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TRAFFICKING IN WOMEN AND CHILDREN IN THE ARAB REGION

POLICY BRIEF

**UN-ESCWA CENTRE FOR WOMEN
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Executive summary

This policy brief addresses the trafficking in women and children in the ESCWA region. This practice is deeply rooted in poverty, conflict and globalization. Females constitute 75 per cent of people trafficked worldwide, and while men are disproportionately perpetrators of this crime, traffickers may also be women. States have at their disposal a number of international conventions and protocols on which to base their efforts to combat human trafficking. Most ESCWA member states have ratified these conventions; however, they have expressed reservations on some articles which they see as contradictory to Islamic *Shariah*. This in turn limits implementation. Eleven countries have passed laws to combat human trafficking. Those that have not, address trafficking crimes through another existing legislation. Eight countries have passed legislation stipulating specific penalties for crimes of trafficking, which range from temporary imprisonment and small fines to more serious penalties, including higher fines, longer terms of imprisonment, and capital punishment.

Of the countries that have anti-trafficking legal codes, nine include specific legal provision for the protection of trafficking victims. In cases where there is no legal provision for victim protection, such measure has been provided through the efforts of non-governmental organizations (NGOs). National anti-trafficking laws also require various levels of legal protection and assistance to victims. International and regional cooperation in the field of anti-human trafficking in the region focuses mainly on training and capacity building, and the dimension of victim protection is almost entirely missing. All anti-trafficking laws in the region, with two exceptions, stipulate the provision of legal assistance for victims, and most of them stipulate the provision of shelters for the victims of human trafficking. Country reports, if available, tend to be more qualitative than quantitative. The lack of standardized mechanisms to produce these reports makes it difficult to carry out cross-country comparisons.

I. INTRODUCTION AND BACKGROUND

This policy brief addresses human trafficking within and among member states of the United Nations Economic and Social Commission for Western Asia (ESCWA),¹ and focuses on women and children as its primary victims. The brief attempts to shed light on the legal framework related to trafficking in the region, and aims to provide an in-depth, region-specific analysis. It also aims to provide suggestions for reducing trafficking and increasing cooperation at the regional and international levels.

Human trafficking is a fundamental violation of human rights. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, also known as the TIP Protocol, defines the crime of trafficking in persons 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”.²

Major forms of human trafficking are:

(a) *Sexual exploitation* which is left intentionally undefined in the TIP Protocol;³

(b) *Forced labor* defined as “work or service exacted from a person under threat or penalty, which includes penal sanctions and the loss of rights and privileges, where the person has not offered him/herself voluntarily”.⁴ It can take “different forms, including debt bondage, trafficking and other forms of modern slavery”.⁵

(c) *Child Laboris* defined as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development”.⁶ It is work that is mentally, physically, or morally dangerous, and that interferes with children’s schooling;

(d) *Domestic Servitude* is regarded as a human trafficking crime when force, fraud, or coercion is used to maintain control over the person.

According to the UNODC (United Nations Office on Drugs and Crime) 2012 “Global Report on Trafficking in Persons”, women and girls comprise 75 per cent of all trafficking victims worldwide.⁷ In the Arab region, the International Labour Organization (ILO) estimates that 230,000 people are trafficked annually,⁸ eleven per cent of which are children, and two out of every three of these child victims are girls.⁹

¹ ESCWA member countries in alphabetic order include: Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, and Yemen.

² United Nations (2000), Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime.

³ UNODC Model Law against Trafficking in Persons, article 5, I, h. Commentary. The term is left undefined in order to facilitate ratification of the Protocol by states regardless of differing domestic policies on prostitution.

⁴ Ruwanpura, K.N. & Pallavi Rai (2004) “Forced Labour: Definitions, Indicators and Measurement”, *Working Paper No. 18*, International Labour Office, Geneva. p. 3.

⁵ <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>.

⁶ <http://www.ilo.org/ipecc/facts/lang--en/index.htm>.

⁷ UNODC 2012 Global Report on Trafficking in Persons, p. 7.

⁸ UN GIFT, “Human Trafficking: An Overview”, p. 6, <http://www.ungift.org/docs/ungift/pdf/knowledge/ebook.pdf>.

⁹ Ibid.

Although women are disproportionately victims of trafficking in persons, and men are disproportionately perpetrators of this crime, it should be noted that traffickers may also be women. Indeed in 2012, 30 per cent of human trafficking prosecutions and convictions are of women offenders, with the involvement of women especially prevalent in the trafficking of girls.¹⁰ In the ESCWA region, women are not just victims but also perpetrators of this crime. For example, of the seven persons convicted in Bahrain of trafficking between 2008 and 2011, five were females.¹¹ Similarly, of the 23 persons convicted in Egypt between 2009 and 2010 for offences related to trafficking in persons, seven were females.¹² In Qatar, of the 121 persons prosecuted for the crime of trafficking between 2007 and 2011, 17 were female.

CAUSES OF TRAFFICKING

There are three main causes for trafficking: poverty, conflict and globalization.

Poverty, underdevelopment and lack of equal opportunities are among the most significant factors that render persons, especially women and children, vulnerable to trafficking. In some ESCWA states including the Sudan, Yemen, Egypt and Palestine, a high percentage of the population lives below national poverty lines.¹³ Rural poverty is also prevalent in the Sudan (57.6 per cent), Yemen (40.1 per cent), Egypt (30 per cent) and Iraq (39.3 per cent). In addition, the unregulated informal economy is estimated to be quite large in the ESCWA region which renders people, especially children, more vulnerable to trafficking¹⁴ due to the demand for cheap labour and the ability to employ undocumented workers. The available data on child labor in the ESCWA states also indicates high numbers of children (5 to 14 years old) in the labour force.

Wars and armed conflicts create a favorable environment for organized crimes, including trafficking in persons. Women and girls are the most vulnerable population group in such contexts. They may be enslaved by one or another of the parties involved in such conflicts, and may be subjected to sexual exploitation and forced labor.¹⁵ One example of the vulnerability of women and girls during armed conflict can be seen in the case of Iraq. Thousands of Iraqi women and girls who fled to the Syrian Arab Republic after the United States-led invasion of Iraq in 2003 were reportedly pushed into the sex trade¹⁶. Another salient example is the Syrian case. The instability in the Syrian Arab Republic from March 2011 to the present has forced millions of Syrians, the overwhelming majority of whom are women and children, to seek refuge in neighboring countries. Although statistical evidence is lacking, there is strong anecdotal evidence of Syrian refugee girls marrying older men in exchange for money. This is a practice regarded by human rights activists as human trafficking.¹⁷ Another type of exploitation facing refugee Syrian children is child labor in the host countries, Iraq, Jordan and Lebanon.¹⁸

¹⁰ UNODC Global Report on Trafficking in Persons, 2012, p. 11.

¹¹ Report by the Bahrain “National Committee to Combat Trafficking in Persons”.

¹² Data from the Egyptian National Coordinating Committee on Combating Human Trafficking within the Ministry of Foreign Affairs.

¹³ The national poverty line is based on population-weighted subgroup estimates from household surveys.

¹⁴ ESCWA (2012) Economic Policy in the ESCWA Region and its Impact on Employment, United Nations, New York.

¹⁵ Wölte, Sonja (2004) “Armed Conflict and Trafficking in Women”, Desk Study, GTZ, p. 5.

¹⁶ ESCWA (2009) Protecting the Rights of Women in the ESCWA Region Through the Proper Use of United Nations Resolutions and International Protocols on War and Armed Conflict, United Nations, New York.

¹⁷ Daily News Egypt (2013) “GamalEid: Syrian women’s marriage to Egyptian men is human trafficking”, <http://www.dailynewsegypt.com/2013/03/30/gamal-eid-syrian-womens-marriage-to-egyptian-men-is-human-trafficking/> [24 April 2013].

¹⁸ Save the Children & International Rescue Committee (2012) *Livelihoods Assessment: Syrian Refugees in Lebanon: Bekaa Valley & North Governorates, Lebanon*, Save the Children & International Rescue Committee.

Globalization has intensified cross-border flows of goods and production factors, but it has also contributed to human trafficking. The immediate impact of globalization on human trafficking can be seen in at least two main areas: cheap labor and sexual services. The ESCWA region is a receiving, sending and transiting area for international migration, which functions as one of the major forces driving human trafficking. Data indicate that most of the victims of human trafficking in the Gulf region are foreigners. In Oman in 2008, victims of human trafficking were Filipino, Uzbekistani, Indonesian, Moroccan and Syrian. Most of the victims of trafficking in the United Arab Emirates between 2008 and 2010 originated from South and South Asian countries. In Lebanon, between 2008 and 2010, victims of trafficking for domestic servitude originated from South and East Asian and African countries.¹⁹

II. STATE RESPONSES TO TRAFFICKING IN PERSONS

A. INTERNATIONAL INSTRUMENTS

States have available to them a number of international conventions and protocols on which to base legislation and practices in their efforts to combat human trafficking. The most relevant instruments include the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW); the 1989 Convention on the Rights of the Child (CRC); the United Nations Convention against Transnational Organized Crime (The Palermo Convention) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

All ESCWA member states have ratified CEDAW with the exception of Palestine²⁰ and the Sudan. However, ratification by many countries was accompanied by substantial reservations based on perceived conflict of CEDAW provisions with Islamic *Shariah*. These reservations were entered by Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, the Syrian Arab Republic, Tunisia, Algeria, Libya and the United Arab Emirates, and limit the implementation of the Convention.

The CRC has been ratified by all ESCWA member states with the exception of Palestine.²¹ The reservations entered by ESCWA states to some articles of the CRC are mainly related to the treaty's conflicts with the provisions of the Islamic *Shariah* regarding adoption and the child's freedom of religion, as in the case of Egypt, Iraq, Jordan, Morocco, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic, and the United Arab Emirates. None of the ESCWA states have entered reservations on the obligation to protect children from all forms of violence.

The Palermo Convention has three protocols, one of which, The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children or TIP Protocol, is devoted to the prevention, suppression and punishment of trafficking in persons. It has been ratified by all ESCWA states except Palestine. Bahrain, Jordan, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen entered reservations to the article which specifies that disputes concerning the interpretation or application of the Convention that cannot be settled by negotiation should be submitted to arbitration.

The TIP Protocol obliges states to criminalize trafficking; to investigate, prosecute and convict traffickers; to undertake border control measures; to provide measures to protect and assist victims and to make information available to victims and potential victims; and to cooperate with other states to achieve these aims. All ESCWA member states have ratified the TIP Protocol except Palestine, the Sudan and Yemen. Bahrain, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, and the United Arab Emirates

¹⁹ UNODC (2013) Country Profiles: Africa and the Middle East, UNODC, available at: http://www.unodc.org/documents/data-and-analysis/glotip/Country_Profiles_Africa_Middle_East.pdf [21 April 2013].

²⁰ As Palestine was not recognized as a state, it could not ratify international conventions. It has however symbolically ratified CEDAW.

²¹ As mentioned above, because the Palestinian National Authority (PNA) was not a state, the PNA could not legally ratify or sign any international convention within the United Nations system.

entered reservations because of concerns over conflict with the provisions of the Islamic *Shariah* as related to the rights of women and children (as in the case of the CEDAW and the CRC). They also had concerns over legal procedures regarding the settlement of disputes about the interpretation or application of the Palermo Convention and the United Nations TIP Protocol. None of the ESCWA states have entered reservations to the obligation to convict human trafficking offenders or to assist victims.

B. NATIONAL ANTI-TRAFFICKING LAWS

Of the 14 ESCWA member states that have ratified the TIP Protocol, 11 have passed laws to combat human trafficking: Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic and the United Arab Emirates. On the other hand, out all the 17 ESCWA member states, 11 define human trafficking in accordance with the TIP definition: Bahrain, Egypt, Jordan, Kuwait, Iraq, Lebanon, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic and the United Arab Emirates.

Certain countries have expanded the definition of trafficking to include other elements. Thus, Iraq includes in its definition of trafficking the exploitation of human beings in military or terrorist activities.²² Lebanon includes in its definition the recruitment of children in armed conflict and forced involvement in terrorist acts.²³ Kuwait's anti-trafficking law²⁴ addresses not just the trafficking of humans but smuggling of migrants as well.²⁵ Egypt, Qatar and Saudi Arabia all include forced begging in their definitions of crimes of trafficking.²⁶ Qatar additionally includes in its definition the exploitation of children for sexual purposes and pornography,²⁷ while Saudi Arabia includes the conduct of medical experiments.²⁸ The Syrian Arab Republic includes child pornography as well as illegal acts and purposes in consideration for material or moral gain or privileges or a promise thereof.²⁹ The anti-trafficking legislation of individual states therefore provides a legal framework within which to address issues of specific concern.

In the case of countries that have not passed specific anti-trafficking legislation, trafficking crimes are addressed through existing legislation. Although Libya, Morocco and Tunisia are party to the TIP, they have not passed anti-trafficking laws of their own, and rely instead on existing provisions in their national penal codes to prosecute trafficking crimes. The Libyan criminal code prohibits prostitution, sexual exploitation, slavery and trafficking in women,³⁰ while the Moroccan penal code prohibits forced child labor and prostitution.³¹ The Tunisian penal code prohibits procuring the prostitution of others, regardless of consent or age.³² Similarly, although Yemen and the Sudan are not party to the TIP, and do not have specific anti-trafficking laws, they too rely on existing provisions in national penal codes to prosecute cases of human trafficking. The Sudanese criminal code penalizes operating a place of prostitution and forced labor.³³ The

²² Law No. 28 of 2010 (Law of Combating Human Trafficking), Iraq.

²³ Law 164 of 2011 (Punishment of Crimes of Trafficking in Persons), Lebanon.

²⁴ Law no. 91 of 2013 (Regarding the Trafficking of Persons and Smuggling of Migrants), Kuwait.

²⁵ Kuwait has developed an omnibus law covering both trafficking and smuggling -which are distinct crimes dealt with by different Palermo Protocols.

²⁶ Law No. 64 of 2010 (Law Regarding Combating Human Trafficking), Egypt; Law No. 15 of 2011 (Regarding Combating Human Trafficking), Qatar; Royal Decree No. M/40 of 2009 (Law for Combating Crimes of Trafficking in Persons), Saudi Arabia.

²⁷ Law No. 15 of 2011, (Regarding Combating Human Trafficking), Qatar.

²⁸ Royal Decree No. M/40 of 2009 (Law for Combating Crimes of Trafficking in Persons), Saudi Arabia.

²⁹ Syrian Legislative Decree No. 3 of 2010, Decree on the Crimes of Trafficking in Persons.

³⁰ United States Department of State, *2011 Trafficking in Persons Report – Libya*, 27 June 2011, available at: <http://www.refworld.org/docid/4e12ee672c.html> [accessed 6 August 2013].

³¹ Article 467 of the Moroccan penal code prohibits forced child labor. Articles 497-499 prohibit prostitution.

³² Tunisian Penal Code, Law of 9 July 1913, article 232.

³³ Sudanese Criminal Act of 1991, articles 155 and 163.

Yemeni penal code criminalizes buying and selling human beings; bringing persons in or out of the country for the purpose of taking advantage of them; and the prostitution of children.³⁴

1. Criminalization of trafficking

Of the 17 ESCWA member states, eight have passed legislation stipulating specific penalties for crimes of trafficking. These penalties range from temporary imprisonment (starting from a few months duration) and small fines, to more serious penalties, including higher fines, longer terms of imprisonment (up to life imprisonment), and capital punishment. Most of the ESCWA states that have passed anti-trafficking laws include provisions for aggravating circumstances, basing these on the nature of the crime, the identity of the perpetrator, and the identity of the victim. Hence, more serious penalties are given to trafficking that involves an abuse of power on the part of the perpetrator, that causes special harm to the victim, and that reflects organized criminal practice, especially when perpetrated trans-nationally. Three countries (Egypt, Iraq and Kuwait) stipulate life imprisonment. Four countries (Iraq, Oman, Kuwait and Qatar) specify imprisonment for up to 15 years. Two countries (Iraq and Kuwait) require the death penalty for trafficking crimes that lead to the death of the victim. Two countries (Saudi Arabia and Oman) demand that the attempt to commit any of the crimes mentioned in the law will be penalized as if the full crime had actually been committed. Such laws function to provide an element of deterrence and thus contribute toward states' efforts to prevent trafficking. It should be noted that the anti-trafficking laws of specific ESCWA countries treat the crime of trafficking in women and children with greater severity than other forms of trafficking.

2. Protection of victims

Of the countries that have anti-trafficking legal codes, most provide detailed articles related to the protection of victims of human trafficking. Nine countries include specific legal provision for the protection of trafficking victims: Bahrain, Egypt, Iraq, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, and the Syrian Arab Republic. Although Jordan and the United Arab Emirates have anti-trafficking laws, their legal codes do not clearly provide protection for victims. Jordan protects the victim through its Anti-Human Trafficking National Committee, while the United Arab Emirates anti-trafficking law does not address victim protection at all, and instead focuses solely on criminalization. In cases where there is no legal provision for victim protection, such protection has been provided through the efforts of NGOs. Thus, for instance, Yemen provides for protection of victims through its National Organization for Combat of Human Trafficking, and the NGO SAWA provides assistance to victims in Palestine.

National anti-trafficking laws stipulate various levels of legal protection and assistance to victims. Some specify the general right of victims to safety and security: for instance, the right to "physical, psychological and mental safety" (Egypt), or to the right to maintain "personal dignity and identity" (Qatar). Most countries in the ESCWA region that address the issue of victim protection in their legal frameworks put forward specific recommendations for protecting victims' rights. Various country laws specify the right of victims to pragmatic services such as legal assistance, medical services, psychological services, language interpretation, temporary shelter, financial assistance, necessary documents (such as temporary visas and residence permits), and security measures to protect victims and witnesses (for example, concealment of identity). Other laws stipulate the right of victims to state their position, to be heard, and to obtain compensation for damages suffered. On occasion, laws demonstrate sensitivity to the specific needs of female victims; for instance, Syrian law specifies that another woman (or women) be present while female victims are interviewed.

3. Foundation of a national committee

The TIP Protocol obliges states to establish policies and programmes and undertake measures, such as research studies, media campaigns and other initiatives, to prevent and combat trafficking (TIP Protocol,

³⁴ Decree Law 12 of 1994 (Concerning Crimes and Penalties, Article 248 (Yemen); Law no.45 of 2002 on Children's Rights, Article 161 (Yemen).

Article 9). Establishment of a national committee on trafficking may therefore be considered a measure of state compliance with the TIP Protocol. Overall, ten countries that are party to the TIP Protocol have established a National Committee on Trafficking: Bahrain, Egypt, Iraq, Jordan, Lebanon, Oman, Qatar, Saudi Arabia, the Syrian Arab Republic and the United Arab Emirates. Four countries that are party to the TIP Protocol have not founded a national committee on trafficking (Kuwait, Libya, Morocco and Tunisia). Yemen, although not party to the TIP, has nonetheless founded a national committee.

The activities of national committees on trafficking include the development of action plans and programs for preventing and combating trafficking and protecting victims, in addition to cooperation and coordination with authorities. They also include the development of research programmes, mass media campaigns, social and economic initiatives to combat trafficking, preparation of reports regarding implementation of anti-trafficking efforts, proposal of recommendations to combat trafficking, proposal of measures to assist victims and issuance of educational materials. The national committees' reports of some countries provide information on the number of persons convicted of trafficking and the number of victims. However, the reports of most anti-trafficking national committees list activities without assessing the impact of these activities on trafficking in persons or on the establishment of systematic anti-trafficking procedures.

4. International cooperation

International cooperation is not mentioned in the laws of Bahrain, Jordan, Kuwait, Lebanon, Saudi Arabia or the United Arab Emirates. However, the laws of Libya, Morocco, Iraq and Oman mention issues of international cooperation, while Egypt, Qatar and the Syrian Arab Republic devote complete sections of their laws to international judicial cooperation.

International and regional cooperation in the field of anti-human trafficking in the region focuses mainly on training and capacity building. Data on other aspects of international cooperation, such as juridical cooperation, is not available. Nor is information available to facilitate assessment of the impact of the activities mentioned above on the institutionalization of anti-trafficking practices. As international and regional cooperation activities focus mainly on capacity building, the dimension of victim protection is almost entirely missing.

III. NATIONAL EFFORTS AND SERVICES TO PROTECT VICTIMS OF TRAFFICKING

PROVISION OF SERVICES FOR VICTIMS OF TRAFFICKING

During trafficking, victims are subjected to various forms of human rights violations. These violations may include one or more of the following: physical harm, psychological harm, trauma, lack of shelter, and lack of legal assistance. It is therefore crucial that states provide victims not just with shelter, but also with legal assistance and health services.

1. Legal assistance

All anti-trafficking laws in the region, except the United Arab Emirates and Lebanon, stipulate the provision of legal assistance for victims. The Lebanese law authorizes the Minister of Justice to hold agreements with specialized institutions or associations to provide assistance and protection to victims.

When they exist, little is known about the actual provision of services. This may be due to the fact that no statistics are released regarding the number of victims who have received legal assistance. Moreover, some countries turn over the provision of legal assistance to NGOs. Thus, legal assistance for the victims of human trafficking in the ESCWA states is typically provided directly through state juridical systems, or through non-governmental organizations. Indeed the laws of some ESCWA member states delegate the task of protecting the victims of human trafficking.

2. *Establishment of shelters*

Most anti-trafficking laws in the region stipulate the provision of shelters for the victims of human trafficking. However, complete data is not available regarding the availability and number of shelters, or the number of victims who have benefited from such shelters.

3. *Rehabilitation efforts*

In countries whose anti-trafficking laws stipulate the foundation of national anti-trafficking committees, such committees often provide, directly or in cooperation with national NGOs, the medical, psychological and social services to victims. For example, article 5 of the Jordanian Anti-Trafficking Law stipulates that the Anti-Human Trafficking National Committee, implement, in collaboration with official and non-official entities, programs for the physical, psychological and social recovery of victims. The article also requires that the National Committee supervise the provision of shelter.³⁵ In the case of laws that do not stipulate the foundation of national committees, such laws typically require direct government provision of health and rehabilitation services for victims. The Saudi Anti-Trafficking Law, which makes available such services for victims, is an example of this. No data is available regarding the number of victims who have received such services, or of the type of trafficking such victims may have undergone.

IV. NATIONAL EFFORTS TO PREVENT TRAFFICKING IN PERSONS

A. CAPACITY BUILDING EFFORTS TARGETING STATE AND NON-STATE ACTORS

Some countries depend in part on foreign aid (through partnership with regional and international organizations) to conduct capacity-building activities, and consider capacity building efforts to prevent trafficking to be part of their routine work. They therefore do not publish information on such activities. Country reports, if available, tend to be more qualitative than quantitative.

The lack of standardized mechanisms to produce and publish country reports makes it difficult to carry out cross-country comparisons. It is important to develop a standard reporting system capable of collecting and presenting qualitative and quantitative data on capacity building and other activities related to combating and preventing human trafficking. Similarly, states need to carry out evaluation studies to measure the outcomes of their plans and activities, and to assess their contribution to anti-trafficking efforts and to the institutionalization of victim protection.

B. ADVOCACY AND NATIONAL AWARENESS CAMPAIGNS

Governmental advocacy and national awareness campaigns in some ESCWA states lag behind the activities of NGOs. Most awareness activities are carried out by NGOs. Only one country in the region, Lebanon, joined the international Blue Heart Campaign led by UNODC.³⁶

V. WAY FORWARD

In order to effectively address the crime of trafficking in persons in the ESCWA region, actions are needed at different levels (national, regional and international), and within every domain (policy, legislative, legal, advocacy, capacity building and networking). Tackling the root causes of trafficking – poverty, unemployment, inequality, gender discrimination, sexual violence, social exclusion and marginalization,

³⁵ Law No. 28 of 2010 (Law of Combating Human Trafficking), Jordan.

³⁶ The Blue Heart Campaign Against Human Trafficking is an awareness raising initiative to fight human trafficking created by UNODC.

armed conflicts and natural disasters³⁷ – is the ultimate approach that requires governments to (a) implement comprehensive policies and plans aimed at enhancing economic and social development, the rule of law, promotion of human rights (including women’s and children’s rights), good governance, and education for all; and (b) mainstream the issue of trafficking in persons in all national socioeconomic strategies. But addressing this crime is not the sole responsibility of governments; civil society organizations and international development agencies are essential partners in this process. The following are some proposed policy options and actions for consideration by all stakeholders towards the elimination of trafficking in girls and women in the region:

A. STATES

1. *Legal and legislative frameworks*

In order to combat trafficking in persons, states should establish legal and legislative frameworks that comply with international conventions and protocols. In countries where actions have not been taken yet, there is an urgent need to (a) ratify international conventions on trafficking, especially the Palermo Convention and the TIP Protocol; (b) pass anti-trafficking laws to establish a solid legislative basis for combating human trafficking; and (c) ensure that victim protection measures and prevention strategies are both addressed in legislation and carried out in practice.

2. *Capacity building, cooperation and awareness*

States should build national anti-trafficking capacities, and increase cooperation within the country as well as with other states and regional and international organizations. Efforts should be invested to: (a) make resources to conduct capacity building activities available at the state level, and treat international cooperation and support from international and regional organizations as added value rather than simply a component of capacity building; (b) address issues related to advocacy and awareness-raising efforts directly through the state and/or in partnership with the media and non-governmental organizations. When implementation of awareness raising efforts is delegated to non-governmental organizations, states should oversee and monitor the overall process of implementation; (c) consider integrating issues related to human trafficking into the curricula of schools and universities; (d) ensure that capacity building activities cover a broad range of actors involved in combating trafficking – law enforcement agencies, justice authorities; and (e) Enhance data collection and dissemination measures; collect and publish data on trafficking on a regular basis (quarterly, semi annually, or annually); integrate gathered data into statistical databases that are routinely collected, classified, and published by regional statistical bureaus; strengthen the quantitative aspect of such data by publishing information on number of offenders and victims by age, sex, nationality, and type of human trafficking crimes; and standardize country reports to facilitate cross-country comparisons.

B. CIVIL SOCIETY

In countries without national anti-trafficking laws, NGOs often play the role that governments should play in combating trafficking, especially in regard to victim protection. Women’s and children’s NGOs are particularly well placed to address trafficking issues, as they work closely with their target population and are aware of local conditions and root causes. The role of regional human rights organizations in the field of anti-trafficking should therefore be strengthened to enhance their capacity to combat trafficking and provide protection. Collaboration is essential between governmental and non-governmental organizations to monitor the process of development and implementation of national anti-trafficking legislation, policies and plans. NGOs can act as pressure groups to ensure that governments give more attention to issues related to anti-trafficking efforts.

³⁷ United Nations (2010) United Nations Global Plan of Action to Combat Trafficking in Persons, Resolution adopted by the General Assembly, Sixty-fourth session, The United Nations, New York.

1. Integrating anti-trafficking into NGO activities

NGOs working in the fields of social protection, poverty alleviation, and women and girls' rights should integrate anti-trafficking programs into their plans and activities. Since a large proportion of human trafficking victims are women and girls, women's rights organizations should consider developing programs to incorporate awareness-raising and protection of victims as part of their activities.

2. Networking

NGOs in the region should work together to create regional and national thematic networks of non-governmental organizations active in the field of anti-trafficking. They should coordinate efforts, exchange ideas, share experiences, propose and implement awareness-raising activities, and coordinate in making services available to assist victims.

3. International cooperation

In cooperation with governmental organizations, NGOs should expand their cooperation with international NGOs as well as with international and regional organizations, in order to implement international anti-trafficking initiatives on regional and national levels. Complementing international cooperation undertaken at the level of states, NGOs should develop country and region-specific versions of international initiatives that respond to identified needs and conditions.

C. INTERNATIONAL ORGANIZATIONS

1. Regional initiatives

International development agencies (including United Nations entities) should lead regional initiatives on anti-trafficking and develop region-specific versions and action plans, in consultation with Arab states, that take into account cultural and socioeconomic specificities of the region.

2. Cooperation and coordination with regional organizations

International organizations should foster cooperation on human trafficking issues with regional organizations such as the Arab Labor Organization, the League of Arab States and the Gulf Cooperation Council. Cooperation may include technical support in the fields of legislative development, refinement of model laws, training of trainers and region-specific training modules, and setting up inter-regional mechanisms for monitoring, evaluation, reporting, and exchanging of experiences.

3. State-specific support

In addition to regional initiatives and cooperation, international organizations should work closely with individual states to help them draft and then pass anti-trafficking laws, build the capacity of all national stakeholders to address trafficking crimes, and establish monitoring, evaluation, and reporting mechanisms. The objective should be to strengthen governmental capacities and institutions in a manner that allows national ownership and long term sustainability.