people on the move to determine family relationships and identify potential abuses.** Individually assess members of a group to ensure that those claiming to be family members are in fact related, and to identify any abuses taking place in a family context. Provide for separate immigration and asylum procedures for each member of a family. People travelling with someone who fraudulently claims to be a family member are more vulnerable to abuse, particularly children. Only in cases where serious abuse takes place within a family should children be separated from their parents or guardians. Adults and children whose immigration and asylum procedures are conducted separately have better access to protection.

**Paragraph 56: Suggestion to include the following recommendations:**

1. **Implement prevention programmes at community level.** 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. Awareness-raising programmes should be designed to target both host communities and refugees, also after initial arrival, promoting a sense of shared concerns and aspirations, taking into account the linguistic, cultural and religious diversity.
2. **Provide effective access to information about their situation and about their options when people are *en route* or in a destination context.** People’s lack of accurate information about their situation can be exploited by traffickers in order to provide them with risky alternatives. Provide accurate information for people on the move about their rights and duties in transit and destination contexts, and about the legal procedures affecting them, in a format that they understand (including online and through mobile apps for people who have access) and in a language they understand (including through translators and cultural mediators).

**Paragraph 89: Suggestion to include specific point on enforcing sanctions to combat abusive practices.** Effective sanctions and binding codes of conduct should be put in place in order 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 ‘survival sex’ and other forms of abuse and exploitation in exchange for essential goods or services. Lack of enforcement of the law and certain corrupt practices should be rectified in order to avoid situations in which people in positions of power are able to exploit vulnerable people.

Please do not hesitate to get in touch, should you have any questions or require additional information.

Regards,

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