

**OSCE Seminar on preventing human trafficking in the
Mediterranean region. - 8 February 2013**

**(2)Challenges and good practices in combating trafficking in
the Mediterranean region**

Let me start by saying that I am very pleased to have been invited to this seminar on an issue that I consider to be extremely important, that needs a constant never faltering engagement by the international community and that can have very serious consequences for those that are victims of trafficking, an absolutely heinous crime.

Not all victims of trafficking are refugees, but increasingly we see that refugees have to rely on smugglers or traffickers both of whom take advantage of their vulnerabilities. My colleagues who work or are in contact with the various committees adjudicating asylum claims regularly come across victims of trafficking or

persons they suspect of being victims of trafficking. They have often come in the same groups as refugees, so together with persons who have had to leave their country of origin because of persecution in that country. Victims of trafficking may also become refugees because they are unable to return to their countries of origin for fear of being stigmatized for their forced participation in sex work or in exploited work conditions, or may be at risk of being trafficked once again and not be able to find protection. Protection **must** be extended. Some victims of trafficking have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, and are particularly vulnerable, need specific protection, assistance or support.

UNHCR's involvement in the issue of trafficking is essentially twofold.

Firstly, UNHCR has a responsibility to ensure that individuals who have been trafficked and who fear being subjected to persecution

upon return to their country of origin, or individuals who fear being trafficked once again, **are** recognized as refugees and afforded the corresponding international protection.

Secondly, the office, has a responsibility to ensure that refugees, asylum seekers, internally displaced persons, stateless persons and other persons of concern do not become victims of trafficking.

Many of my colleagues and in particular those that are directly involved in procedures to establish asylum claims, are constantly confronted with the consequences of trafficking and with victims or persons they suspect of being victims of trafficking. The Mediterranean is a favoured route for smugglers and traffickers of persons coming into Europe mainly from subsaharan Africa. Colleagues in Malta, Cyprus, Italy and Greece increasingly come across potential victims of trafficking. Examples of persons we come across are women who are trafficked for purposes of prostitution, mainly from Western Africa; **and also** men who end up in situations of labour exploitation or servitude, mainly in

agriculture, some have been trafficked for that purpose, others end up in such a situation after arrival; persons who arrive in southern Europe with harrowing tales of forced organ removal and harvesting during the journey in the Sinai in between Egypt and Israel. That in itself is an important issue that would need a much more in depth analysis beyond the scope of this seminar.

Challenges

Identification of victims.

When I was asked to be one of the speakers at this seminar, the first thing I did was to consult some of my colleagues in Italy, Cyprus, Greece, Albania and Malta and we discussed what they saw as the main challenges in their specific situations and in the general effort to protect victims of trafficking. Invariably the main challenges that our colleagues perceived were the following :

- 1. identification of victims of trafficking, particularly of those who are not immediately willing to come forward or to be identified and assisted.**
- 2. providing an environment that precludes victims from coming into contact with persons associated to trafficking rings.**
- 3. in some countries , a focus on security and prosecution of traffickers rather than on protection of victims (pacchetto sicurezza);**

1. identification. This was seen as particularly difficult. There are systems in place to assist and try to protect persons who willingly come forward and request protection from the authorities. These could be (1) persons who have been able to flee from their traffickers, or (2) persons who sometime during their exploitation, were made aware of the existence of protection mechanisms and decided to avail themselves of this possibility; or (3) persons who were suspected of being

victims of trafficking and who were persuaded to request available protection. However, the main challenge and problem relates to those victims of trafficking who do not come forward and are not willing to request for any assistance or who refuse to be persuaded to avail themselves of the protection options in place in that country. It could seem strange that a victim of sexual exploitation, or someone who has been through horrific experiences of forced labour would not wish to come forward when given the chance, but in fact, unfortunately, this is very often the case. My colleagues, who work together with IOM and Save the Children in areas of arrival of mixed migratory flows (Lampedusa and other places in Sicily), or who have access to persons seeking asylum in Greece and Malta often come across persons they have strong suspicions of being victims of trafficking, either for purposes of sexual labour or servitude, and are not able during the limited time of the interview nor after that to break through the victim's

reluctance to come forward. This could be due to several reasons. (1) the victim might not trust the interviewer nor the authorities of the new country; (2) the victim might be extremely frightened because of threats made to the victim personally or to the relatives of the victim who remain in the home country; (3) the victim might be traumatized by the horrific experiences undergone; or (4) ashamed of stigmatization because of their menial work or of the sexual activities they had to perform and thus very reluctant to be identified and risk their relatives in the home country finding out; (5) in certain cases there is psychological terror and brainwashing with the use of practices of local black magic; (6) in some cases the victim might be in the same room or shelter with his/her traffickers; or (7) the victim, through ignorance, might not be aware that he/she is a victim and that the laws of the country of arrival criminalize trafficking.

Unfortunately most protection mechanisms kick in once a victim has requested for assistance or once a victim has been

persuaded to identify traffickers. As a result probably a large part of victims of trafficking are not being assisted because not identified as victims. In addition, traffickers do not hesitate to use violence on the victims as a way to break any resistance and to a large degree to deter the victims from seeking help. Threats of more violence also against relatives still in the country of origin are an effective way to dissuade victims from seeking protection. Being able to combat trafficking while at the same time being able to protect victims of trafficking continues to be a huge challenge.

2. Traffickers ' access to victims. Another challenge is how to isolate the victim from the traffickers. Unless the victim is willing to cooperate and clearly expresses this, often they are housed in reception centres easily accessible to persons associated with the traffickers, who might even be housed in the same facilities as they too opt for the asylum process as a way to secure a temporary stay. Open reception centres for

asylum seekers are such places. This highlights again the problem that it is not easy to help those that do not clearly come forward and that the environment often does not provide the safety, security and stability that could help persuade victims of trafficking that it is possible to break away.

These are just some of the problems that we encounter. And although many problems still persist, I would like to mention some good practices that have been helpful in identifying and protecting victims of trafficking.

Good practices

- Cultural mediator. In past years IOM employed cultural mediators, Nigerian women who themselves had been victims of trafficking, whose task it was to help identify possible Nigerian victims of trafficking and who contributed to build up confidence and to break through the wall of

silence that often was presented to NGOs and others who were ready to assist in offering avenues of protection. These mediators not only had gone through some of the experiences themselves but proved to be very effective at reaching out to potential victims and making them understand the advantages of speaking out and making them realize that it was possible to break loose from the bondages of their trafficked state. At the same time IOM had done work in Nigeria and other countries of origin, with a programme of re-integration of victims of trafficking who had returned , many of whom were inserted into projects that helped to raise awareness against trafficking and worked with other victims of trafficking. This was one of several successful projects that should be seen as good practices and on which one should build. Unfortunately much of the good work and the positive developments that were starting to have some results in Italy were set back on the back burner by the introduction during the previous Government of a security

package that focused mainly on the criminal aspects of trafficking rather than on the protection of victims. The focus on criminalization of persons who were found to be on the territory in an irregular manner, had a deterrent effect in relation to victims wanting to come forward, who feared that the intent was to punish their irregular state rather than to protect their vulnerable state.

- Territorial Commissions aware and sensitive towards potential victims of trafficking. The members of Territorial Commissions in Italy and similar commissions in other countries that adjudicate asylum claims, are very much aware of the possibility that amongst the asylum seekers there might be victims of trafficking. It is important that these commissions are alert and sensitive to the possibility that there be victims of trafficking amongst the persons who are being interviewed to assess their asylum claims, as, when identified, there are specific protection avenues that are

triggered that can offer better protection than the asylum process. Training , capacity building and constant reminders of the importance to try to be sensitive to potential presence of victims of trafficking are in my view to be considered a good practice. It has been possible to identify several victims of trafficking who initially appeared extremely reluctant to come forward and to be assisted.

Increasing labour exploitation. Besides the trafficking of mainly women for reasons of sexual exploitation that has been the case for many years, we are also witnessing an increase in migrants arriving in Europe, mainly in southern Europe and ending up in a situation of exploited labour and deplorable treatment. This is not only the case in relation to persons whose Asylum claim might have been denied but increasingly also the case of asylum seekers whose need for international protection has been recognized. These persons are employed mainly in agriculture in some of the southern regions such as Campania, Sicily, Puglia, Calabria and are often controlled by persons associated with organized crime, who have

no hesitation in using violence, threats, confiscation of documents, and intimidation to exploit their cheap or unpaid labour. There are various reports that outline the deplorable conditions in which these migrants are living.

Most of these cases also can be considered as having been trafficked. Some migrants are brought to Europe for this purpose; others after having arrived in southern Europe find themselves being pushed towards accepting offers that turn out to be of unreasonable labour conditions and deplorable treatment. Any attempt to tackle this problem will also have to pay attention to the need to improve integration potential for recognized refugees who unfortunately often find themselves without proper support structures that should assist them to build a new sustainable life in the country in which they sought asylum and therefore are easy prey for unscrupulous traffickers. In Puglia we have witnessed some encouraging signs of the involvement of the regional authorities in trying to regularize labour conditions and provide monitored services for seasonal workers. This is a positive

development that could be extended to other areas and could prove, if well managed, to be a deterrent to uncontrolled irregular, easily exploitable labour.

In conclusion, trafficking is still a very worrying trend. In the Mediterranean region it takes the form mainly of women being forced into sexual labour but also of men being channeled into highly exploitable work conditions. The one message I would hope has passed is that while there is a need for mechanisms to prevent and combat trafficking, at the same time protection of victims is extremely important and it is only when government, police, NGOs and International agencies work together, that some effective protection can be provided, not only for those that seek help but also for those that are unable to come forward on their own. Thank you

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