

## **GFMD Thematic Workshop on GFMD's contribution to the GCM**

### **GCM Cluster 5: Smuggling of Migrants, Trafficking in Persons and Contemporary Forms of Slavery, including appropriate identification, protection and assistance to migrants and trafficking victims**

**6 September 2017, 14:00-16:00**  
**Vienna – Hotel Savoyen – Mancini 3B**

1. The Working Session on Smuggling of Migrants, Trafficking in Persons and Contemporary Forms of Slavery was chaired by Ambassador Michael Tene, Deputy Permanent Representative of the Permanent Mission of the Republic of Indonesia to the United Nations, WTO and other International Organizations in Geneva. Ambassador Esteban Conejos of the Philippines delivered the overview on the GCM which was excerpted from the draft GFMD Contribution report. Meanwhile, Mr. Sacha Chan Kam, Senior Regional Thematic Specialist at IOM Vienna on the other hand, served as the Rapporteur of the working session who synthesized the key outcomes and recommendations that emerged from the discussions.
2. Ambassador Tene affirmed the timeliness and importance for the GFMD to contribute to the discussions on the GCM and, in particular, on the issue of smuggling and trafficking. Drawing from Indonesia's experiences and geography as a transit country of both migrants and refugees, he shared a key lesson that his country has learned through the years: no country can deal with the issue of trafficking and smuggling alone. Countries of origin, destination and transit, in partnership with other humanitarian organizations, need to cooperate and collaborate together under the principle of burden sharing and shared responsibility in order to address this issue.

### **Overview on the GFMD Report's Chapter on GCM Cluster 6**

3. Ambassador Conejos articulated that the issue of smuggling of migrants and, consequently, assistance to vulnerable migrants and victims of trafficking, have been addressed in a number of GFMD discussions, mostly in relation to human rights. Past GFMD discussions, he mentioned, revolved around three recommendations which are outlined in the draft GFMD Contribution, namely:
  - a) *Protecting most vulnerable migrant groups and victims of trafficking and smuggling (irregular migrants, victims of human trafficking, women, unaccompanied children, elderly and disabled persons);*
  - b) *Fighting human trafficking, smuggling of migrants and contemporary forms of slavery;*
  - c) *Improving identification.*
4. Under each of the above policy areas above, there are political/general recommendations and practical/actionable recommendations, which Ambassador Conejos elucidated, to wit:
  - a) In protecting the most vulnerable migrant groups and victims of trafficking, appropriate legal frameworks must be in place to protect all migrants in all stages

of the migration process and irrespective of their status. The development of voluntary guiding principles and non-binding guidelines on migrants in vulnerable situations in countries of origin, transit and destination was also recommended.

- b) In fighting human trafficking, smuggling of migrants and contemporary forms of slavery, one recommendation is to put greater focus on irregular migration and recognize the increasingly mixed character of irregular movements. To this end, providing and strengthening information programs and campaigns to increase public awareness of smuggling of persons was suggested.
- c) There is a need to develop effective mechanisms for migrant identification and facilitate adequate and timely support especially for migrants with specific protection needs.

5. The Chair opened the floor and invited all participants to respond to the three guiding questions. Below is a summary of the main takeaways from the discussions.

**Question 1: How can the GCM facilitate sustainable implementation of commitments in international standards and frameworks related to the topics covered by this thematic cluster?**

- Participants recognized the existence of applicable robust international legal frameworks. They urged Member States to make every effort to ratify and domesticate international conventions and protocols, including the upcoming GCM. They further underlined the importance of advancing the implementation of those frameworks and provide clear guidance at the national level.
- Capacity building and strengthened cooperation among frontline actors in countries of origin, transit and destination was also emphasized to identify all actors involved at all phases of trafficking and to hold them accountable. Participants recognized that trafficking and smuggling are transnational and trans-border offenses which require greater cooperation and information sharing between states and front-liners.

**Question 2: How can the GCM further advance relevant recommendations and good practices shared within the GFMD and affirmed in several UN documents?**

- Participants stressed that states should intensify bilateral efforts at raising awareness, while engaging local authorities in advocating for the protection of migrants so that they are not viewed as a threat or security risk. States were enjoined to provide protection to vulnerable migrants while upholding their sovereignty and national security. Moreover, there is a need for states to work together for better investigation tools, and involve Interpol to facilitate international police and security cooperation.
- Participants converged around the notion that Regional Consultative Processes (RCPs) fosters constructive collaboration. While RCPs are differentiated in many aspects, there are a number of good practices that can be learned from them. RCPs take into account both regional diversity and specificity; hence the GCM should acknowledge existing regional frameworks such as the Bali Process, and not just the global ones.
- Participants mentioned that the GCM should be a catalyst for coordination at the global level, not just among UN agencies but as well as other actors in the same international field. Furthermore, participants urged the need for the GCM to facilitate safe, orderly and regular migration to prevent trafficking and human rights abuses along migration routes, as irregular migration journeys raise the risk of trafficking.

**Question 3: Which current challenges, if any, are not yet sufficiently covered by existing international standards and frameworks and therefore require specific emphasis by the GCM?**

- The absence of data is still seen as one of the challenges in the issue of trafficking and smuggling. Data collection in this area, according to participants, remains fragmented and available in silos. Limited evidence could be a risk factor for migrants who are in irregular situation.
- Participants pointed out the divergences in the usage and understanding of various terminologies. For example, the way irregular migrants are dealt upon should be nuanced as some of them are not in a vulnerable situation. Likewise, cases of smuggling and trafficking do not always involve organized criminal groups, as empirical research has shown. Hence, participants underlined the need for a coherent usage of terminology, a glossary of terms in human trafficking, and a deeper understanding of the concepts involved.

6. At the end of the session, the thematic expert rapporteur summed up the highlights of the discussions. The following table sums up the main points of convergence, practical recommendations and remaining challenges or issues for further discussion.

<b>Points of Convergence</b>	<b>Practical Recommendations</b>	<b>Challenges / Issues for further discussion</b>
Recognition of robust legal frameworks; political commitment of states; importance of RCPs; GCM as a catalyst for coordination	Training of front liners; identification of victims throughout the migratory process; state cooperation on sharing of data and best practices	Ratification of international frameworks; varied interpretation of terminologies; experts working in silos