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Panel: “Addressing Human Trafficking in Crisis Situations”

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Forced Migration and Trafficking in the Context of the Conflict in Syria

SPEECH TEXT

Check Against Delivery

Introduction

Dear colleagues, thank you very much for giving me the opportunity to speak with you today. As a founding member of the Alliance against Trafficking in Persons, ICMPD is honoured to be able to share with you some of the findings of our work on trafficking research. At ICMPD’s Anti-Trafficking Programme, we believe that the first step to meaningfully responding to trafficking in persons is to better understand it. This is why we have conducted research on the trafficking phenomenon itself, as well as responses to it, in the EU, various countries in Southeast Europe, Turkey, Lebanon and Brazil, among others.

I will speak to you today about the results of our research on the impact of the Syrian war on trafficking in persons. We are conducting research in the five countries most affected by forced displacement as a result of the war. While European countries speak of being “overwhelmed” and facing a refugee “crisis”, Turkey, Lebanon, Jordan and Iraq are hosting a combined total of over four million people who have fled from Syria during the past four years. That is, around twenty times the total number who have fled to the 28 Member States of the EU. Of Syria’s total population of around 23 million, another 7½ million people are internally displaced within the country.

1: Multiple mobility and multiple statuses

So who are all these people fleeing from violence? Are they refugees, internally displaced people (IDPs), irregular migrants or trafficked people? The answer is all of the above. And none of the above. All of the above, because the group of approximately twelve million children, women and men displaced by the conflict consist of IDPs within Syria, refugees outside of Syria, migrants attempting to cross international borders without the necessary authorisation and people who have been recruited, transferred, transported, harboured or received, for the purpose of exploiting them. None

of the above because no one legal status or category can accurately capture the situation in which these people find themselves. In order to understand this complexity, I will tell you one girl's story.

A 13-year-old Syrian Kurdish girl flees her home in Raqqa in Northern Syria with her family, due to the violent threat of ISIS militants. Like many Syrian Kurds, the family are all stateless. They are first accommodated in an IDP camp in Dera'a in Southern Syria, and provided services by the UN Office for the Coordination of Humanitarian Affairs. Due to shortfalls in funding by international donors at the end of 2014, the UN Office can no longer provide for the basic needs of her family and so they decide to try to cross the border into Lebanon. As they do not have Syrian IDs, they have to cross the border irregularly.

In the Bekaa Valley in Eastern Lebanon, her parents and older brothers hear of informal working opportunities further north. It is very unsafe there, so they leave her with her aunt and cousins in the Bekaa. Word then comes from the North that her father has been killed during fighting at the Lebanese-Syrian border, and that her mother and brothers have disappeared. She is now a separated child, but cannot seek asylum because Lebanon is not a party to the Geneva Convention and Protocol, so her aunt arranges for her to travel with family friends from Lebanon to Turkey, where they heard that it is safer. Her aunt contributes to the cost of smuggling, as she cannot enter Turkey without ID.

They travel by boat to the Turkish port of Mersin, and she makes it to a temporary protection camp run by the government in Gaziantep in Southern Turkey. A Syrian Kurdish man comes to see the family she has travelled with, and offers them 100 dollars if he can arrange a marriage for her to "a kind Lebanese man he knows", also living in Turkey. The family, in extremely difficult economic circumstances, agrees. The girl is subjected to a forced marriage to the Lebanese man and ends up in a situation of domestic servitude. She is now a trafficked child.

This story is not unlikely. Not only are many people affected by this conflict forced to move many times both within the same country and across international borders, but they also move in and out of various different types of status, according to national and international laws. Therefore in order to understand their vulnerabilities and protection needs, and indeed how to prevent and prosecute trafficking cases, it is necessary to take into account that a refugee may also be an irregular migrant, or a victim of trafficking, or both. A child trafficking victim may also be a separated child seeking asylum, or an internally displaced person. So how do we avoid a situation where such girls and boys,

women and men, fall through the cracks of our policy and legislative framework just because they do not fit neatly into one specific category?

In the UNHCR's 2006 Guidelines on International Protection for victims of trafficking, the Agency acknowledges that not all trafficked people, or people vulnerable to trafficking, will fall within the scope of the refugee definition. However, the Guidelines provide an indication of the two crucial ways in which the policy areas of international protection and anti-trafficking intersect. On the one hand, we must *"ensure that refugees, asylum-seekers, internally displaced persons (IDPs), stateless persons and other persons of concern do not fall victim to trafficking."* At the same time, trafficked people who fear persecution or re-trafficking if they are returned to their country of origin should be *"recognised as refugees and afforded the corresponding international protection."* In a more general sense, those of us whose professional focus is anti-trafficking can also try to work more closely with our counterparts working on internal displacement, international protection, child protection, irregular migration and migrant smuggling. We can try to understand more about these related topics in order to better coordinate our efforts.

2: Distinct types of trafficking cases

What else have we discovered? The classic organised crime framework for understanding trafficking does not fit neatly onto the actual situation of people trafficked or vulnerable to trafficking in this context. This is not to say that there are not very severe forms of exploitation and trafficking taking place, committed by highly organised criminal networks. This is happening – the critical situation of forced displacement is providing opportunities for such networks to profit. Organised criminal networks are involved in trafficking for sexual and labour exploitation, as well as forced marriage and exploitation through begging. This requires a strong protection and law enforcement response.

But the most common type of trafficking is at a lower level. Let us consider the situations of vulnerability of these displaced people. They have left their homes, jobs and schools in Syria. They desperately need to find new homes, new sources of income and education for their children. They are likely to have been subject to the trauma of violence and the loss of friends and family members and are in urgent need of physical and mental healthcare. In some cases they do not have legal authorization to access employment in the country they are in. In some cases they are members of particular groups subject to multiple forms of discrimination, such as Palestine refugees from Syria, Kurdish people, Dom/Roma people and LGBT people. In some cases there are simply no jobs, accommodation or school places available and public services such as healthcare are overwhelmed. Many are living in regions under the control of armed groups in Syria and Iraq.

And so, in desperation, men may work in the informal market, with working conditions ranging from poor to degrading and exploitative. Women may see no other option to take care of themselves and their families than to become involved in prostitution. In order to secure accommodation, boys, men and women may be subject to labour exploitation by the representative of the owner of the land on which they live. Faced with too many mouths to feed and the constant threat of sexual and gender-based violence, giving away a teenage daughter for marriage to a much older man may seem like the only way to keep her safe. Teenage boys, frustrated by the lack of education and future prospects, may be tempted to join an armed group and earn both money and status. Sending boys and girls to beg and sell things on the streets may seem like the only way to secure a livelihood for them and their family.

In many, though not all cases, what I have described can quickly deteriorate into a trafficking situation. The traffickers are pimps, militants, “matchmaking agencies”, farmers, landowners and their intermediaries, labour recruiters and older “husbands” in a forced marriage, but they are also fathers, mothers, husbands, extended family, acquaintances and neighbours. It may sound strange but, in certain very specific cases, we need to also examine the situation of extreme vulnerability of these low-level traffickers.

So prevention efforts must look at basic needs: employment, accommodation, healthcare and legal status. We need to understand not only the vulnerabilities of trafficked people, but also the complex motivations of those potentially involved in trafficking acts.

3: Trafficking in a Protracted Refugee Situation

War broke out in Syria more than four years ago. As is frequently the case with such conflicts, back then, nobody expected it go on for so long. Its duration has also contributed to the spawning of further conflicts, such as the battle by various different groups against ISIS. Ending the war remains the most urgent and decisive recommendation, but also the most difficult to implement. However, policy-makers, practitioners, and, not least, the Syrian people themselves, have to accept that this may not happen any time soon. Planning and responses to the situation of Syrian IDPs in Syria and refugees in the neighbouring countries have so far been “emergency-oriented”. But, according to UN Women in Jordan, the more the situation of displacement is prolonged the greater the likelihood of higher rates of child labour for boys and early marriage for girls, among other human rights violations.

In Turkey, the labour markets and public services of the host cities have been significantly affected by dramatic population increases. In Lebanon, Syrian refugees are concentrated in some of the poorest areas of the country, with an impact on wage levels for both Lebanese and Syrians. Education and health services that were less than adequate before the war are now further stretched. The greatest obstacle that refugees face in Jordan to secure livelihoods and generate income is the lack of legal working opportunities. Many Syrian families in all five countries have spent all of their savings and are going into debt trying to make ends meet.

At the end of the 2013/2014 school year nearly 70,000 school-age refugee children in Jordan were out of school. Children out of school are more likely to be victims of trafficking, particularly for exploitation in the worst forms of child labour. An additional vulnerability to trafficking will be caused by statelessness. UNHCR has estimated that around 75% of the children born in Lebanon to Syrian families are *de facto* stateless, as their families do not have the documents required for birth registration. Lack of birth registration has been identified all over the world as a key risk factor for child trafficking.

All of this may lead some Syrians to consider desperate measures. Such measures, sometimes referred to as “negative coping strategies”, render people more vulnerable to labour exploitation, sexual exploitation, forced and early marriage and exploitation through begging or in armed conflict, depending on the options open to different members of a family.

The lack of legal entry routes to European countries is also a factor increasing Syrian refugees’ vulnerability to trafficking, due to their need to use the services of migrant smugglers. For example, the southern port province of Mersin in Turkey has become a hub for irregular border crossings by sea, involving smugglers. As one interviewee for our research put it, *‘Rather than granting refugee rights and providing settlement, they implement more restrictive measures to protect their borders’*. The interviewee believes that traffickers are involved in the smuggling process.

So we cannot keep making the excuse of thinking that this is a temporary situation. The factors that will contribute to the incidence of trafficking among these population groups are already clearly in evidence. And it is by using this knowledge that we have, to invest in addressing these problems, that we can reduce the likelihood of trafficking cases in the future.

Conclusion

We need a shift in how we perceive trafficking, refugee and migration policy. While we might see ourselves as working in distinct fields, on specific topics, the human beings affected by these policies do not have that luxury. They are falling between the gaps created by this artificial distinction. Therefore we need to change our policies and practices so that they focus on the vulnerable girl, boy, woman or man first, and on their urgent and long-term protection needs, and only subsequently determine which category or categories are relevant in their individual case. Too often this order is reversed.

We need to concentrate efforts to provide access for people displaced from Syria to basic needs, in order to reduce the “low-level” type of trafficking. And in the medium term, we need to accept that temporary solutions are not appropriate and that people who have fled from Syria are entitled to full refugee status and residence rights, so that they can set up a new life for themselves safe from the war, and safe from trafficking and exploitation.

During a year when forced migration has reached levels not seen since the Second World War, we need to think carefully and work together to protect some of the most vulnerable people from some of the most serious of human rights violations. Thank you very much for your attention.