COUNTERING TRAFFICKING AND SMUGGLING OF WOMEN AND UNACCOMPANIED MINORS IN THE MEDITERRANEAN: CHALLENGES, GOOD PRACTICES AND THE WAYS FORWARD

UNICRI
United Nations
Interregional Crime and Justice
Research Institute

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List of Acronyms

ALCS	Association for Fight against AIDS
AMSED	Association Marocaine de Solidarité et de Développement
BE	Belgium
CIR	Consiglio Italiano Rifugiati
CRC	Convention on the Rights of the Child
CSO	Civil Society Organization
DG ECHO	European Commission Humanitarian Aid and Civil Protection
EASO	European Asylum Support Office
EC	European Commission
EU	European Union
EU MS	European Union Member States
ETMA	EU-Tunisia Migration Agenda
ESP	Spain
GAMM	Global Approach to Migration and Mobility
HT	Human Trafficking
ICC	International Criminal Court
ICMPD	International Centre for Migration Policy Development
IM	Irregular Migration
IT	Italy
IPA	International Protection and Asylum
IO	International Organization
IOM	International Organization for Migration
KCMD	Knowledge Centre on Migration and Demography
MENA	Middle East and North Africa
MFA	Ministry of Foreign Affairs
MLAL	Movimento Laici America Latina
MP	Mobility Partnership
NCCPIM	National Coordinating Committee on Preventing and Combating Illegal Migration
NCCCPTP	National Coordinating Committee to Combat and Prevent Trafficking in Persons
NGO	Non Governmental Organization
NHRC	National Human Rights Council
NRM	National Referral Mechanism
SoM	Smuggling of Migrants
TVPA	Trafficking Victims Protection Act
TIP	Trafficking in Persons
TUN	Tunisia
UM	Unaccompanied Minor
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drugs and Crime
UK	United Kingdom
USA	United States of America
VoT	Victims of trafficking

Executive Summary

With an estimate of 316,940 people arriving in Europe by sea since 1 January 2016, according to EASO figures[1], migration in the Mediterranean region has reached unprecedented magnitude. Whilst significant effort is currently being devoted to border management and control, migration governance and the fight against criminal networks responsible for smuggling, the protection of victims of trafficking, as envisaged under the Palermo Protocol, is no longer at the center of the international attention. Trafficking is still regarded as a serious and unacceptable violation of fundamental human rights, as well as a threat to the security and stability of democracies and societies, and is one of the most profitable and unpunished forms of transnational organized crime. Yet, while significant resources are invested to prevent and punish perpetrators, too little is being done to provide effective protection to victims of trafficking (VoTs) and to another vulnerable category of persons who often revert to smugglers for their journeys: unaccompanied or separated minors (UMs).

By mapping the existing initiatives, actions, programmes and projects put in place in the period 2013-2016[2] in relation to protection of VoTs and UMs in the Maghreb (Morocco, Tunisia, Algeria, Egypt), UNICRI aimed to identify whether, at regional level, there was a need to ensure increased partnerships amongst countries of origin, transit, and destination on both sides of the Mediterranean sea. The exercise conducted led to a positive answer and prompted UNICRI to reflect on the possible ways forward. Starting from the 3-P paradigm established by the Palermo Protocol on Trafficking, UNICRI recommends, joining the chorus of other major stakeholders, to implement a 4-P model, based on the additional element of Sustainable Partnership. Additional partnerships and cooperation needs to be built between countries of origin, transit and destination to enable them to share the small-scale, grassroots level initiatives and actions that have proved effective and/or successful in supporting the rehabilitation and reintegration of victims. Whilst a number of networks exist to collect and exchange data and good practices, fostering cooperation and coordination in North-African Countries, little has been done to create operational networks where countries of both sides of the Mediterranean can exchange good practices and lessons learned in connection with the specific theme of socio-economic integration of VoT and UMs.

The result of this exercise is a recommendation for the creation of a Regional Network of Experts and an Observatory of UMs that, pooling expertise and favouring exchanges of good practices amongst North African and European countries, can identify actions that, despite lacking institutional frameworks, can and should be implemented as they have already proved successful in favouring the socio-economic integration of VoTs and UMs.

Coordinated by UNICRI, who could also be responsible for capacity building and provision of technical support, this Regional Network can contribute, also from an operational perspective, to the reinforcement of National Referral Mechanisms, when they exist, or advocate for their creation, so as to give full implementation to the obligations stemming from the Palermo Protocol on Trafficking.

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[1]   European Commission, *Compilation of data, situation and media reports on children in migration,* last updated on 25 November 2016, available at http://ec.europa.eu/justice/fundamental-rights/files/rights_child/data_children_in_migration.pdf, last visited 21 December 2016

[2]   Four years were considered, also in the light of the manpower and time available, a sufficiently indicative period to trace the type of actions implemented in the focus countries. This also having in mind that data related to projects ending during the period under examination – but started earlier – would also be collected.

Introduction

1. Background of the project

This research was developed within the UNICRI project entitled "Promoting a comprehensive coordination mechanism to deal with migratory flows in North Africa and counter organized crime in human trafficking/smuggling of migrants" funded by the Compagnia di San Paolo. The project fits into a broader set of comprehensive initiatives UNICRI is establishing with the aim of identifying links between licit/illicit activities and organized crime, entitled "Development of a Strategic Capacity Building Platform in Crime Prevention, Security and Justice". This umbrella initiative aims to promote a common understanding of new threats, and enhance the capabilities of governmental and non-governmental entities in addressing evolving circumstances.

In the first six months of 2015, when this project was conceived, more than 150,000 people had reached the Mediterranean coasts of Europe. African migration routes converge in the Maghreb, mostly in Libya, for this sea crossing. As a major transit hub, North Africa hosts a large number of migrants from across the African and Asian continents. According to estimates by ICMPD, more than half of the irregular migrants who travel from Africa to the EU annually have been smuggled. Organized criminal groups often take advantage of migrants' vulnerabilities and exploit these migration flows for various purposes and using various means.

Against this background, UNICRI intended to develop a comprehensive, multi-step programme aimed at:
- Providing technical cooperation and capacity building support to transit countries;
- Preparing the ground for the establishment of a strategic approach for regional and national rapid response mechanisms to tackle the challenges posed by irregular migration, trafficking in human beings, and the smuggling of migrants in North Africa.

The first stage of the project was the mapping of all existing initiatives, actions, programmes and projects put in place in the period 2013-2016[3] in relation to anti-trafficking and prevention of smuggling in the target North African countries: Morocco, Tunisia, Algeria, Egypt and, to the extent possible under the current circumstances, Libya.[4] In the course of the project, however, a number of elements prompted UNICRI to adapt the project objectives to the changing environment and the challenges encountered. In the course of the project, UNICRI learned that ICMPD had conducted a similar but more comprehensive exercise (both in geographical scope –surveying actions in all MENA countries– and thematic scope –encompassing all types of activities related to migration and development, legal/labour migration, human rights of migrants and refugees, irregular migration, and migration governance) covering the same time period. In order not to duplicate efforts, a decision was made to shift the project objective. In a historical period where much of the efforts and resources devoted to migration issues seem to be concentrated on humanitarian assistance, border control, migration management and law enforcement aimed at containing irregular migration flows, it was deemed opportune to continue to concentrate on the phenomena of human trafficking and smuggling from another perspective. By conducting this survey, UNICRI tried to identify whether at a regional level there was a need to ensure better cooperation and increased partnerships in order to provide more comprehensive and effective protection to two of the most vulnerable categories of migrants who are victims of trafficking (VoT) and smuggling, namely women and (unaccompanied) migrant minors (UMs).

The starting point of this new reflection was the 3-P paradigm established by the United Nations

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3   Four years were considered, also in the light of the manpower and time available, a sufficiently indicative period to trace the type of actions implemented in the focus countries. This also having in mind that data related to projects ending during the period under examination – but started earlier – would also be collected.

4   Eventually activities carried out in Libya were not surveyed.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (referred to as the Palermo Protocol on Trafficking), according to which the fight against human trafficking (HT) necessarily encompass measures aimed at "Preventing" the phenomenon, "Protecting" victims, and "Prosecuting" perpetrators. The 3-Ps represent the fundamental framework that State Parties must implement to combat human trafficking. This model was later reflected in other international instruments related to the same topic (for instance, the Council of Europe Convention on Action against Trafficking in Human Beings). According to the Palermo Protocol on Trafficking, the correct enforcement of the model requires that, after identification, VoTs are given the opportunity to remain in the country, work, and obtain services without fear of detention or deportation for lack of legal status or crimes that the trafficker made them commit. As it is evident, adequate victim protection requires an effective involvement of service providers, not only immediately after rescue, but also, and most importantly, in the rehabilitation phase following the immediate emergency assistance. This encompasses effective placement in stable, long-term situations, access to educational, vocational and economic opportunities, and the creation of truly effective social integration. This is true also for minors who travel unaccompanied or are VoTs.

The project and the present Report, therefore, intend to unveil the challenges that trafficking and smuggling of vulnerable groups pose in both transit and destination countries on either side of the Mediterranean, with a view to identifying the small scale, grassroots initiatives that have proved effective in enforcing the "protection" obligation, as elicited above. The overarching idea is for this study to identify and present areas where the creation of a regional network could be functional to ensure that the interventions VoTs need are implemented. In addition, this study intends to define and recommend ways forward through which provision of support and creation of opportunities for the socio-economic integration of UMs and/or VoTs in the countries of transit and destination become reality. UNICRI's decision to refocus this research proved to be a prudent one, since the international community and national governments have increasingly paid attention to the plight of UMs crossing the Mediterranean. It is increasingly acknowledged that many UMs become easy prey for organized criminal groups involved in smuggling and exploitation. UMs bear a special vulnerability, demonstrated by the fact that, as soon as they arrive in the destination country, they often very quickly literally disappear. It is evident that these unaccompanied young immigrants have specific needs that must be addressed directly, if long term improvement of their situation is to be achieved. This involves not only timely and efficient protection measures but, most of all, the creation of programmes facilitating their socio-economic integration to offset their susceptibility to organized criminal groups. Similar considerations apply to women who, together with children, are likely to be the victims of trafficking. For them too, integration paths must be implemented in order to ensure that they regain possession and agency of their lives.

Given these realities and areas identified for further action, UNICRI convened an Experts' Meeting titled "Countering trafficking and smuggling in the Mediterranean: challenges, good practices and the ways forward in protecting the most vulnerable people" gathering stakeholders, representatives of the international community, the civil society, and practitioners from pertinent countries (Greece, France, Italy, Spain, Algeria, Egypt and Morocco) in Rome on 1-2 December 2016. These delegates shared with their colleagues and counterparts on both sides of the Mediterranean their experiences, expertise and challenges cultivated through direct interactions with the selected target groups. The results of such conversations and debates are reflected in the Recommendations attached to this Report; these Recommendations were developed with a view to indicate the ways forward, taking full stock of the lessons learned in the research and deliberation of initiatives, with a special focus on those initiated at grassroots level.

2. Methodology

The data collection, analysis and assessment for the purpose of the Recommendations attached to the present Report was carried out in a combined total of 4 months of work, conducted between February and October 2016. The methodology involved a preliminary desk review of primary and secondary sources (open-source project documents, reports and literature). The main tool, however, consisted in an e-questionnaire, developed for the purpose of this research, refined following a pilot test, that was circulated amongst relevant international actors through the Offices of the UN Resident Coordinators. The online tool was only administered to implementing agencies. Recipient national institutions and representatives of civil society organizations (CSOs) were contacted either in person (if in Morocco) or via telephone or email. The need to cross-check the data gathered with the envisaged tools slowed down and frustrated the project to a significant extent.

The data collection process presented challenges that were eventually more complicated to overcome than was foreseen. Indeed, in the course of the project it soon became clear that the identification of actors in charge of the initiatives was not always possible because of the many agents involved and a lack of coordination between the international community and the national institutions. There was a certain reluctance from some respondents to share details of the projects implemented, a time-consuming task which would not bring any immediate result. Desk research thus proved fundamental, but not final, in complementing the scarce and scattered information collected through the on-line tool: retrieving publicly available information on the various projects was not always possible as there is, to date, no shared, up-to-date, and comprehensive database of projects organized by country and theme. In addition, it ought to be noted that minor initiatives, carried out at local level, are challenging to trace online. As a consequence, the information contained in this report is not exhaustive.

Findings are presented by country[5] and in chronological order of project start date. A table outlining regional or multi-country projects/programmes is also provided. Project budgets have been presented in the original currency indicated in the project documents. A comma is used as 1,000 separator. Data presented in this report is not all-encompassing: for instance, the duration of the projects is expressed with the mere indication of the years of beginning and end, with no specific mention of the length in years or months, as often no detailed information was available. Similar considerations apply to implementing agencies, as sometimes it can be that of the many involved, only one was mentioned. These imprecisions, however, are not considered to affect the overall quality of the work. Indeed, the idea was to get an overall picture of the breadth and depth of initiatives carried out in connection with HT and SoM, with a particular focus on women and UMs, with a view to identify gaps or niches that require further intervention.

Initiatives reviewed fall under the first of four areas identified by the EU's Global Approach to Migration and Mobility (GAMM), namely irregular migration[6]. Having in mind the focus of this research, –identifying ways forward to provide support and create opportunities for the socio-economic integration of UMs and/or VoT in the countries of destination– only projects dealing specifically with these target groups have been included.

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5   Due to lack of information and accessibility, projects implemented in Libya are not covered.
6   The other areas being migration and development, legal migration and mobility, and IPA.

Main Report

3. International legal framework related to human trafficking and smuggling

The 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children to the UN Convention against Transnational Organized Crime (hereinafter the Palermo Protocol on Trafficking) established a common definition on trafficking in human beings. The Protocol defines trafficking as: *the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs"* (Article 3: Trafficking Protocol).

At the regional level, the Palermo Protocol on Trafficking is echoed by the Council of Europe Convention on Action against Trafficking in Human Beings (2008), a comprehensive treaty mainly focused on the protection of victims of trafficking and the safeguarding of their rights. It aims to prevent trafficking and prosecute traffickers. The Convention applies to all forms of trafficking including that of women, men, and children; whether national or transnational in nature; whether related to organised crime; and across all forms of exploitation including sexual and forced labour[7].

Despite the fact that awareness of, and research on, human trafficking has flourished in the last decade, reliable quantitative data is still not available due to a limited capacity to identify trafficked individuals, and the hidden and changing nature of the crime[8].

The Smuggling of Migrants Protocol supplementing the United Nations Convention against Transnational Organized Crime defines the smuggling of migrants as the *"procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident."* (Article 3: Smuggling of Migrants Protocol).

Both in trafficking and smuggling, criminal networks profit from a business involving transportation. While in the case of smuggling, "clients" agree to pay and understand (to a certain extent) the risks involved, in the case of trafficking, criminals exploit people without their consent. Although it is legally correct to talk about victims in the case of trafficking, this would not be the case in relation to smuggling. It is a fact, however, that some trafficked people might have started their journey by agreeing to be smuggled into a country, only to then be deceived, coerced, or forced into an exploitative situation (for instance, being forced to debt bondage to pay for transportation, under the so called "pay-as-you-go" system) or situations in which, after transportation, migrants are directly transferred to traffickers, who in addition to exploiting them can proceed to detention for ransom, either for release or to continue their journey. So, even though it is legally incorrect to use the term "victims of smuggling", the expression will be used in the present Report to address the special vulnerability of those women and children who voluntarily (to the extent possible, particularly having in mind the situation of UMs) enter into an agreement with smugglers for transportation purposes that exposes them to risks of serious exploitation.

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7   Council of Europe, Full list of Conventions, Details of Treaty No. 199, *Council of Europe Convention on Action against Trafficking in Human Beings,* available at http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/197, last visited 21 December 2016
8   ECPAT International, *Global Monitoring status of action against commercial sexual exploitation of children, Italy,* available at http://www.ecpat.org/wp-content/uploads/legacy/A4A_V2_EU_ITALY.pdf, last visited 21 December 2016

4. International legal framework protecting children

The definitions offered by the Palermo Protocol on Trafficking and the Smuggling Protocol needs to be considered in light of other critically important international legal instruments to better protect groups vulnerable to trafficking, notably children. "Unaccompanied children" (also called unaccompanied minors, for both groups the acronym used in this Report will be UM) as defined in Article 1 of the Convention on the Rights of the Child of 20 November 1989 (hereinafter CRC), are persons below the age of 18 who have been separated from both parents, other relatives, and are not being cared for by an adult who, by law or custom, is responsible for doing so. "Separated children" are children, as defined in Article 1 of the CRC, who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members[9]. In the framework of this Report, the term UM is used to refer to both groups of migrant youth.

Children on the move, whether internally within their country or internationally, are a part of today's migration flows. They are the subject of growing concern because of their particular vulnerability to trafficking and exploitation, also following their voluntary decision to embark on an irregular trip organized by smugglers. Unaccompanied migrant girls are exposed to an even higher risk of sexual and other forms of abuse and exploitation, which is making them even more vulnerable[10]. The recognition of vulnerability of unaccompanied minors leads to the imposition of compelling obligations upon States, stemming from the CRC (the latter, for instance, indicates the need for States to ensure the prevention of child trafficking "for any purpose or in any form", thus widening the level of protection to which children are entitled), but also from a range of other universal and regional human rights instruments. The CRC contains an Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography[11]. The 2002 Rome Statute of the International Criminal Court (ICC) addresses trafficking within the context of enslavement, constituting it as a crime against humanity. It also identifies related practices, such as sexual slavery, as war crimes[12].

The African Charter on the Rights and Welfare of the Child (1990) was the first African commitment to combat trafficking on the continent. In 2002, the African Union reaffirmed its commitment to combat trafficking, and prioritized the elimination of child trafficking. Local initiatives and recent development projects are working towards anti-trafficking in Africa. However, due to a lack of data on rates of irregular migrants entering Europe as well as the economic impact of trafficking on host societies, little operational information is known regarding trafficking and smuggling. This has subsequently hindered the development and implementation of effective policy.

The position of young migrants, however, should not only be looked as from the angle of protection, but also from a rights-holder perspective – children on the move, particularly when they are victims of trafficking, can and should become actively involved in the decision-making process regarding their future, including decisions related to place of living, education or work.

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9   Committee on the Rights of the Child, General Comment n°6, Treatment of Unaccompanied and Separated
      Children Outside Their Country of Origin, CRC/GC/2005/6, 1 September 2005, paras. 7 and 8.
10   UNHCR, Executive Committee, Conclusion on Children at Risk, UN Doc. 107 (LVIII)-2007, published on 5 October 2007.
11   UN Human Rights, Office of the High Commissioner, *Convention of the Rights of the Child,* available at http://www.ohchr.org/en/
      professionalinterest/pages/crc.aspx, last visited 21 December 2016
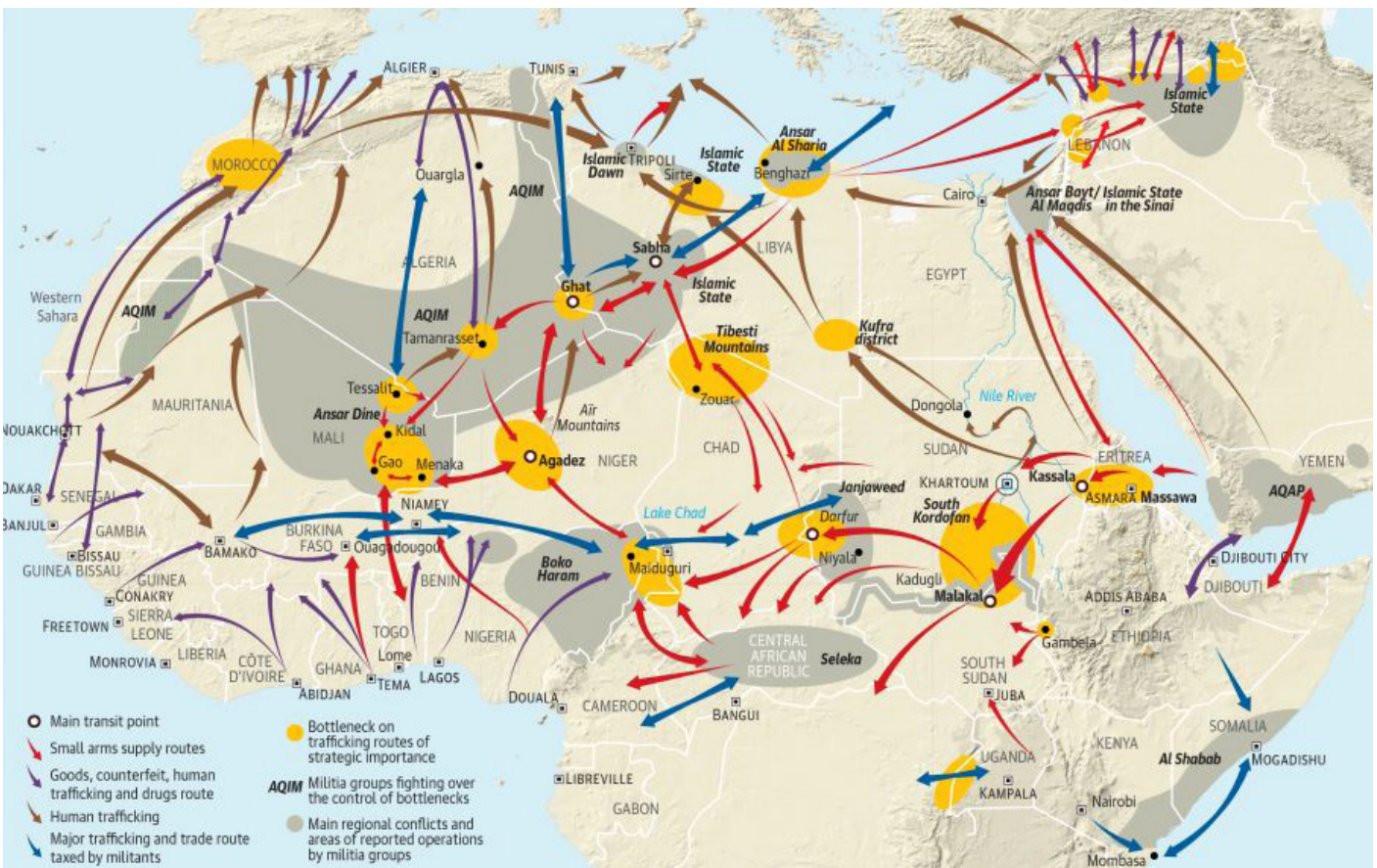12   UNICEF Innocenti Research Centre, Innocenti Insight, *Trafficking in Human Beings, Especially Women and Children, in Africa,* Second
      edition, 2005, available at https://www.unicef-irc.org/publications/pdf/trafficking-gb2ed-2005.pdf, last visited 21 December 2016

5. Trafficking and smuggling routes in the Mediterranean Region

SoM and HT are rapidly growing transnational criminal activities that involve the recruitment and transportation of migrants from a sending region to a destination. The United Nations Office on Drugs and Crime (UNODC) estimates that there are over 140,000 victims of human trafficking in Europe, generating $3 billion annually for their exploiters[13]. Human trafficking and smuggling to Europe continues to grow, with migrants attracted by perceived economic advantages and demand in Europe for those willing to take "dirty, dangerous, and/or degrading" jobs that national citizens are often unwilling to do[14]. The root causes of trafficking are complex and often interrelated. Generalizations about the causes of trafficking, however, are misleading. It is important to understand that each country presents specific factors or combinations of factors that are unique to each context. Any analysis of trafficking flows must take into account the rapidly changing environment that can alter the trafficking patterns at local and international levels[15].

The Maghreb, encompassing Morocco, Algeria, Tunisia, Libya, and Egypt, is the main gateway for migrants from Africa to reach European shores. The map below illustrates the routes most commonly used by traffickers (of humans, as well as drugs and other goods) in the Trans-Saharan region[16]:

Map 1: Traffickers' most used roads

Source: Politico.eu[17]

13 UNODC, *The Globalization of Crime, A transnational organized crime threat assessment,* 2010, available at https://www.unodc.org/unodc/en/data-and-analysis/tocta-2010.html, last visited 21 December 2016

14 Louise Shelly, *Human Smuggling and Trafficking into Europe: A Comparative Perspective,* Washington Dc, 2014, Migration Policy Institute, available at http://www.migrationpolicy.org/research/human-smuggling-and-trafficking-europe-comparative-perspective, last visited 21 December 2016

15   UNICEF Innocenti Research Centre, *Trafficking in Human Beings, Especially Women and Children, in Africa.* See footnote 12.

16   Lucas Destrijcker, *Welcome to Agadez, smuggling capital of Africa,* October 2016, available at http://www.politico.eu/article/the-smuggling-capital-of-africa-agadez-niger/, last visited 16 December 2016

17   Ibid.

6. Children on the move towards Europe

According to the latest data made available by the EU[18], currently in Europe one in four asylum applicants is a child. In 2015, of the 1,015,718 people who reached Europe arrived by sea, 31% were children. Trends indicate that the number of the latter is increasing constantly: the percentage arose from 16% of June 2015 to 35% of April 2016. It is estimated that more than 20,000 UMs enter the EU each year[19]; this figure does not include those who avoid interception by authorities. Of all the UMs reaching Europe in 2015, 32% were Afghan citizens, followed by Eritrean, Syrian, Somali and Iraqi nationals.

The EU has acknowledged that the arrival of unaccompanied children is not a temporary phenomenon, and there is a need for a common approach with particular support by EU MS to this vulnerable group of migrants[20]. Data collection continues to be one of the key challenges, particularly since unaccompanied children are not a homogeneous group and are often looked after by different authorities. Despite there being reliable statistical data on unaccompanied children seeking asylum, there is less data on those who migrated irregularly or were trafficked[21]. The EU has called for its MS to continue to address the issue of migration of unaccompanied minors in the context of development cooperation, including through greater information-sharing on initiatives being undertaken and planned in order to maximize resources. The EU has also highlighted the need for continuous cooperation and engagement with countries of origin and transit in order to better understand their needs, which in turn will support the design and implementation of future projects[22].

Apart from the risks inherent in hazardous journeys undertaken - including rough sea crossing - children, whether travelling with our without parents, are exposed to great risks. Forlorn children, either because they started their journeys alone, or because they have become temporarily separated from their families, are particularly vulnerable to violence, abuse, exploitation, and trafficking for diverse purposes. Whilst there are voices calling for the strengthening of resettlement and humanitarian admission programmes, and the establishment of safe and legal migration routes, the reality is that the current institutional framework put in place in the Mediterranean region is not sufficient to provide the needed protection. The end result is that up to 50% of migrant youth go missing from certain reception centres in the EU, and in many cases, information about the child's whereabouts remains unknown; this is exacerbated by the fact that some of these children have never entered the asylum process, either because of lack of adequate information or fear of the system, because they are discouraged by the length and complexity of the procedure or simply because they believe they have little chances of being awarded legal protection.[23] Many of such disappearances remain unreported. All these UMs, but particularly those who decide to continue their own migration plan outside the system, quite likely will receive "protection" from criminal networks, who will eventually exploit them for profit. As reported by Europol[24], there is a "tremendous amount of crossover" between smugglers smuggling refugees across borders and gangs ensnaring people for forced sexual and labour exploitation".

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18   European Commission, Complication of data, situation and media reports on children in migration, last updated October.2016, available at http://ec.europa.eu/justice/fundamental- rights/files/rights_child/data_children_in_migration.pdf, last visited October 2016.

19   According to EU Comission's sixth report on relocation and resettlement (Brussels, 2016), the number of UMs arriving only in Italy exceed 20,500 since the beginning of January 2016. Fore more info please visit: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160928/sixth_report_on_relocation_and_resettlement_en.pdf

20   European Commission, *Report from the Commission to the Council and the European Parliament, Mid-term report on the implementation of the Action Plan on Unaccompanied Minors,* Brussels 2012, available at http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf, last visited 21 December 2016

21   Ibid.

22   Ibid.

23   Missing Children Europe News, *Europol confirms the disappeatance of 10,000 migrant children in Europe,* available at http://missingchildreneurope.eu/news/Post/1023/Europol-confirms-the-disappearance-of-10-000-migrant-children-in-Europe, last visited December 2016

24   The Guardian, *Unaccompanied young refugees in Europe 'at risk from criminal gangs',* November 2015, available at https://www.theguardian.com/world/2015/nov/01/unaccompanied-young-refugees-europe-traffickers, last visited October 2016

6.1 The impact of trafficking and smuggling in the Mediterranean Region on the most vulnerable: women and children

A strong determinant in assessing the likelihood of trafficking is the particular vulnerability of women and children which makes them an easy target for traffickers. Political instability, difficulty in exercising rights, and systemic discrimination place women and children at greater risk, presenting additional challenges to their protection from trafficking. The gaps in existing research highlight how little is known about the effective prevention of trafficking of women and children, and how the risks of trafficking are unsatisfactorily mitigated by families and communities.

The Palermo Protocol on Trafficking addresses the rights and needs of women and children who fall victim to traffickers. However, gaps exist in making the national actions of signatories to the Protocol more effective, and in addressing the overall national normative framework to further promote and protect the human rights of women and children, including by ensuring their effective access to basic social services[25].

In the combat against trafficking in children and women, there are strong expectations for targeted programmes and strategies, early warning mechanisms, and preventive action. At the local level, deep-rooted practices of gender discrimination lead to a cultural climate where the practice of trafficking can be perceived as morally acceptable. When these practices are manifested in poverty-stricken regions, trafficking in women and children is likely to flourish[26].

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25 UNICEF Innocenti Research Centre, *Trafficking in Human Beings, Especially Women and Children, in Africa*. See footnote 12.
26 Ibid.

Country reports

7. Introduction

This section presents the findings of the data collection exercise. As already outlined in the methodology, this process was not as smooth as originally envisaged. Overall, in the course of the mapping exercise, a total of approximately 120 projects and initiatives were reviewed. During the analysis and assessment phase, however, it was decided to keep only those projects that specifically articulated their focus on VoT, women and children, and UMs[27]. Although a wider scope would have been interesting for informational purposes – one of the main observations that was shared concerned the difficulties different agencies encountered in having a global picture of activities and actors – it would have deviated the attention from the scope of this research: the quantity and quality of efforts directed towards VoTs (both women and children) and UMs in Maghreb and the Mediterranean region, and whether there is a need for additional intervention. The tables below include only those projects normally considered to be falling under the generally category of "human rights of migrants", that specifically aim at providing specific direct or indirect support to the focus groups. Humanitarian aid provided to migrants or displaced persons might include VoTs and UMs amongst the beneficiaries, but these projects have not been included if they did not specifically address these groups. Projects are listed, when possible, in chronological order (beginning with the most recent). For each project, the main focus (HT, SoM, UM) has been listed. When a substantive focus on other issues was also included, the relevant column contains reference to "Other". Secondary focus, however, might be present also when not elicited, due to data collection difficulties. When the original title of the project was in a language other than English, a non-official translation in *italics* has been provided. The brief description of the project is also non-official.

Each of the paragraphs related to the surveyed countries include a brief description of the situation concerning HT and UM at the national level and a short summary of the findings, as they pertain to the Recommendations included at the end of this report. The tier-ranking system[28] referred to the 2016 Trafficking in Persons Report *(*hereinafter 2016 TIP Report)[29] has been used as an indicator to measure the situation of the country.

8. Regional projects

Six regional initiatives to fight human trafficking and migrant smuggling in the North-African context between 2013-2016 are included below. The projects are mainly funded by the European Union and its Member States (MS) or other bodies such as the Qatar Foundation for Protection and Social Rehabilitation, and the Governments of Japan and Canada. The majority are implemented by the UN family (i.e. IOM, UNHCR, UNODC) but also by other organizations (i.e. ICMPD).

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27   Much of the projects reviewed contained a component generally addressed to vulnerable groups, often in the form of awareness raising. This was not considered to be sufficient for their inclusion in the summary tables presented in the present Report. Similarly, white paper projects, only tangentially affecting the focus groups, were not considered.

28   The ranking is established comparing the situation of the country with the obligations laid down in Trafficking Victims Protection Act's (TVPA) minimum standards. Tier 1 countries are those whose governments fully comply with the TVPA minimum standards; tier 2 countries those whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards; tier 3 countries are those whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.

29   USDOS Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report 2016,* 30 June 2016, available at www.state.gov./j/tip, last visited 21 December 2016

Summary table of regional projects implemented in the period 2013-2016

	Title of project and brief description	Duration	Budget	Focus	Donor	Implementing agency
1.	EUROMED Migration IV Establishment of a comprehensive, constructive and operational dialogue and cooperation framework between EU and Southern Partner Countries. https://www.icmpd.org/our-work/migration-dialogues/euromed-migration-iv/	3 years (2016-2019)	€ 6,800,000	HT, SoM and other	EU	ICMPD
2.	Transit II - Promoting health and well-being amongst migrants transiting through Morocco, Egypt, Libya, Tunisia and Yemen Direct assistance to migrants in need of medical and humanitarian assistance, capacity building of medical staff in charge of providing services to migrants, support to civil society to assist the most vulnerable, including victims of HT and UM. http://formin.finland.fi/public/default.aspx?contentid=318758&contentlan=2&culture=en-US	30 months (2015-2017)	€ 2,750,000	HT, UM, other	Finland	IOM
3.	Countering Illicit Trafficking Going through Egyptian Borders Capacity building in relation to border management and control, improving national and regional cooperation to respond to organized crime and illicit trafficking in MENA Countries, by improving criminal information collection, analysis and sharing at key hub cities along smuggling and trafficking routes https://www.unodc.org/middleeastandnorthafrica/en/project-profiles/xamz53.html	4 years (2015 – 2019)	USD 9,992,491	HT, SoM, other	Japan and Canada	UNODC

| 4.	PAVE – Action to protect and assist vulnerable and exploited migrant workers in the Middle East and North Africa Protection of migrant workers against exclusion and exploitation, discrimination and xenophobia. Also supports the fight against trafficking and smuggling of human being in the region, through direct assistance, awareness-raising and strengthening of civil society and institutions. http://publications.iom.int/system/files/pdf/migration_initiatives2015.pdf	3 years (2013-2015)	€ 1,700,000	HT, SoM	EU (DCI) and Italian Ministry of Interior	IOM
5.	A Protection Project: Supporting Governmental and Non-Governmental partners to protect migrant's human rights along the East African Route (Egypt, Sudan and Ethiopia) Capacity building to strengthen institutional and non-governmental capacity to monitor migrants' rights in Egypt (particularly vulnerable groups), awareness-raising, enhance cooperation on migration management. http://www.iomethiopia.org/current-projects	3 years (2012 – 2015)	€ 2,500,00	HT, SoM, other	EU, Norway, Netherlands and Switzerland	IOM and UNHCR
6.	The Arab initiative to build national capacities to combat human trafficking in the Arab States Building national, sub-regional and regional coalitions with a view to emphasise national and regional coordination, so as to effectively combat trafficking in human beings. Expected results include the development of comprehensive regional policy framework, capacity-building of Anti-Human Trafficking Coordination Unit, establishment of ministerial Anti-Trafficking in Persons Network focal points. https://www.unodc.org/middleeastandnorthafrica/en/project-profiles/xamx59.html	5 years (2012 – 2016)	USD 5,300,00	HT	Qatar Foundation for Protection and Social Rehabilitation	UNODC

9. Algeria

9.1 Country overview

Algeria is a source, transit, and destination country for migration. Algeria became a destination for expatriates representing foreign companies, migrants and refugees from Western Sahara and sub-Saharan Africa, and a transit for irregular migrants from sub-Saharan Africa who are aiming to reach Europe. According to UNHCR, there are 90,000 vulnerable Sahrawi refugees living in the camps near the city of Tindouf. Until recently, for historical reasons, much of the inward and outward migration was related to France.

Among all different migrant profiles, the most vulnerable groups to human trafficking and smuggling in Algeria are undocumented sub-Saharan migrants, single women, and women travelling with children. They are primarily from Mali, Niger, Cameroon, Côte d'Ivoire and Nigeria; they enter Algeria through Gao (Mali) and Agadez (Niger), usually through the aid of a smuggler (see Map 2). While trying to reach Europe, many remain in Algeria and work illegally or engage in prostitution to save money; many eventually become victims in the hands of their exploiters. Women are usually subjected to sex trafficking and forced into domestic servitude, while children are forced to beg. Children who are Algerian nationals are also trafficked within the country, although to a lesser extent than the migrant population.

Map 2: trafficking routes through Algeria
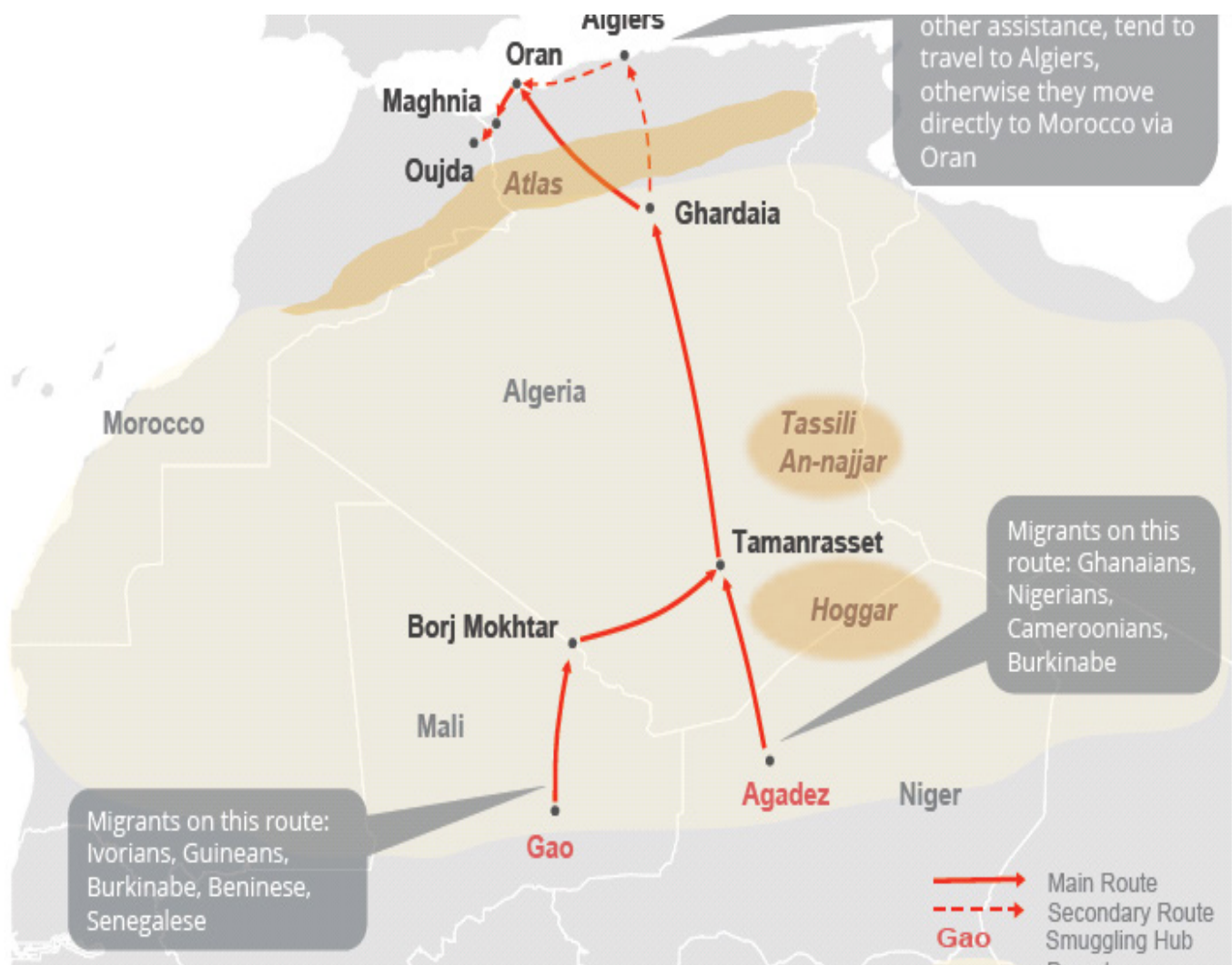
Source: IOM[30]

30   IOM MENA Regional Office and Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots,* published in June

Today, Algeria is placed by the 2016 TIP Report on Tier 3, encompassing those countries whose governments do not fully meet the minimum standards and are not making significant efforts to do so. The TIP Report underlines that the government recently acknowledged the trafficking problem and demonstrated a political interest to address the issue.

Recommendation by 2016 TIP Report

- **Investigate, prosecute, and convict** sex and labour trafficking offenders and punish them with sufficiently stringent penalties;
- Implement and designate a budget for the **national anti-trafficking action plan**;
- Establish formal **procedures for the identification** and referral to **care of trafficking victims,** and **ensure victims do not face arrest, deportation, or other punishment** for acts committed as a direct result of being subjected to trafficking;
- **Train** law enforcement, judicial and healthcare **officials, and social workers** on these identification procedures;
- Develop formal mechanisms to **provide appropriate protection services,** either directly or through support and partnership **with NGOs and international organizations,** including shelter, medical and psychological care, legal aid, and repatriation assistance, to all trafficking victims;
- **Ensure the safe and voluntary repatriation of foreign victims,** including through collaboration with relevant organizations and source-country embassies;
- **Raise public awareness of the indicators and risks of trafficking,** including on the difference between human trafficking and smuggling.

9.2 Overview of projects

The Algerian government is currently engaged in enhancing the prevention, prosecution and protection of human trafficking and smuggling of migrants. In order to achieve the needed results, Algeria is cooperating with International Organizations and NGOs. In 2016, the government took an important step to strengthen the capacities of its officials: in the month of March, it held a three-day training for judges and prosecutors on combating migrant smuggling in Algeria, and in May, it provided an advanced training on investigating and prosecuting trafficking in persons and protecting victims for officials from various entities and departments[31]. These initiatives were implemented under UNODC's Global Programme against Trafficking in Persons.

In the period under consideration for the present exercise, 4 projects have been implemented exclusively in fighting human trafficking and smuggling of migrants in the country. The projects are mainly funded by the EU and are implemented by UNHCR and by agencies such as Association Medecins di Monde, CIR and Association Rencontre et Developpement.

2015, available at http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_accross_the_Mediterranean.pdf, last visited 21 December 2016

31 UNODC News and Events, *Training Algerian judges and prosecutors to combat migrant smuggling, March 2016, and Prosecuting trafficking in persons and protecting victims in Algeria*, May 2016, both at https://www.unodc.org/unodc/en/human-trafficking/news-and-events.html, last visited December 2016

Summary table of projects implemented in Algeria in the period 2013-2016

	Title of project and brief description	Duration	Budget	Focus	Donor	Implementing agency
1.	ALG Voluntary returns: Voluntary return projects to the countries of origins Facilitate voluntary repatriation of stranded irregular migrant in Algeria http://www.openaidsearch. org/project/?iati_id=NL-1-PPR-26912http://ec.europa. eu/echo/files/funding/ agreements/agreements_2013. pdf	2 years (2014-2015)	€ 15,750	Other	Netherlands MFA	Association Rencontre et Developpement
2.	Assistance to Sahrawi refugees in camps in Tindouf, Algeria Protection and care for around 90,000 Sahrawi refugees, improving their livelihood opportunities and self-reliance http://ec.europa.eu/echo/ files/funding/agreements/ agreements_2013.pdf	2 years (2013-2015)	€ 1,745,000	Other	DG ECHO	UNHCR
3.	Strengthening the capacity of the civil society for access to rights and medical care of migrants in Algeria, particularly Sub-Saharan migrant women Local interventions to ensure referral of migrant women to public health services, particularly during pregnancy. Awareness-raising amongst society to favour acceptance of migrants http://www.openaidsearch. org/project/?iati_ id=EU-1-2013-335041	2 years (2013 – 2014)	€ 100,000	Other	EU	Association Medecins Du Monde
4.	Strengthening the protection of migrants and mixed migration management capacities Support to institution and civil society in the management of mixed migration flows, with a view to establish a regulatory system in line with international human rights standards. http://www.cir-onlus.org/ Algeria/	5 years (2010-2015)	€ 1,915,916	Other	EC/EU	CIR

10. Egypt

10.1 Country overview

Egypt is predominantly a source country, especially since the early '70s. Increasingly, however, it is a transit and destination country, due to the instability in the Middle East and the Horn of Africa in particular. Migrants arrive in Egypt from various licit/illicit migration routes and try to reach Europe by sea – mainly destined for Italy, Malta and Greece (see Map 3 below).

Map 3: Main routes from Egypt to Europe
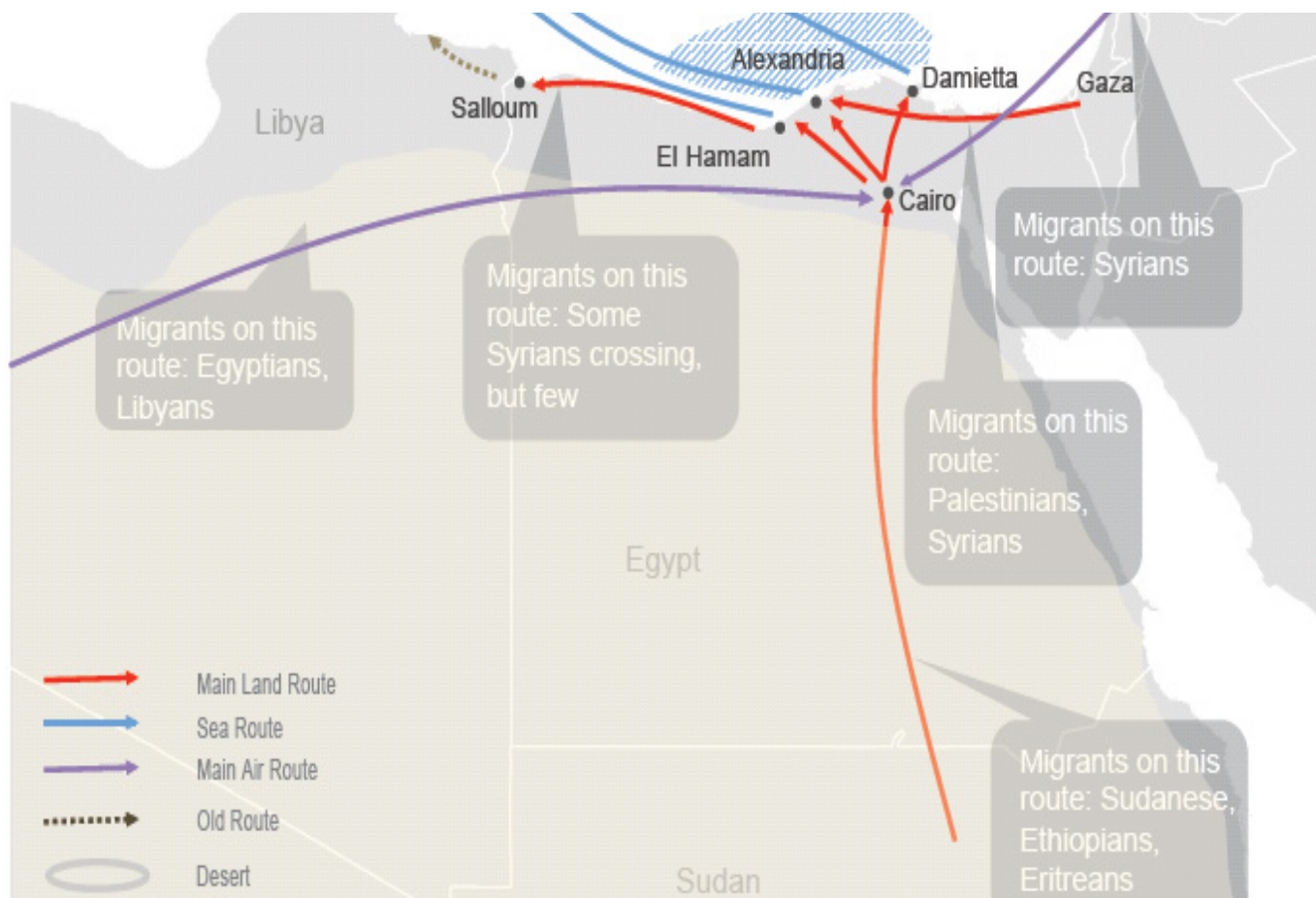
Source: IOM[32]

Of all the different migrant profiles, the groups most vulnerable to human trafficking and smuggling in Egypt are refugees, asylum seekers, foreign domestic workers, women, and UMs. In the last two years, IOM provided assistance to survivors of trafficking who were mainly coming from Ethiopia, Eritrea, Somalia, Gambia, Nigeria and Sudan[33]. Furthermore, in 2013 the IOM assisted 262 victims in Egypt, almost four times more than in Morocco and 18 times the number in Tunisia[34]. Most of the victims assisted were Eritreans and Ethiopians, kidnapped from refugee camps or escaped from the camps via smugglers, as well as South and Southeast Asians (from Sri Lanka, Philippines and Indonesia) that are subjected to forced labour in domestic services, cleaning and begging. Egyptian children are also very vulnerable to sex trafficking (commercial sex and child sex tourism) and forced labour (domestic service, street begging, and agricultural work) within the country.

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32   IOM MENA Regional Office and Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots.* See note 30

33   IOM Egypt, Statistics on Human Trafficking, published in 2016, available at http://egypt.iom.int/sites/default/files/Stats%20of%20 WDTiP%202016.pdf, last visited December 2016

34   International Organization for Migration, *Migration in Egypt, Morocco and Tunisia, Overview of the complex migratory flows in the region,* 2014, available at https://www.iom.int/files/live/sites/iom/files/Country/docs/Reseach-on-complex-migratory-flows-in-Egypt-Morocco-and-Tunisia.pdf, last visited December 2016

The Egyptian authorities have paid increasing attention to the issues of irregular migration, especially human trafficking and migrant smuggling. The institutional framework established to implement national strategies is rather robust, consisting of the National Coordinating Committee on Preventing and Combating Illegal Migration (NCCPIM), which acts as the focal point for policies and government efforts in combating and preventing illegal migration, and the National Coordinating Committee to Combat and Prevent Trafficking in Persons (NCCCPTP), which serves as a national coordination mechanism for drafting a national action plan to combat trafficking in persons. These are clear demonstrations of the commitment of the Egyptian Government to fight modern-day slavery. Egypt is also a part of the "Khartoum Process," launched in 2014, which aims to establish a high-level dialogue on migration and mobility between the EU and Horn of Africa. At the moment, the process is in the first phase of initiatives and its activities are focused on addressing trafficking in human beings and the smuggling of migrants.

Today, Egypt is ranked as Tier 2 country, defined as a country whose government does not fully comply with the TVPA's minimum standards, but is making significant efforts to bring themselves into compliance with those standards. Below is a summary of the recommendations contained in the 2016 TIP Report.

Recommendations by 2016 TIP Report

- Increase investigations, prosecutions, and convictions of all forms of trafficking and adequately punish offenders;
- Allocate **adequate resources for the provision of victim services** to fund government-run facilities and to **support the efforts of NGOs** on which the government relies for this purpose;
- Provide a clear legal basis for NGOs to provide victim services;
- Provide adequate legal protections for domestic workers;
- Implement standard operating procedures for officials to **use the national victim referral mechanism to identify and refer trafficking victims** among vulnerable groups, including individuals arrested for prostitution, street children, and foreign migrants;
- Continue to **increase training for all government officials** on the anti-trafficking law and victim identification and referral procedures;
- Ensure trafficking **victims are not punished for unlawful acts** committed as a direct result of being subjected to human trafficking;
- Encourage trafficking victims to assist in investigations and prosecutions of their traffickers;
- Increase ongoing nationwide awareness campaigns.

10.2 Overview of projects

The Egyptian government is committed to enhance the prevention, prosecution and protection of human trafficking and smuggling of migrants. In order to achieve these objectives, Egypt cooperates with International Organizations and NGOs: the summary table below provides an indicator of such concerted efforts. The projects implemented during the period under survey are mainly funded by the EU or through bilateral cooperation. They are all implemented by the IOM. Local counterparts include the Egyptian Foundation for Refugee Rights and Association of Egyptian Female Lawyers.

Summary table of projects implemented during the period 2013 - 2016

	Title of Project and brief description	Duration	Budget	Focus	Donor	Implementing agency
1.	Action for the Support to the National Coordinating Committee on Combatting and Preventing Trafficking in Persons (NCCTIP) to Create a Safe and Secure Environment in Egypt Fight illicit human trafficking and facilitate identification of VoT https://ec.europa.eu/anti-trafficking/action-support-national-coordinating-committee-combatting-and-preventing-trafficking-persons-ncctip_en	15 months (2014 – 2016)	€ 500,000	HT	EU	IOM
2.	Expanding Legal Advocacy for Refugees in Egypt Provision of legal assistance to refugees http://www.euneighbours.eu/medportal/news/latest/46848/EU-supports-Egyptian-Foundation-for-Refugee-Rights-to-address-migration-issues-in-Egypt	3 years (2013 -2016)	€ 240,00	Other	EU	EFRR
3.	Combating Human Trafficking Crimes in Egypt Reduce trafficking in women and children and provide support and opportunities for current and potential victims. https://ec.europa.eu/anti-trafficking/eu-projects-and-funding/combating-human-trafficking-crimes-egypt_en	3 years (2013 – 2016)	€ 130,864	HT, UM	EU	Association of Egyptian Female Lawyers
4.	Improved protection for irregular migrants from Sub-Sahara Africa in Southern Egypt Contribute to a sphere of protection for vulnerable migrants (those detained in detention centres, prisons and police stations and at risk of getting involved in smuggling and trafficking) Egypt's southern border through the enforcement of international humanitarian law, relevant national legislation and access to basic services. https://www.eda.admin.ch/projects/SDC/en/2012/7F08335/phase1.html?oldPagePath=	3 years (2012 - 2015)	CHF 598,594	HT, SoM	Switzerland	IOM

11. Morocco

11.1 Country overview

The development of irregular West African flows to Europe and the institutional response of Europe according to the Schengen framework make Morocco a country of origin, transit and destination of migration flows: a country of origin for the many Moroccans that emigrate towards the European countries for better life conditions, and a transit and destination country for migrants from sub-Saharan Africa escaping poverty and the political and economic turmoil in their countries of origin.

According to the Moroccan Ministry of the Interior, at the end of 2013 there were an estimated 25,000 - 40,000 irregular migrants in the country. The majority came from sub-Saharan Africa (West Africa in particular), and MENA countries such as Libya and Syria, as well as Southeast Asia. These irregular migrants and refugees are very vulnerable and often become victims of trafficking or migrant smuggling. They are usually trafficked in the town of Oudja on the Algerian border and the northern coastal town of Nador (see Map 4). Women and unaccompanied children from Côte d'Ivoire, Democratic Republic of Congo, Senegal, Nigeria and Cameroon are considered to be the most vulnerable to human trafficking, especially for sexual exploitation and forced labour. Women from Indonesia and the Philippines also often face a similar fate: they are either forced into prostitution or recruited as domestic workers. Moroccan children are also among the victims of trafficking: both boys and girls are regularly forced to work, beg and prostitute. Unfortunately, due to a lack of systematic data collection, it is not possible to completely understand the magnitude of the phenomenon.

Map 4: Routes within Morocco

Source: IOM[35]

35   IOM MENA Regional Office and Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots.* See note 30

In the last three years, Morocco has been engaged in an active fight against human trafficking. In June 2013, Morocco signed a Mobility Partnership (MP) with the European Union in order to strengthen cooperation in the area of migration and management of migration flows. Morocco was the first Maghreb country to sign such an agreement. The MP has four main objectives, the most relevant for this report being the objective to "combat illegal immigration, networks involved in the trafficking and smuggling of human beings, and to promote an effective return and readmission policy while respecting fundamental rights, the relevant legislation and ensuring the dignity of the people concerned." In September 2013, King Mohammed IV announced the implementation of a new migration policy based on human rights principles. Furthermore, the National Human Rights Council (NHRC) published a report entitled "Foreigners and Human Rights in Morocco: for a radically new asylum and migration policy," which made important recommendations to the government on how to develop such policy. As a result of these initiatives, an exceptional regularization campaign of irregular immigrants has been introduced and the fight against human trafficking has been strengthened.

According to the 2016 TIP Report, Morocco is ranked on Tier 2, defined as a country whose government does not fully comply with the TVPA's minimum standards, but is making significant efforts to bring themselves into compliance with those standards. The conclusions it contains are along the lines of those expressed in the Report of the UN Special Rapporteur on trafficking in persons, especially women and children, prepared in 2013. They are illustrated in the table below. In December 2014, the Moroccan government adopted a first-ever immigration and asylum strategy, based on international conventions and human rights. One of the immediate results of this strategy was the massive regularization campaign that took place in 2014-15, during which the status of around 26,000 foreigners (10,000 of whom women) were regularized. Free access to primary health care was also granted to all migrants, irrespective of their status. The legal framework, however, still needs to be reinforced, since of the three laws under this strategy (asylum, HT and immigration) the Moroccan Parliament only adopted the law on trafficking in human beings[36]. The law, dated July 2016, includes a broad definition of human trafficking. Despite some criticism, this has been seen as a major step to bring the national legislation in line with international standards.

According to unofficial statistics there are currently around 20,000 vulnerable migrants in Morocco: 12,000 irregular transit migrants, 5,000 regularized immigrants and approximately 3,000 refugees.

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36   The law mentioned is n° 27-14 on trafficking in human beings. For more details: International Organization for Migration Morocco (OIM Maroc), *Rapport d'activités IOM Marox janvier - juin 2016*, Edition number 30, available at https://www.iom.int/sites/default/files/mission_newsletter/file/RapportSemestriel1-2016OIMMAROC_0.pdf, last visited 21 December 2016

Recommendations from the 2016 TIP Report	Recommendations from the Report of the Special Rapporteur on trafficking in persons, especially women and children in 2013
• **Enact and implement legislation, in line with international standards**, that prohibits all forms of trafficking and prescribes sufficiently stringent penalties; • **Increase investigations, prosecutions and convictions of traffickers** and ensure stringent sentencing; • **Proactively identify trafficking victims**, especially among migrant community; • Develop and implement formal **procedures for victim identification** and referral to care using a **victim-centered approach**; • Ensure victims are not punished for crimes (such as immigration violations); • Increase funding or in-kind **support to NGOs** that provide specialized services for victims; • Improve **law enforcement data collection and reporting**; • Enact and implement legislation that provides protection for foreign and Moroccan domestic workers; • **Enhance public awareness** campaigns addressing all forms of trafficking of men, women, and children.	• Ensure **full domestic application of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children**; • Develop a national plan of action regarding to policy responses to HT; • A national agency to coordinate anti-trafficking activities of governmental institutions should be established; • **A proper identification (of VoTs)** system should be put in place and be well resourced; • Design a mechanism for the **collection of data on cases of trafficking**, as well as on the forms, trends and manifestations of trafficking; • Greater efforts (and funds) to protect and assist all VoTs; • **Amendment or legislation on TiP** to be adopted should have **a human rights-based approach;** • **More efforts to prosecute traffickers** while guaranteeing fair trial rights consistent; • Sensitize and build capacity to adopt victim-centred responses to cases of TiP; • Continue to maintain **close cooperation with the IOs and NGOs;** • **Raise awareness** also among the general public about all forms of TiP.

11.2 Overview of projects

In terms of concerted efforts and specific projects relating to HT and SoM, a total of 9 initiatives (excluding regional ones) have been traced during the period 2013-2016. These are either funded by the EU or through bilateral cooperation. IOM is the implementing agency of most of them. Others are under the responsibility of international organizations (such as UNHCR) or international/national NGOs (CARITAS, AMSED, MLAL). All the reviewed projects share a common aim of preventing HT and providing assistance to VoTs. All projects include an awareness-raising component, either targeting the general public or tailored to victims in particular. Some projects identified a special focus on women and children (including unaccompanied minors) who are VoTs, aiming at ensuring protection before the courts. One project focuses on victims from sub-Saharan Africa, improving humanitarian assistance and protection to migrants, while reducing the level of risk of serious exclusion.

Summary table of projects implemented during 2013 – 2016

	Title of Project	Duration	Budget	Focus	Donor	Implementing agency
1.	Promouvoir l'exercice des droits humains des migrants au Maroc (*Promoting the exercise of human rights of migrants in Morocco*) Access of migrants to basic rights, advocacy for VoT https://www.eda.admin.ch/deza/en/home/countries/north-africa.html/content/projects/SDC/en/2007/7F05271/phase7?oldPagePath=/content/deza/en/home/laender/nordafrika.html	3 years (2016-2019)	CHF 4,933,710	TH, other	Switzerland, BMZ, CARITAS and other Catholic associations	Caritas Morocco
2.	Tamkine-Migrants Improving medical, social and psychological care of vulnerable migrant women https://www.eda.admin.ch/deza/en/home/activities-projects/projekte-fokus/Project-database.html/content/projects/SDC/en/2015/7F09172/phase1?oldPagePath=/content/deza/en/home/aktivitaeten_projekte/projekte-fokus/projektdatenbank.html	3 years (2015 – 2018)	CHF 600,000	Other	Switzerland	Medecins du Monde Belgium, AMSED, ALCS

3.	Accès aux Services judiciaires pour des femmes et des enfants victimes de la traite des êtres humains au Maroc (*Access to judicial services to women and children victims of trafficking in Morocco*) Fight against trafficking in women and children and improve their judicial protection. https://www.eda.admin.ch/deza/en/home/countries/north-africa.html/content/projects/SDC/en/2012/7F08020/phase2?oldPagePath=/content/deza/en/home/laender/nordafrika.html	3 years (2015 – 2018)	CHF 1,031,500	HT	Switzerland and UN Women	Central State Authority (Morocco)
4.	Transnational ACtion (TACT) – Safe and sustainable return and reintegration for VoT returning from France, Greece, Italy, Poland and Space to priory countries (Albania, Morocco and Ukraine) Strengthening institutional capacity in protection and support to VoT https://morocco.iom.int/sites/default/files/Fiche%20de%20projet%20TACT.pdf	18 months (2015 -2016)	€ 526,274	HT	EU	IOM

5.	Lutte contre la traite des personnes à travers le renforcement des capacités des ONG et des autorités au Maroc (*Fight against trafficking in persons through the reinforcement of the capacity of NGOs and authorities in Morocco*) Promote protection and assistance to VoT, strengthen institutional capacity to handle challenges of HT, provide durable solutions to vulnerable groups. https://morocco.iom.int/sites/default/files/LUTTE%20CONTRE%20LA%20TRAITE%20FACTSHEET.pdf	2 years (2014 -2016)	unknown	HT	Germany	IOM
6.	Support for development of new asylum policy and for refugee protection and assistance in Morocco Build national capacities on asylum issues, particularly in areas associated with human trafficking http://en.gouv.mc/Policy-Practice/Monaco-Worldwide/Public-Aid-for-Development-and-International-Cooperation/Development-Assistance-projects/Mediterranean-countries/Morocco/Support-for-development-of-new-asylum-policy-and-for-refugee-protection-and-assistance-in-Morocco	2 years (2014 – 2016)	€ 450,000	HT	Monaco	UNHCR
7.	SALEMM – Solidarité avec les enfants du Maghreb et du Mashreq (*Solidarity with Children of Maghreb and Mashreq)* Addressing children and youth's vulnerability to irregular migration. http://salemmmaroc.blogspot.it/	3 years (2013 – 2015)	€ 1,450,000	UM	EU, Switzerland, Italy, San Paolo Foundation Cariplo Foundation Municipality of Milan	IOM

| 8.	Humanitarian Assistance and Protection of Sub-Sahara migrants in Morocco Improve humanitarian assistance and protection of irregular migrants, refugees and asylum seekers (focus on women and children VoT). https://www.eda.admin.ch/deza/fr/home/activites-projets/projets.html/content/projects/SDC/en/2013/7F08777/phase1?oldPagePath=/content/deza/fr/home/aktivitaeten_projekte/projekte.html&customLang=fr	18 months (2013 – 2015)	€ 1,100,000	HT, other	Switzerland	IOM
9.	Children on a trip: For a responsible approach of minors' migration Fight illegal migration of unaccompanied minors. http://www.enpi-info.eu/medportal/news/latest/33298/Morocco:-EU-diplomats-take-interest-in-fight-against-illegal-migration-of-unaccompanied-minors	3 years (2011 – 2014)	€ 1,500,000	UM	EU	MLAL

12. Tunisia

12.1 Country overview

Tunisia is a country of source, transit and destination for migration. Since its independence, Tunisia was a source of labour migration, traditionally directed to the European countries. After the 2011 revolution, the migration crisis across the continent turned Tunisia also into a transit point and destination for migrants from sub-Saharan African and Libya trying to reach Europe via the Italian coast.

The most vulnerable groups to human trafficking and smuggling are refugees, asylum seekers, UMs, single mothers, and migrants rescued at sea after departing from Libya. Since there is no official data, it is extremely difficult to estimate the exact numbers of victims. However, according to the IOM, 14 VoT were assisted by the Organization in 2013, which is much lower compared to the numbers in Morocco and Egypt[37]. Yet, the victims are mainly adult women, primarily from West Africa but also East Africa (see Map 5), who are generally subjected to the trafficking for exploitation and forced into domestic servitude. Tunisian youth are also considered to be a group vulnerable to human trafficking. According to the TIP Report, since the 2011 revolution, there has

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[37]   International Organization for Migration, *Migration in Egypt, Morocco and Tunisia, Overview of the complex migratory flows in the region,* 2014, available at https://www.iom.int/files/live/sites/iom/files/Country/docs/Reseach-on-complex-migratory-flows-in-Egypt-Morocco-and-Tunisia.pdf, last visited 21 December 2016

been an increase in street children and rural children working to support their families, making them vulnerable to forced labour and sex trafficking.

Map 5: Routes of mixed and irregular migration through Tunisia

| West African Route | East African Route |
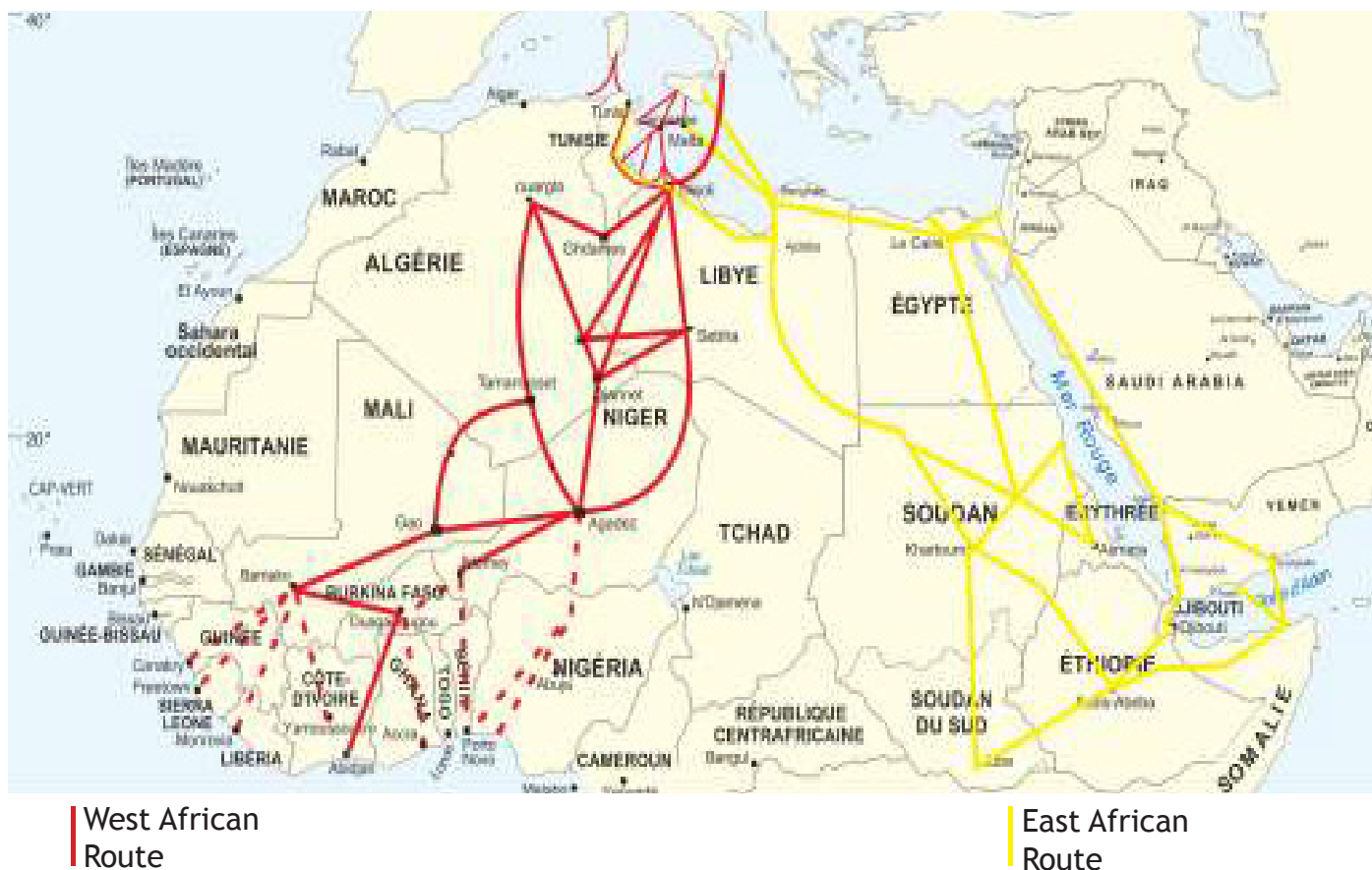
Source: IOM[38]

Since 2011, Tunisia has been actively cooperating with the European Union regarding illegal migration and human trafficking. In 2012, the government adopted the EU-Tunisia Migration Agenda (ETMA) to address key migration-related issues and signed the EU-Tunisia Action Plan 2013-2017 which includes dialogue on fight against illegal migration, organized crime-related immigration, and readmission. In 2014, the Mobility Partnership (MP) with the EU was signed and Tunisia committed to engage via better cooperation in order to prevent human trafficking and the smuggling of migrants, as well as to improve the security of identity and travel documents and border management[39].

Today, Tunisia is placed on the Tier 2 Watch List, among countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards. The TIP report states that *"the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year*. In addition to the 2016 TIP Report, the IOM/Republic of Tunisia's Baseline study on trafficking in persons in Tunisia: assessing the scope and manifestations

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38   Republic of Tunisia and IOM, *Baseline study on trafficking in persons in Tunisia: assessing the scope and manifestations*, 2013, available at http://reliefweb.int/sites/reliefweb.int/files/resources/Baseline%20Study%20on%20Trafficking%20in%20Persons%20in%20Tunisia.pdf, last visited 21 December 2016

39   European Commission, Press Release, *EU and Tunisia establish their Mobility Partnership*, March 2014, available at http://europa.eu/rapid/press-release_IP-14-208_en.htm, last visited 21 December 2016

of 2013, developed as a part of the SHARE project, is significant in demonstrating the growing commitment of the Tunisian government in addressing these issues. The Recommendations of both Reports are summarized below:

Recommendations by 2016 TIP Report	Recommendations from the Baseline study on Trafficking in Persons in Tunisia (2013)
• Enact **anti-trafficking legislation** that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; • Implement formal **procedures to identify trafficking victims among vulnerable groups**, such as street children, undocumented migrants, domestic workers, and persons in prostitution, and train officials; • Fully implement the national victim referral mechanism to **ensure all trafficking victims are referred to appropriate protection services**, and train law enforcement and judicial authorities on appropriately referring victims to care; • Provide **adequate protection services to all trafficking victims** distinct from other vulnerable groups, including adequate shelter and rehabilitative services, and ensure staff at government-operated centers are trained to provide trafficking victims with specialized care; • **Ensure victims are not punished for unlawful acts** committed as a direct result of being subjected to trafficking, such as prostitution and immigration violations; • Increase anti-trafficking trainings for all officials.	• Establishment of a National Commission against TiP; • Approve a comprehensive national legal framework on trafficking and implement a national action plan; • Take comprehensive measures to **improve the socioeconomic conditions of groups at risk of trafficking** and their access to social and cultural services; • **Inform the public about human trafficking** and the rights and duties of individuals; • Take **deterrent measures against possible traffickers** and their accomplices and measures to address the demand; • **Support journalists in their research mission**, processing and dissemination of information on human trafficking and related crimes; • Prevent the use of the media and social networks by traffickers to recruit victims or clients; • **Train all professionals** involved in the identification, care and protection of victims; • Strengthen the capacity of civil society; • Implement a national mechanism for the identification, referencing and support for victims of trafficking; • Take specific **measures on assistance** to VoTs; • Develop a program of social and professional reintegration for victims of internal and transnational trafficking • Establish measures for the voluntary repatriation of victims of transnational trafficking and reintegration in their COO; • Strengthen the capacity of police and justice officers, labour inspectors and Child Protection Delegates; • Strengthen exchanges between the actors involved in trafficking at the national, regional and international levels.

12.2 Overview of projects

The Tunisian government is committed to enhancing the prevention, prosecution and protection of human trafficking and smuggling of migrants. To reach this aim, Tunisia cooperates with IOs and NGOs. Of the projects surveyed, 5 projects have been implemented exclusively in fighting human trafficking and smuggling of migrants in Tunisia (see below for the full list). The projects are mainly funded by the European Union but also through bilateral cooperation, namely from the United States and Switzerland. They are implemented by a mix of different national and international agencies and NGOs: IOM, Avocats sans frontières (BE), Forum Tunisien pour les Droits Économiques et Sociaux (TUN), Associació NOVA Centre per a la Innovació Social (ESP), France Terre d'Asile Tunisie, Association Beity (TUN) and Fondo Provinciale Milanese per la Cooperazione Internazionale (IT).

Summary table of projects implemented in Tunisia in the period 2013 – 2016

	Title of Project	Duration	Budget	Focus	Donor	Implementing agency
1.	ADEM, pour l'accompagnement et la défense des migrants (*ADEM, for the support and defence of migrants*) Strengthening role, means and strategy of civil society at large in promoting the rights of migrants, refugees, unaccompanied minors and VoT. http://eeas.europa.eu/delegations/tunisia/documents/projets/rapport_cooperation_2015_fr.pdf	3 years (2016 – 2018)	€ 473,000	HT	EU	France Terre d'Asile and Association Beity
2.	Kachef al Maskout Anhou *(Briser le tabou)***: lutter contre la traite des êtres humains en Tunisie** *(Kachef al Maskout Anhou (Break the taboo): fight against trafficking in human beings in Tunisia)* **Developping collaborations amongst actors active in support to VoT, bringing victims together with institutions** http://eeas.europa.eu/delegations/tunisia/documents/projets/rapport_cooperation_2015_fr.pdf	3 years (2016 – 2018)	€ 500,000	HT	EU	Avocats sans Frontières Belgium, Forum Tunisien pour les Droits Economiques et Sociaux (FTDES), Associaciò NOVA Center per a la Innovaciò Social

3.	SHARE II – - Soutien en matière de législation contre la traite des personnes en Tunisie et renforcement des capacités nationales pour l'identification et l'assistance des victimes (*Support to the legislation against trafficking in human beings in Tunisia and strengthening of the national capacity to identify and assist victims*) http://www.tunisia.iom.int/activities/%C2%ABsoutien-en-mati%C3%A8re-de-l%C3%A9gislation-contre-la-traite-des-personnes-en-tunisie-et	3 years (2014 – 2017)	USD 700,00	HT concentrating on vulnerable groups in case of unplanned/irregular migration	US State Dept (J/TIP Office)	IOM
4.	SALEMM – Solidarité avec les enfants du Maghreb et du Mashreq (*Solidarity with Children of Maghreb and Mashreq*) Addressing children and youth's vulnerability to irregular migration. http://www.salemm.org/	3 years (2013 – 2015)	€ 1,450,000	UM	EU, Switzerland, Italy, San Paolo Foundation, Cariplo Foundation, Municipality of Milan	IOM Tunisia and and Fondo Provinciale Milanese per la Cooperazione Internazionale
5.	La maison du droit et des migrations (*The house of rights and migrations*) Develop operational and advocacy capacities to defend the rights of migrants, refugees and unaccompanied children and stimulate public debate on migration issues. http://maison-migrations.tn/index.php/france-terre-d-asile/la-section-tunisie	3 years (2012 – 2015)	€ 250,000	UM	EU	Terre d'Asile Tunisie

Conclusions and recommendations

13. From the 3-P to the 4-P model

The Palermo Protocol on Trafficking established the so-called "3P paradigm" as the fundamental framework that State Parties must implement to combat human trafficking. According to this model, which was later reflected in other international instruments related to the same topic (for instance the aforementioned Council of Europe Convention against Trafficking) actions aimed at fighting this modern form of slavery cannot be successful unless they foresee, at once, Prevention, Protection and Prosecution. In 2009, the U.S. Department of State suggested the introduction of a fourth P, for Partnership, as a response to the transnational nature of the crime and the need for both local authorities and the international community join forces for any action to be successful. The United Nations Inter-Agency Project on Human Trafficking defines the fourth P as "Policy and Cooperation"; although the name is different, it seems fair to state that the different versions of the fourth P share the same goal, calling for cooperation at the global and local levels.

Under this new paradigm, which UNICRI endorses given the findings of this Report, the fourth P would acquire a slightly different meaning. Whilst acknowledging that trafficking is a global problem that requires an in-kind approach, in the course of the present project UNICRI determined that there is a need to create sustainable partnerships between countries of origin, transit and destination to enable them to share the small-scale, grassroots level initiatives and actions that have proved effective and/or successful in supporting the rehabilitation and reintegration of victims. Whilst a number of networks exist to collect and exchange data and good practices, and favour cooperation and coordination in North-African Countries, little has been done to create operational networks where countries of both sides of the Mediterranean can exchange good practices and lessons learned in connection with the specific theme of socio-economic integration of VoT and UMs.

Identification of victims and vulnerable subjects inevitably represents the first critical step in ensuring the subsequent protection they need. Keeping in mind the role of CSOs in this respect (oftentimes they, rather than State institutions, are the ones VoT turn to for help), and in the light of the data collected and analysed within this project, the creation of a Regional Network of Experts could very well represent the first step in the implementation of the fourth P. As illustrated above, this fourth P is introduced with a view to build on the experience gained by different countries, share the *modus operandi* and praxis and duplicate them, with the needed adaptations, in different national contexts. The Network can thus be instrumental in providing the immediate, appropriate responses (ie. excluding humanitarian, medical and psychological) to the target groups in the countries of transit and destination, so as to ensure that they can live a normal life.

Recognizing that the activities suggested by the Regional Network of Experts need to be supported by adequate institutional frameworks, and in line with the international recommendations contained in the TIP Reports, the next step could be to prepare the ground for the creation (or reinforcement, as it is the case of Egypt and Tunisia for North Africa) of National Referral Mechanisms (NRMs)[40] both in countries of transit and destination, so as to ensure effective coordination of actions amongst all actors dealing with VoT and UMs.

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[40]   NRMs are used at national level to identify VoT and human-rights based support and assistance. NRMs are specific to each country, tailored on their needs. At the heart of NRMs is the involvement of different organizations and bodies so as to foster understanding and cooperation, overcome conflict of interests, ensure share of information and effective responses to the needs of victims, whether medical/psychological, social, legal, judicial (i.e. related to the participation in criminal proceedings and protection of safety of victims/witnesses). Proposing the establishment of a Transnational (Regional) Referral Mechanism, integrating the process of victim referral from initial identification to assistance between countries of transit, destination and origin, of the type implemented in 10 South-Eastern European countries in 2006, followed by a TRM-EU project in 2008 extended to more EU MS seems, at this stage, too ambitious because of the complexities related to transnational operating procedures, that require the existence of fully functional institutions (ideally NRMs), processes and adequately trained staff at national level.

Considering the mandate of UNICRI, and conscious that first responders to VoT and UMs play a crucial role in implementing an integrated protection approach, it is fundamental that they have not only an adequate understanding of the phenomena at stake, but also a solid grasp of the necessary knowledge and experience to identify VoT and UM and deal with such cases as they are encountered in an adequate and timely manner. This entails, amongst others, to address the capacity building and technical assistance needs of the focus countries to ensure the attainment of such goals, as failure to do so will inevitably compromise the identification and protection of VoTs and UMs, exposing them to further victimization or exploitation.

14. Recommendations

In the light of the findings of the present Report, of the preliminary recommendation discussed in the course of the Experts' Meeting, and the conclusions it reached;

acknowledging the privileged role that UNICRI has in convening grassroots actors on both sides of the Mediterranean that otherwise would have limited opportunities to share their collective good practices and lessons learned;

considering that whilst waiting for structural reforms to be put in place or implemented, CSOs and institutional actors at local level respond to the challenges posed by the presence in their areas of action of VoT and UMs;

recognizing the need to promote and facilitate the share of experiences, best practices and lessons learned, in relation to the implementation of initiatives in support of VoT and UMs, also with a view to capitalize knowledge, maximise resources and avoid duplications;

the following recommendations are put forward:

Medium term recommendations:

1. Whilst platforms for inter-agency exchange and coordination exist either in North Africa (i.e. MHub related to mixed migration flows) or in Europe (i.e. SUMMIT project related to missing migrant children, OSCE initiatives), there is a need to establish a Regional Network of Experts, convening representatives from both sides of the Mediterranean, specifically focussing on the rehabilitation and socio-economic integration of VoT and UMs under the "Protection" pillar of the Palermo Protocol. More specifically, the Network would represent a place where experiences related to both short and long-term reception, resettlement and local integration, and if applicable, assisted and voluntary return and reintegration. The Network, under UNICRI coordination, would thus represent a forum where good practices and lessons learned could be exchanged, with a view to promote, in the respective countries, the implementation of successful actions and behaviours within the legal framework in place;

2. Whilst data collection on UMs is carried out by different organizations (i.e. EU, IOM, UNICEF, EASO, and more recently the European Knowledge Centre on Migration and Demography (KCMD)), who are also providing support in relation to accommodation, relocation and resettlement, there appears to be a need to establish a Regional Observatory on UMs, under UNICRI coordination, putting together information and data provided by its different members and conducting a follow-up with the relevant countries the results of the actions undertaken;

3. With a view to capitalize resources and maximise results, the Regional Network of Experts shall act as a forum where capacity building initiatives can be identified and relevant tools developed, facilitating their implementation in countries of origin, transit and destination,

with a view to enhance practical knowledge amongst all actors dealing with VoT and Ums. Such initiatives and tools shall be developed in the light of the experience gained in the different countries. Such actions might be multidisciplinary or specialized, depending on the target audience. Their common denominator, however, will be that they will be able to provide hands-on (also in the form of mentoring, study visits) expertise to the direct beneficiaries;

4. The Regional Network of Experts shall also represent the ideal cradle of networking initiatives for policy-makers of the Mediterranean Region, for instance by providing specific expertise and promoting and facilitating study visits and exchange of good practices;

Long term recommendations:

1. In the long term, the Regional Network of Experts shall represent a valid support for an integrated approach to the issue of VoT and UM at both national and regional level, for instance favouring the development of national action plans and referral systems;

2. The Regional Network of Experts shall also prepare the ground for further initiatives, such as (but not exclusively) the reinforcement of existing NRM or their setting up.

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