



Regional Implementation Initiative on Preventing & Combating Human Trafficking

Danube Cities against Human Trafficking (D-CAHT)

Round Table on Preventing & Combating Human Trafficking and Exploitation at the Local Level- Strengthening Cooperation and Coordination

24 November 2017, City Hall, Top 24

Friedrich Schmidtplatz 1, Vienna

Good Practice Examples of Coordination and Cooperation Structures at the Local Level

Synopsis of Stefano Volpicelli's intervention

INTRODUCTION

The complexity of human trafficking requires a multilevel response and a multidisciplinary approach, involving different competencies: from investigative - law enforcement and public prosecution, to social - assistance measures and outreach activities, to political - considering the need of a well-coordinated mechanism among different actors with different roles and competencies. Being a camouflage phenomenon that can be easily confused with other, sometimes interconnected manifestations - smuggling, prostitution, forced labour, domestic servitude, etc. - the greatest challenge is represented by the emersion of the phenomenon and its detection through objective and subjective elements. The detection of these elements implies the capacity to go beyond the surface of what, at first hand, can appear another phenomenon and, sometimes, an illicit act. In this respect, the contribution that victims can provide through their accounts and testimonies, duly corroborated by other objective evidences, is crucial.

The victim, therefore, should be at the centre of a well-coordinated effort among law enforcement, public prosecution and social assistance measures.

Although the two UNTOC Optional Protocols on Smuggling of Migrants and Trafficking in Human Beings provide international definitions of these phenomena, making clear distinctions, the potentiality for links and overlapping elements is strong: although initially smuggled, migrants, including asylum seekers and other vulnerable persons, can become victims of exploitation or easy prey of trafficking networks while pursuing their further journey to other European destinations.

In view of the very nature of the crime of human trafficking, the likelihood of undetected cases invariably remains strong.

PRELIMINARY CONSIDERATIONS FOR FIELD ORIENTED ACTIONS

The identification

The process of identification of VoTs is quite difficult everywhere. This is due to the way trafficking is defined in the "Protocol to prevent, suppress and punish trafficking in person".

In particular, the attribution of the formal recognition of the victim's status represents an important and preliminary factor. Such recognition has indeed a number of consequences in terms of crime prosecution and victim's assistance.

A main difficulty relates to the detection of human trafficking cases that involve exploitation other than sexual.

Another gap is represented by the scarce proactivity of agencies - different from the law enforcement - that, due to their role and tasks, are in the position of meeting potential victims of trafficking.

Many agencies dealing with migrants, refugees, asylum seekers at various levels (accommodation, integration, work inclusion etc.), are working in different environments but often with the same clients. They are working out what they are tasked for (grant the refugee status, assist persons with other humanitarian protective measures, check the regularity of the documents for the issuance of a work permit), but they rarely look into the elements that could lead to the identification of their clients as victims of trafficking.

It is important, for more in-depth assessment to be made in case of potential human trafficking, further to improving liaison with the Police.

The assistance

The assistance plays a key role in countering trafficking, because the victims often represent the only means whereby perpetrators may be prosecuted.

Everywhere in the world the perpetrators are charged and (to a lesser extent) sentenced only through the collaboration of the victims. In addition, although assistance and protection should be provided regardless the collaboration of victims, such collaboration also provides the victims with the opportunity to access justice and compensation for their losses - including lost wages -, pain and suffering that they have experienced.

Therefore, in order for a counter-trafficking response system to be effective, assistance services should be provided effectively and promptly in terms of protected housing and professional help in planning the future.

It is highly recommended to separate the protection from the collaboration side, in line with the unconditional protection envisaged in the Protocol. The humanitarian agencies should have the direct possibility to raise a request of protection and assistance of persons allegedly experiencing trafficking, as victim or potential victim. And where the story meets the indicators, the persons should be immediately entitled to access assistance and protection services, including residence permit. In this way all the victims could be assisted, including the most vulnerable to re-trafficking.

RECOMMENDED OPERATIONAL STEPS

In order to tackle human trafficking cases Municipalities are invited to carry out the following steps:

1. Activating a Toll-Free number where both representatives of local authorities, citizens and potential victims of trafficking can receive information about human trafficking or directions for the rescue and protection of victims.
2. Promoting the setting up of an Evaluation and Crisis Unit, composed by members of the Municipality (Social Protection area) such as social workers and interpreters (languages to be detected), members of local NGOs/CSOs (if existing) providing services to victims of sexual abuses and labour exploitation, representatives of various law-enforcement agencies (crime, treasury/labour and border police) and magistrates.
3. Drafting a protocol of collaboration with clear tasks and duties for each of the above listed agencies. The protocol should envisage a thorough evaluation of each case and provide directions to all members (see slide) for the protection of the victim and the prosecution of perpetrators.
4. Envisaging a protection program composed by:
 - Immediate accommodation in a safe house;
 - Availability of both psychological and legal counselling;
 - Health screening;
 - Support in the judiciary procedure for both the restoration of the victim's rights and issuing the permit of stay for the duration of the investigations and trial against the perpetrators;
 - Insertion (if agreed by the victim) in a vocational training program aimed at labour insertion;
 - Inclusion in an Assisted Voluntary Return scheme