

GFMD Recommendations to the Global Compact on Migration

CLUSTER 5:

SMUGGLING OF MIGRANTS, TRAFFICKING IN PERSONS AND CONTEMPORARY FORMS OF SLAVERY, INCLUDING APPROPRIATE IDENTIFICATION, PROTECTION AND ASSISTANCE TO MIGRANTS AND TRAFFICKING VICTIMS

The issue of smuggling of migrants and consequently assistance to vulnerable migrants and victims of trafficking has been addressed in a number of GFMD discussions, mostly in relation to human rights. GFMD has outlined several practical recommendations and examples of inter-state collaboration to tackle this issue.

Recognizing the lack of global principles on migrants in vulnerable situations, including children, the [Sutherland Report](#) proposes to commission an Independent Expert Panel to: a) develop a working definition of “migrants in vulnerable situations”; and b) provide an overview of the applicable international legal frameworks and non-binding instruments, and identify where protection gaps currently arise in law and in practice¹. In addition, Sutherland urges states to cooperate to undercut the criminal networks that thrive on their smuggling, abduction and exploitation².

Past GFMD discussions have come up with a significant number of recommendations around the relevant topics. These include (selection):

(1) Protecting most vulnerable migrant groups and victims of trafficking and smuggling (irregular migrants, victims of human trafficking, women, unaccompanied children, elderly and disabled persons)

- Ensure **appropriate legal frameworks and policies are in place to protect all migrants** irrespective of their status and at all stages of the migration process from

¹ [Report of the United Nations Special Representative of the Secretary-General for International Migration, A/71/278, \(Sutherland Report\)](#), Recommendation 1.

² [Sutherland Report](#), Recommendation 3.

violence, abuse and exploitation. **Specific attention** and protection need to be granted to the **most vulnerable groups including victims of trafficking and smuggling**.

- Develop **voluntary guiding principles and non-binding guidelines on migrants in vulnerable situations** in countries of origin, transit and destination. Develop national strategies to operationalize these and set up a multi-stakeholder and a “whole of government” approach to migration governance, covering all policy dimensions of migration and ensuring that “no migrant is left outside” of the framework.
- Form and strengthen **existing partnerships for more regular and protected migration** and develop joint strategies to address irregular migration (e.g. circular or temporary migration schemes, coherent migration and development strategies).

(2) Fighting human trafficking, smuggling of migrants and contemporary forms of slavery

- Put a **greater focus on irregular migration and recognize the increasingly mixed character of irregular movements**, which may include persons in need of special assistance and protection. Establish joint mechanisms for international cooperation at the multilateral, regional and bilateral levels to minimize irregular migration and tackle human trafficking and smuggling.
- Design **particular measures to ensure the safety and protection of migrants who have experienced violence**, and special protection measures to prevent reoccurrence or further victimization (e.g. accessible and confidential gender-based violence prevention and protection services, functioning (trans-)national referral pathways).

(3) Improving identification

- Develop **effective mechanisms and procedures for the identification of migrants** who have specific protection needs in order to provide them with **adequate support and protection** as soon as possible upon arrival, especially unaccompanied children. Develop particular measures to identify and help potential victims of trafficking.
- Strengthen and improve **systems of migrant identification based on protection-sensitive principles**, which acknowledge the specific needs of each group (e.g. unaccompanied children). Measures include appointing protection assistance focal points who are conversant with associated procedures and can act as liaison officers between the different actors providing protection assistance to vulnerable migrants.
- Develop **capacities of immigration and other relevant officials through providing specialized training**. Refer persons belonging to vulnerable groups to specialized medical, psychological and social services where needed in coordination with relevant governmental and non-governmental actors.

Guiding questions for the discussion:

A number of recent UN documents, such as the [2030 Agenda](#) and the [Sustainable Development Goals](#), provide a framework – although not legally binding to states – that addresses a number of migration and development-related challenges. With this in mind:

- How can the GCM facilitate sustainable implementation of commitments in international standards and frameworks related to the topics covered by this thematic cluster?
- How can the GCM further advance relevant recommendations and good practices shared within the GFMD and affirmed in several UN documents, notably the [Sutherland Report](#), the [New York Declaration for Refugees and Migrants](#)³ and the latest [Report of the Secretary General on Migration](#)⁴?
- Which current challenges, if any, are not yet sufficiently covered by existing international standards and frameworks and therefore require specific emphasis by the GCM?

³ [New York Declaration for Refugees and Migrants](#), A/Res/71/1.

⁴ [Report of the Secretary General on Migration](#), A/70/59.