Anti-trafficking in humanitarian settings:
gaps and priorities for a more systematic response

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JUSTICE & CARE

Foreword

In the crucible of humanitarian crises, where millions suffer the ravages of conflicts and climate-induced disasters, the plight of the vulnerable is stark. By 2023, the number of people in dire need of humanitarian aid surged to 362 million (up from 274 million only a year earlier). This staggering number casts a haunting shadow, as each life is precious and vulnerable. Protracted conflicts in places like Ukraine, North Africa, Afghanistan, Yemen, and the relentless turmoil in the Gaza Strip showcase the unyielding nature of these crises, leading to mass movements of distressed populations.

Within this turmoil, anti-trafficking efforts face a formidable challenge. Hundreds of thousands of people, internally displaced or crossing borders in search of safety, confront an exacerbated susceptibility to human trafficking. Despite the best efforts of the international humanitarian response, anti-trafficking work struggles to claim its place as a 'lifesaving' endeavour. Fragmented initiatives and siloed approaches have hindered the development of a comprehensive, scalable response.

This report's revelations are striking. While global awareness of trafficking risks in humanitarian settings has grown significantly, and should be applauded, substantial gaps persist. Specialist capacities, protection for internally displaced persons, inter-agency leadership, frontline worker capabilities, and sustained funding represent critical areas where systemic failures endure.

The call for action in the report echoes loud and clear. It's a call to view anti-trafficking efforts as imperative for saving lives and to respond urgently with sustained investments. This plea resounds especially to donors, States, UN agencies, and international NGOs.

In an era plagued by escalating crises, where vulnerabilities to trafficking surge alarmingly, the imperative for a robust, systematic anti-trafficking response stands as an urgent global mandate.

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Glossary

AoRs	Areas of Responsibility
CP	child protection
GBV	gender-based violence
GPC	Global Protection Cluster
IASC	Inter-Agency Standing Committee
IDPs	internally displaced persons
IOM	International Organization for Migration
NGOs	non-governmental organisations
Task Team	Global Protection Cluster's Anti-Trafficking Task Team
TIP	trafficking in persons
TPD	Temporary Protection Directive
UN	United Nations
UNHCR	UN Refugee Agency
UNODC	United Nations Office on Drugs and Crime
VOTs	victims of trafficking

Introduction

Currently the world is experiencing multiple crises, with devasting humanitarian consequences. Globally, a record 362 million people are identified to be in need of humanitarian assistance. [1] According to the UN Refugee Agency (UNHCR), at the end of 2022, '108.4 million people worldwide were forcibly displaced as a result of persecution, conflict, violence, human rights violations and events seriously disturbing public order,' [2] 62.5 million of whom were internally displaced. [3]

As millions become dislocated and large-scale movements of people become displaced for long periods of time - cut off from basic services, livelihoods and communal safety - many resort to high-risk behaviours and potentially dangerous coping strategies, leading to very high levels of vulnerability. Consequently, this - together with the presence of those seeking to exploit such vulnerabilities – means that human trafficking is an increasing risk of humanitarian disasters (whether conflict or climate induced, or both). [4] Existing forms of human trafficking and heightened vulnerabilities are exacerbated before, during and after crisis, with trafficking most commonly taking the form of i.) trafficking of persons fleeing humanitarian disasters; ii.) trafficking during humanitarian disasters, iii.) trafficking in post-emergency situations. [5]

Yet, despite this burgeoning and devastating consequence, key reports revealed evidence of systemic failures in trafficking prevention, identification, protection and assistance throughout earlier humanitarian responses. Indeed, when asked to take stock of earlier practice in 2017, the UN's Global Protection Cluster Coordinator identified that human trafficking had been 'one of the largest human rights violations exacerbated in times of crises where the humanitarian community' had no 'predictable, at-scale way to respond.' [6]

In response to this evidence, the UN established a new Task Team, which put forward a number of critical recommendations. However, after conducting a review of the existing literature and available evidence, it was unclear whether subsequent changes in the system had created a more predictable, at scale response. Consequently, this project employed an in-depth qualitative research design, with the aim of providing a current picture of vulnerability, progress made in recent years, promising practices that are emerging and persistent challenges and recommendations associated with addressing trafficking in humanitarian settings.

Report overview

This report is divided into 8 main sections. These provide: the background to the study; an analysis of heightened vulnerability in humanitarian settings; detail of growth in awareness and visibility of the issue; core challenges related to specialist anti-trafficking capacity; gaps in frontline and back-end capacity; dynamics of the relevant funding contexts, and; a focus on wider areas of concern (the traffickers and formal identification processes). The final section provides a case study of Ukraine - examining the anti-trafficking responses following the full-scale Russian invasion.

Research methodology

The project applied a qualitative research methodology. A desk-based review was conducted of the existing literature relevant to trafficking-related risks in humanitarian settings, including previous reviews, research and studies and policy documents from UN agencies, inter-governmental organisations and international NGOs.

Interviews conducted for this research

Between July to October 2023 a series of semi-structured interviews were conducted online with 30 participants. The vast majority came with 25-45 years relevant professional experience. Most of whom specialised in anti-trafficking work in humanitarian settings and a small handful also sat on the Global Protection Cluster's Anti-Trafficking Task Team. They also represented a cross-section of stakeholders both at headquarters and at country level, as well as four experts from leading research institutes.

The 30 participants came from the following organisations and institutes: International Organization for Migration (IOM), the UN Refugee Agency (UNHCR), International Labour Organization (ILO), United Nations Office on Drugs and Crime (UNODC), La Strada International, Organization for Security and Co-operation in Europe - Office of Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSCE-OSR), United Nations Development Programme (UNDP), Save the Children, Plan International, British Red Cross, Caritas Europa, Caritas Internationalis, Walk Free, Anti-Slavery International, Missing Children, Counter Trafficking Network, The Freedom Fund, Operation Orphan, Rights Lab (University of Nottingham), Center for Global Development, Institute of Development Studies. Two participants also operated as 'independent' anti-trafficking consultants.

Limitations of the study

The review was intentionally broad - involving a range of different stakeholders across a number of different settings and geographies and hence the depth of analysis from any particular perspective is more limited. Instead, this study seeks to identify overarching lessons - some of which need further investigation in specific settings in order to further refine relevant findings and recommendations.

Note on Terminology

Throughout the report we use the definition of human trafficking as set out in the Palermo Protocol. 'Trafficking in persons' (hereafter, TIP) shall mean '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.' [7] We also note that the term 'exploitation', as used in this definition encompasses 'sexual exploitation, forced labour, slavery, servitude and removal of organs.'[8]

By 'humanitarian settings', we refer to contexts where humanitarian actors are present and active, irrespective of the official activation of a cluster, or comparable coordination systems at the country level.[i] This has allowed for a more nuanced approach, where a broad macro-level analysis can be developed, spotlighting key global trends – in turn enabling a fuller assessment of progress, gaps and priorities.

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i Throughout the report we use the term 'protection cluster, sector and other organisational forms of humanitarian response' – in doing so, we also include contexts where a state of emergency is not officially declared, nor is a humanitarian coordination system fully activated.

1. Background to the study

This project responds to, and develops a key finding established in our earlier Issue Brief, where we identified that current humanitarian responses to climate- and conflict- induced crises frequently fail to address, or even account for - the risks of exploitation among IDPs and refugees, despite evidence of heightened vulnerability to modern slavery.

After conducting an in-depth survey of the existing literature and the available evidence, it was clear that there have been systemic failures in trafficking prevention, identification, protection and assistance throughout earlier humanitarian responses. As William Chemaly, the previous Global Protection Cluster Coordinator noted,

'Trafficking in persons remains one of the largest human rights violations exacerbated in times of crises where the humanitarian community does not have a predictable, at-scale way to respond'[9]

In 2017, in response to this systemic issue, and as part of the wider Global Protection Cluster's (GPC) [ii] approach to areas of focus, the GPC established the Global Protection Cluster's Anti-Trafficking Task Team (hereafter, Task Team), co-led by the International Organization for Migration (IOM) and UNHCR, the UN Refugee Agency. [10] The Task Team was established as a time-bound entity to: 'take stock of existing anti-trafficking work done through the clusters; to gather good practices; and to develop guidance on addressing trafficking in humanitarian responses in IDP settings.' [11]

Within the first few years of its formation, the Task Team conducted a large stock-taking exercise with protection cluster and Area of Responsibility coordinators, across 29 live humanitarian responses. The project report provided a very honest overview of some of the prevailing issues. Most notably, it concluded that,

'Despite the identification of a link between TIP and emergency contexts, trafficking prevention and response is frequently overlooked or not addressed in a comprehensive manner in humanitarian responses.' [12]

The report also summarised some key recommendations offered by protection cluster coordinators, identifying how the Task Team could prioritise activities and develop a work plan moving forward. In response, the Task Team published its Introductory Guide to Anti-trafficking Action in Internal Displacement Contexts in 2020, which sought to introduce practitioners to the issue of trafficking in persons in specific humanitarian contexts. [iii]

By 2021 – having examined the findings from the stock taking exercise, and moreover the wider global patterns - the UN Special Rapporteur on Trafficking in Persons, Siobhán Mullally, identified that there had been a 'siloing of [TIP] expertise and support... [and a] fragmentation of knowledge and practice' across the overwhelming majority of protection cluster responses. [13]

When we spoke with the participants for this present study, it was clear that they had also observed the aforementioned 'siloing' and 'fragmentation' of TIP prevention and response. The overwhelming majority confirmed and amplified the concerns raised by the Task Team and the UN Special Rapporteur in relation to protection clusters. Many had also observed such issues across protection sectors and other organisational forms of humanitarian response. Others suggested the situation had been far worse. As we summarise in Box 1, this was especially seen in relation to: TIP not being prioritised as a protection risk; significant capacity issues; the overwhelming lack of political will; and limited TIP knowledge by frontline humanitarian workers.

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ii The Global Protection Cluster is the principal network of UN agencies, international organisations and NGOs, engaged in protection work in humanitarian crises. It is mandated by the Inter-Agency Standing Committee (IASC) and led by UNHCR.

iii The guide was intended to provide an introductory overview for practitioners who might assist in the detection, identification, referral, protection and assistance of trafficked persons who may be internally displaced or part of a crisis affected population.

Box 1: Key findings provided by research participants confirming earlier systemic failures

Not prioritised as a protection risk

Participants recalled how such work was not perceived as a 'life-saving' intervention, and that a focus on TIP was overwhelmingly absent from the vast majority of Humanitarian Needs Overviews (HNOs) and Humanitarian Response Plans (HRPs).[iv] TIP was rarely prioritised as a protection risk nor outlined as a prevention need and resources were extremely limited or non-existent. In short, whilst there was no required responsibility nor clear mechanism in place to report risks or identify protection needs,[v] action on TIP was largely dependent on the extent to which certain forms of human trafficking could be addressed within existing Areas of Responsibility (for instance, child marriage within child protection or gender-based violence). A few participants noted that otherwise, anti-trafficking work would depend on high-ranking staff who understood: the need for effective anti-trafficking work; the extent to which it could be deployed in the specific location(s), and; how (or, if) it could be deployed effectively. This was often complicated further by the fact that many foreign humanitarian workers knew little of the national context and the support structures already in place. More often than not, TIP was perceived to be a 'too complex issue' given the broader context (such as limited rule of law, the lack of national-systems and frameworks in place for TIP - together with wider political and economic challenges). Consequently, any systematic work on TIP was rare and fraught with issues.

Capacity issues

Significant gaps in staffing capacity were a further consistent finding. The vast majority of participants with in-country experience spoke of the overwhelming absence of in-field anti-trafficking expertise during this period. For example, one noted,

'I never really came across somebody [during a] response... that was the trafficking expert. There was no position just for that.' (Plan International)

Such findings are particularly poignant, given that the broader context at the time was one where humanitarian work was seen to rely very heavily on an 'excessive fragmentation of protection issues,' with only specialists able to deal with specific issues connected to TIP or related human rights concerns (IOM, 1). TIP was treated as a 'very niche area' and one that gained very little investment or funding, by contrast to the more pressing 'life-saving work' that donors support due to greater identified 'impact'.

Lack of Political Will

A few participants reflected on specific protection sector responses where funding was released and they had been deployed as anti-trafficking specialists. However, during those deployments they had come across substantial barriers which significantly impeded the extent to which

effective anti-trafficking work could be fully operationalised. By way of illustration, one recounted an event in 2014, following the first Russian invasion in the East of Ukraine. During a presentation on trafficking to the protection sector, they noted how representatives from humanitarian organisations seemed perplexed as to why such content was being discussed. The participant explained how those colleagues,

'...looked really puzzled... [the] impression that I got from their general attitude [was along the lines of] "it sounds interesting, but why are we talking about this? We have other things to talk about which we normally discuss in these IDP settings." (Independent anti-trafficking consultant, 1)

Likewise, a different consultant spoke of substantial challenges where the UN Resident Coordinator would not pass on TIP data to relevant government ministers to evidence the need for anti-trafficking investment and assistance. A 'lack of political will' was suggested as the key driving factor behind the blockage. Likewise, there were a number of instances where high-ranking staff coordinating inter-agency work did not appear to 'take seriously nor understand the risks' (Independent anti-trafficking consultant 2).

Lack of knowledge by frontline humanitarian workers

The absence of a more generalised knowledge on human trafficking by frontline humanitarian workers was also firmly evidenced. This wider capacity issue was identified by all participants with in-country experience and by the majority of participants with extensive policy/research expertise. Participants spoke very highly of frontline humanitarian staff who were deployed due to their wealth of technical and specialist knowledge (in areas such as sanitation, clinical health etc). They are required to operate in extremely pressurised and complex environments where conditions are tough and trauma is pervasive. However, despite various training received, the overwhelming evidence for this period of time was that those highly trained professionals had very rarely received any training related to broader issues of human rights or trafficking. Put simply, the majority had little to no understanding of how to identify, prevent or respond to instances of TIP. As one participant noted,

'What I saw time and again was highly trained professionals working in the humanitarian space who thought "this isn't my problem"... There was an insufficiency of training, which meant they could not recognise the problem nor know how to programme against it... For those that could recognise it, it was clear that they did not know what to do, nor what reporting mechanism to use.' (Independent anti-trafficking consultant, 2).

Whilst these findings were clear, what our literature review could not establish was whether there had been subsequent systemic change following the Task Team's recommendations. Our review of the literature found no evidence documenting this. In response, this project aims to provide a picture of vulnerability, progress made in recent years, promising practices that are emerging and persistent challenges, as well as recommendations for further progress associated with addressing TIP in these settings.

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iv On the occasions where a focus was included, it was typically to support existing projects that already addressed TIP, or to encourage partners to carry it on after the response.

v Especially related to protection clusters, however a number of participants spoke of this regarding specific protection sector contexts too. By contrast, this was seen less in European settings.

2. Vulnerability

Factors contributing to heightened vulnerability

People living in conflict-areas are susceptible to abuse, violence and exploitation, including human trafficking. [14] Additionally, and as we note in our earlier Issue Brief, 'individuals forcibly displaced due to conflict and environmental disasters face heightened vulnerability to modern slavery and human trafficking – exacerbated by systems invariably overwhelmed by the crisis. Conflict and climate change further interact to create a "double vulnerability" to exploitation among populations in war-torn regions'. [15]

Participants in this study spoke of many factors that they saw contributing to heightened vulnerability to TIP. Factors largely fell within the existing models of vulnerability as offered by UNODC's 'trafficking in armed conflict', [16] IOM's determinants of migrant vulnerability' [17] and ICAT's 'vulnerability to trafficking in persons.' [18] Those models recognise the intersection of factors that increase the risk of TIP (namely, personal, contextual and situational). [19] Collectively they also offer a drivers theory, based around social fragmentation and disruptions to family unity, displacement, humanitarian need and socioeconomic stress, and a lack of capacity of the appropriate responders to mitigate risk.

What participants were also keen to acknowledge was that when humanitarian emergencies break out, those who are well positioned (with employment, community, resources etc) are generally able to move and set up elsewhere. Those that are unable to relocate to safe locations become exposed. Additionally - and as we previously note – 'the link between climate change, migration and modern slavery are especially marked among populations living in precarious or uncertain economic conditions. The most severe impacts of climate change are not necessarily in areas exposed to the greatest environmental threats, but in places where communities' capacities to cope with these threats are lacking and populations are already struggling and have limited resources to overcome the consequences of extreme weather events.' [20]

"Delayed vulnerability" is a further substantial concern. With protracted conflicts and slow onset environmental disasters, large-scale movements of people become displaced for longer periods of time. Consequently, access to basic services and livelihoods become precarious and more remain disconnected from places of communal safety. In such circumstances – where vast numbers of people are searching for any opportunity to restore their lives, or worst, survive (in the most basic sense of the word) – more resort to high-risk behaviours and potentially dangerous coping strategies, leading to very high levels of vulnerability. [21] Unscrupulous brokers and employers and organised criminal networks are quick to take advantage of this.

Although participants did not raise this as a systematic issue, it would be amiss to not also mention the fact that members of the international protection community have themselves exploited the vulnerability of people living in disaster settings. This has been especially evidenced in the conflict surrounding Bosnia and Herzegovina in the mid-1990s, where the 'presence of peacekeepers led to the establishment of brothels and prostitution, where trafficked women from Eastern Europe were abused by the soldiers' and, more strikingly, a small number of International Police Task Force monitors purchased women and their passports from traffickers and brothel owners. [22] In more recent years, substantial evidence of similar criminal activity has also emerged from Haiti, the Central African Republic, Sri Lanka, Somalia and the Democratic Republic of Congo. [23]

We return to the issue of vulnerability in the broader recommendations of this report, with the intention of elevating the issue and reducing vulnerability to human trafficking - including from the international protection community themselves.

Suggested practices: participants spoke about a range of policies and practices that could help to reduce different dimensions of vulnerability to human trafficking. These included: the establishment of safe and regular migration pathways and labour pathways; safe access to essential services and humanitarian support; the provision of adequate resettlement opportunities; effective access to asylum protection; carefully targeted support and assistance in the correct locations (including origin, transit and destination countries); tailored support for children (especially 'unaccompanied', 'separated' and those from institutional care settings); safe reporting practices; the adequate provision of trauma and mental health services; family tracing and reunification programmes; action to demobilise and reintegrate children recruited by armed forces; provision of safe education and training opportunities within IDP camps to allow for access to income generation opportunities; the timely provision of information and basic safety procedures and equipment within refugee camps (for example, the introduction of more places to register, and the inclusion of sufficient lighting - to enable women and children safer access to sanitation facilities); and targeted protection-specific assistance in formal and informal settlement settings, inclusive of support for host communities.

3. Awareness and visibility of the issue

Significant growth

The principal area where the most progress has been observed by the research participants relates to the significant growth in awareness of the risks to trafficking in humanitarian settings and the broader visibility of the issue. This was very much in evidence. As one participant reflected,

'We are in the moment of awareness of trafficking' (Plan International)

Key growth areas can be broken down as:

- The issue has gained increased international traction. Awareness continues to grow at the global level. Concerns are increasingly raised before States, UN entities and other humanitarian actors. The issue has been raised as an agenda item before the Human Rights Council. In 2023 the UN Special Rapporteur on trafficking – Siobhán Mullally – issued a thematic report on trafficking and humanitarian settings.[24]

- A number of regional commissions and task teams have been set up focused on specific humanitarian settings. For example, the Regional Anti-trafficking Task Force for Ukraine, and the Inter-Agency Coordination Group Against Trafficking in Persons (ICAT) who issued its critical 'Call to Action' in 2022 and made addressing trafficking in crises a priority in 2023 and 2024. [25]

- There has been a growth in meetings between humanitarian professionals and government officials to discuss risks to trafficking during specific emergency contexts.

- A broad range of humanitarian actors (UN agencies, IGOs, INGOs and NGOs) have published policy documents and research papers examining the complex linkages between trafficking and conflict settings.

- There has been an increase in general awareness across frontline humanitarian workers.

- Specific emergencies have received significant media coverage. Selected details of the risks to trafficking have been highlighted and shared by various media outlets. In turn, this has led to some growth in general public awareness (although, typically short lived). This was most notable during the early phase of the full-scale invasion of Ukraine.

The significance of such developments should not be underestimated. A considerable amount of work and collaboration by a wide range of actors and stakeholders has led to this point. There is a growing appetite to share lessons learnt. This has translated into a change in approach. Now, when the cluster system or sectors are activated as part of an international emergency response, risks to trafficking form part of discussions from the very beginning. This was not previously the case.

Remaining gaps

However, despite such important developments, substantial gaps prevail. We identify gaps to be in:

- specialist anti-trafficking capacity;
- inter-agency leadership;
- protection, following the reliance on established 'Areas of Responsibility';
- protection for internally displaced persons, especially children;
- the ability to build on localised anti-trafficking expertise;
- frontline capacity of,
  - traditional humanitarian workers;
  - newly registered humanitarian organisations; and
  - wider first line responders;
- back-end capacity to investigate;
- funding and long-term investment; and
- formal identification.

4. Specialist anti-trafficking capacity

Limited investment in specialist anti-trafficking capacity [vi]

In humanitarian emergencies specialist anti-trafficking capacity is needed. This typically includes the development and/or establishment of: rapid risk assessments; specialist protection and infrastructure; formal identification processes and referral pathways; and specialised data management. Due to various complex and sensitive cases, risk management also forms a key dimension. However, despite the recent growth in awareness and desire to consider risks to trafficking from the outset of emergencies, specialist capacity is still limited across most protection clusters and sectors, and other organisational forms of humanitarian response.

To date, there has been a sizeable gap in the longer-term investment in specialist capacity. This, in turn, has resulted in a reduced available workforce. Consequently, specialist staff are deployed from other active settings, even though they may not be familiar with the national or cultural context, or broader dynamics. The following two statements are indicative of concerns raised by participants,

'what we see when these crises break out is all the agencies coming in and they suck up the staff. So, there's literally no human resources left to do this work... They fly in the externals who know how to do the work but don't know the context and don't speak the language... I haven't seen [a model] that's appropriate for the situation...' (IOM,1)

'the capacities are also still quite scarce. Most of the anti-trafficking efforts that we have been able to put in place heavily relied on deployments from somewhere else. And there's not a lot of experts on anti-trafficking in emergencies. We are still a very small bunch of people... Why? because the topic has not been systematically integrated. IOM has been probably one of the few agencies that has ... sought to proactively and ... systematically have a counter trafficking response in humanitarian settings. Whereas other agencies are just starting on that path.' (Independent anti-trafficking consultant, 1)

Gap in inter-agency leadership

At the global level, there appears to be a gap in the leadership for inter-agency coordination on human trafficking. Participants noted how effective anti-trafficking work still depends on some-one driving the agenda across protection clusters and sectors. In many cases the inter-agency leadership for coordination will be led by IOM, but not always. Some participants noted that a decision regarding leadership for effective inter-agency coordination for all contexts is yet to be taken at the global level, and suggested this was needed.

Lack of systemic protection - reliance on established Areas of Responsibility

Currently anti-trafficking work is not included in all protection assessments, relevant protection strategies or programming cycles. There is no holistic action on TIP across all sectors. Instead, work is often incorporated through interrelated established Areas of Responsibility (AoRs) – gender-based violence (GBV) and child protection (CP). However, relying on the complementary work of the established AoRs means that there can be gaps in prevention and protection related to specific forms and contexts of trafficking. As the UN Special Rapporteur on trafficking, especially women and children, recently noted, this can be seen,

'...in particular in relation to the range of purposes of exploitation evident in displacement and refugee settings and in the context of statelessness, such as child and forced labour, illegal adoptions, child and forced marriage, and domestic servitude.' (UN Special Rapporteur on Trafficking) [26]

Many participants expressed concern for contexts where the prevailing assumption is that TIP prevention and protection will fall under the coordination of existing AoRs. Whilst it is clear that important anti-trafficking work is programmed this way, large groups of people potentially vulnerable to trafficking or VOTs can be left outside of the necessary protection response. Definitional issues are partly to blame. Some participants explained how a range of protection actors (at various levels) can identify cases that fall under neither GBV or CP, even though they would be covered by the definition of trafficking as set out by the Palermo Protocol. By way of illustration, female victims of sexual exploitation can be identified and assisted under GBV, whereas victims of trafficking for domestic servitude and male victims of trafficking for labour exploitation may not be identified or assisted.[27]

> **Promising development:** the Global Protection Cluster (GPC) has started to strengthen action to combat trafficking in some specific contexts through the prioritisation of such work. In 2022-2023 this has been seen in Colombia, Libya, Mali, Mozambique, Somalia, the Syrian Arab Republic, Ukraine and Venezuela (Bolivarian Republic of), where trafficking was identified as a 'priority protection risk'.[28] The GPC has also recently added trafficking to the list of general 'global protection risks', together with forced labour or slavery-like practices.[29]

Scarce protection for internally displaced persons, especially children

Many participants expressed grave concern for internally displaced persons (IDPs), especially children, who are at heightened risk of trafficking or are in live trafficking situations. Unaccompanied and separated children, those in single parent female-headed households, and those formally in institutional care were considered to be amongst the most vulnerable.[vii]

Globally, the vast majority of IDPs live outside of camps, living instead in informal settlements and amongst host communities. Routes for internal migration, the facilitation of internal migration and internal trafficking inside conflict regions will 'vary according to battle lines; control of specific areas; and the areas of origin and destination of IDPs'.[30] Many IDPs will have moved multiple times since the conflict or environmental emergency began.

Vulnerability consequently manifests in a multitude of complex ways, typically stemming from the sheer size and length of displacement, and the lack of social, legal, political, socio-economic infrastructure and protection available to IDPs, as well as the lack of basic security and safety.

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vi Research participants did not discuss protection information management issues related to TIP. For this reason, this aspect has not been included in the report.

vii Alongside children, the heightened risks of trafficking faced by IDPs and stateless persons is also especially acute for persons belonging to minorities, survivors of sexual and gender-based violence, older persons and persons with disabilities, especially those displaced from institutional settings.

There continues to be substantial evidence of significant gaps in anti-trafficking prevention and protection for those in newly displaced and protracted internal displacement contexts. Various participants noted how IDP protection gaps often stem from serious pushbacks from authorities within country. Typically, there is a lack of political will to engage with the issue due to domestic political agendas and an absence of relevant national policy and legal frameworks, as well as available social protection. This, together with severe instability from conflict and/or climate-induced emergencies, make effective anti-trafficking initiatives tremendously complicated and risky for UN agencies, international NGOs and other humanitarian actors.

Participants explained how this can mean that very few (or at times no) humanitarian organisations are able to work with IDPs on the issue. One noted,

'If you're looking within the borders of the country, trafficking - especially [of] children, for example - that's very much not touched upon. The Red Cross might talk about it [but it will be] very limited. They might do a little bit in terms of awareness, but that would be your national Red Cross. Many international humanitarian [organisations] won't really get into it.'
(British Red Cross)

5. Frontline and back-end capacity

Gaps in frontline Capacity

i.) traditional humanitarian workers

Participants expressed an overwhelming concern about the gaps in capacity of frontline staff. For field staff working for traditional humanitarian agencies and organisations, there appears to be two prevalent scenarios (and, in complex settings, a mixture of both).

1. There is a lack of generalist knowledge related to how to identify and respond to instances of trafficking. Staff are not sufficiently trained to recognise indicators of trafficking, and do not know where to refer victims to, or who to inform about suspected cases. Staff are not able to ensure that they 'do no harm.'
2. There is a reasonable level of basic knowledge. Staff are able to recognise indicators of trafficking but they do not know how to respond. They assume that it is covered by different protection actors (for example, CP or GBV AoRs). This is not always the case. Many will fall through the protection gaps.

There are various reasons for the above scenarios. At a most basic level, multiple types of organisations operate across complex settings, some departments and areas are well resourced, others are not. Nearly all will see a big turnover of staff. But more significantly (and substantially evidenced), staff are confronted with complex competing priorities, which - when coupled together with a lack of TIP expertise, prioritisation, technical support and investment – means that anti-trafficking work continues to be overlooked or not addressed in a comprehensive manner.

Reflecting on a recent stocktaking exercise – carried out by the Global Protection Cluster's Anti-Trafficking Task Team in 2023 [31] - one participant explained,

'...we assumed that basic knowledge, or instances [of human trafficking] had been understood by all the protection cluster humanitarian actors, but then by doing some interviews, [by] contacting people on the ground, we understood that sometimes basic knowledge was not yet understood. Yes, there is this increased knowledge. But I think a lot is to be done yet... What was really interesting is that [many] Protection Cluster Coordinators [said], "trafficking is happening. We know. But we don't know where to start, we assume that it's covered by GBV or CP"... they need expertise, they need technical support... just to be able also to tackle and to work on trafficking.' (IOM, 2)

ii.) newly registered humanitarian organisations

The limit of frontline capacity is of course not only an issue for those operating within the formal cluster and sector system. It extends far beyond. Over the recent years newly registered humanitarian organisations have arrived at borders and key hotspot locations offering critical support and assistance to forcibly displaced populations. This has incorporated all kinds of voluntary initiatives, including assistance to transfer, host and even evacuate considerable volumes of people. Whilst this is often an incredible display

of solidarity, frequently suitable emergency action plans have not been prepared in advance by states. This not only causes hugely chaotic scenes at border crossings, but it can also be deeply problematic and damaging.

For instance, during the early phase of the full-scale invasion of Ukraine, some 19,000 newly registered organisations arrived at the borders to assist the millions fleeing the conflict.[32] Participants spoke of severe risks related to coordination issues and the duplication of anti-trafficking activity. One independent anti-trafficking consultant also reflected on the work of so-called "cowboy" humanitarian organisations, who had turned up at Ukraine's borders to fill – what they had perceived to be – an anti-trafficking response vacuum. Despite specialising in anti-trafficking work in other countries, such organisations came with no understanding of the humanitarian or local context. As a result, the consultant witnessed them promoting 'very questionable practices' which were largely detrimental to the wider anti-trafficking response.

At a much broader level, in the Ukraine response many organisations did not have the capacity to sufficiently vet volunteers and others involved in the response. There was an absence of robust policies or processes in place to guide or train volunteers to at least ensure that they 'do no harm' to those at heightened risks of trafficking or in live trafficking situations. There was also limited capacity for volunteers and others to know how to recognise indicators of trafficking, or how to appropriately respond. These findings are developed further in the Ukraine case study (below).

> **Promising practices**: in the Ukraine context the international community issued guidance for vetting and registering volunteers and organisations. La Strada International members and other key actors also stepped in to help coordinate the voluntary response effort. However due to the vast numbers, this was incredibly difficult.

iii.)   building on the local capacity

Frequently frontline local NGO workers, living in affected communities, are amongst the most well-placed to offer key knowledge and expertise concerning local risks to abuse, violence and exploitation, including TIP. Many have extensive knowledge of protection needs of more vulnerable groups within the area, including that of unaccompanied and separated children, as well as those in institutional care. They may also be familiar with legal frameworks and existing mechanisms, as well the broader political and cultural context.

Where training and support (to prevent, monitor, identify and refer) is not in place prior to the outbreak of an emergency, most local NGOs can be mobilised through proper training and capacity building support. In some cases, those living and working in predictably affected areas, will have already invested in some level of preparedness.

Participants emphasised time and again, the need to build on and fully incorporate available local expertise. For example, one noted,

'Local actors are the ones who can really make the difference - they have the local expertise, know their context, know their laws, frameworks. They have the shelters for survivors... they know what services they can provide... So it's paradoxical – it is UN policymakers {points up high} and local actor {points down low}, so of course, as an international NGO, we can provide support and expertise ..., but I would say we should look at local expertise.' (Plan International)

The high demand of such expertise, alongside contexts of significant risks, was also discussed,

'What I've seen is you really need people who are socially and culturally embedded, [who] understand what the trafficking risks are, understand how to interact locally. There is no substitutable capacity... if you can get them, they're absolutely fantastic. And they do such amazing work, but they're in such high demand. And what we all also saw [in Ukraine] is if they're culturally embedded, they [are] experiencing the same crisis. So, we had staff members who were concerned about their own families, and are moving [from their] own homes. So, all of these disruptions decapitate the resources you would normally want to work with.' (IOM, 1)

A further concern related to a lack of flexibility within the broader protection cluster or sector infrastructure. Participants explained how dialogue about protection needs or concerns at times were not discussed with local actors, and local expertise and/or mechanisms were not fully understood or utilised. For instance, one noted,

'I even heard a humanitarian worker saying to me - who was very actively involved in the protection coordination infrastructure - who said, "well nothing that exists in [Country A] is working... it's not very helpful. We should basically go in and establish things from scratch." And this was incredibly unfair because [Country A] had done so much to build the counter-trafficking response and system.'[33]

iv.)   wider first line responders

Participants spoke of gaps in the capacity of wider first line responders – located in border force agencies, law enforcement, medical services, education, social services and prisons. Knowledge of how to identify and respond to indicators of trafficking during a humanitarian emergency is typically absent, partial or developed some time after the onset of the emergency.

Where some understanding is already present, knowing how to build capacity at scale is often a substantial issue. For instance, staff might be used to dealing with a handful of cases, but do not know what to do in the context of tens of thousands of people moving rapidly through, or into, their places of work. Contexts where states and regions face predictable forthcoming humanitarian disasters, preparedness for responding to risks of trafficking in such scenarios needs to be developed within national emergency plans.

'We need to boost the capacity of the first line responders, and I'm not only talking about ... humanitarian stakeholders, but I'm talking about labour inspectorates in many countries, cyber police, prison officers, police officers, educators, doctors, medical practitioners. Everybody should have a very basic understanding of the signs of human trafficking and where to refer the potential victim to, or to be able to inform about the case.' (OSCE)

Identification of trafficking victims in order to mitigate, prevent or eliminate trafficking risks at the earliest possible stage is critical.

At a broader level, participants also spoke of substantial evidence (across a number of contexts) of border force and law enforcement officers not having received adequate training concerning how best to respond to potential victims of trafficking in emergency contexts (inclusive of trauma and gender-sensitive approaches). Instead, often the focus was considered to be significantly diluted, due to the far stronger (almost exclusive), focus on human smuggling. In such contexts, where victims are not identified and adequate protection is not available, many also face the risk of being transferred to detention centres or face collective expulsion due to a lack of proper assessment of individual circumstances.

Developing practices: since 2014 and 2015 (following the large migration flows in Europe), efforts have been taken to ensure that those working with asylum seekers and refugees are aware of the risks to TIP. Further detail of this development is documented in the 2017 publication - From Reception to Recognition - where the OSCE proposed a framework for the OSCE region – to ensure frontline staff in reception facilities or refugees and migrants are able to identify those at risk. Recommendations also included first responders to: be made aware of the risks to TIP; have capacity to conduct a preliminary identification of possible/presumable cases and presumable victims; and know where to refer to.

Inadequate back-end capacity to investigate

Addressing the capacity of frontline responders is only one side of the equation. Crucially it must be matched with a strong responsive back-end capacity to both assist and support victims, but also to investigate potential instances of trafficking. One participant, with considerable experience in the field, emphasised how victims of trafficking within humanitarian settings rarely get identified and then removed by law enforcement agencies. Instead, the vast majority remove themselves and then, through various pathways, come to the attention of the protection sector.

Proactive steps to investigate potential cases of trafficking are very much needed. However, in contexts of humanitarian disasters, these can be hugely complicated. As one participant explained, this involves much more than training front-line law enforcement officers,
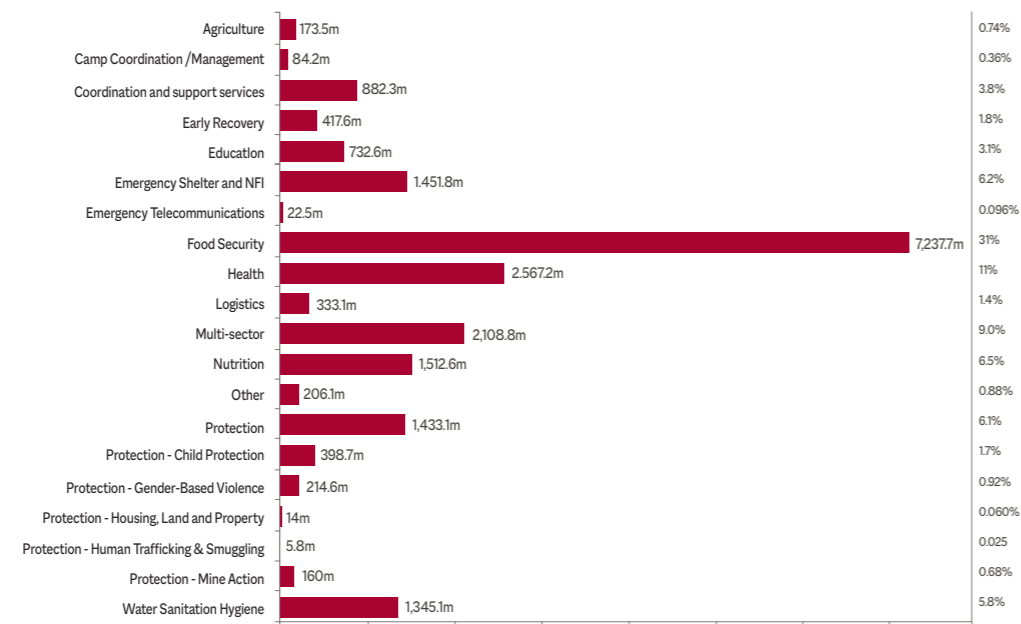
'... my concern is, what do [the law enforcement workers who received the training] do next? They often don't know who to call, or there is no number, or when they call no one is there. [There is] no capacity to respond appropriately, or it does not come for days [or] weeks. But the police officer needs assistance now... If they follow the protocol as set out in their training, but nothing happens, they will forever doubt that they should follow those steps.' (IOM, 1)

For effective pro-active investigative action to take place, a strong back-end capacity must be in place prior to the outbreak of a humanitarian emergency. This requires the establishment of multi-agency co-ordination and mechanisms (between law enforcement, organised crime, border agencies, ministries of social services and also the judiciary). With appropriate safeguards in place, this will include the facilitation of information sharing on presumed victims and specialized knowledge of the potentially transnational dimension of criminal networks involved. In contexts where nations and regions face predictable forthcoming humanitarian disasters, preparedness to respond with a strong back-end capacity must be considered within national emergency plans.

6. Funding context

i.) Limitations and prevailing challenges

Funding by donors for TIP-related activity has been scarce. In 2023 prevention sector work on 'trafficking and smuggling' received just 0.025% of the global reported funds for humanitarian assistance (a mere, US$5.8 million globally) by contrast to 'gender-based violence' at 0.92% (US$214.6 million) and child protection at 1.7% (US$398.7 million).

Sector	Amount	Percentage
Agriculture	173.5m	0.74%
Camp Coordination /Management	84.2m	0.36%
Coordination and support services	882.3m	3.8%
Early Recovery	417.6m	1.8%
Education	732.6m	3.1%
Emergency Shelter and NFI	1.451.8m	6.2%
Emergency Telecommunications	22.5m	0.096%
Food Security	7,237.7m	31%
Health	2.567.2m	11%
Logistics	333.1m	1.4%
Multi-sector	2,108.8m	9.0%
Nutrition	1,512.6m	6.5%
Other	206.1m	0.88%
Protection	1,433.1m	6.1%
Protection - Child Protection	398.7m	1.7%
Protection - Gender-Based Violence	214.6m	0.92%
Protection - Housing, Land and Property	14m	0.060%
Protection - Human Trafficking & Smuggling	5.8m	0.025
Protection - Mine Action	160m	0.68%
Water Sanitation Hygiene	1,345.1m	5.8%

Source: data from the OCHA Financial Tracking Service. 'Total reported funding by sector in 2023'. [34]

'Trafficking and smuggling' continue to be the least funded area across the entire field, with previous year allocations of 0.014% in 2022 and 0.0064% in 2021.

Such findings must be considered within the wider funding environment, where the entire sector has seen severe cuts to funding throughout 2023. For instance, 'food security' - the highest funded sector - received around 30% of 'required' funding. Most sectors received 20-30% of 'required' funding. 'Trafficking and smuggling' received just 18% of what had been budgeted.[35] Participants explained that responding to TIP was not always perceived to be 'life-saving' work, and so together with broader protection work, it continues to receive more limited funding.

When reflecting on the difficult funding environment participants also identified that: i.) donors tend to invest in short-term projects (for example, TIP awareness raising initiatives for the very onset of an emergency), rather than investing in longer-term anti-trafficking work which looks to address issues associated with longer term displacement and protracted conflict; ii.) donors are

motivated by impact and reach. However many donors have struggled to comprehend the full impact of anti-trafficking work for whole affected communities, and have therefore prioritised funding projects that demonstrate a more classic measure of impact and reach (for instance, funding schooling for 500+ children); iii.) it is incredibly difficult to gain funding for research activity related to trafficking in humanitarian settings, which in turn means that there is a very limited evidence-base for prevalence and what works; iv.) donors are typically adverse to risk in more complex and specialised anti-trafficking work; and v.) donors can be politically sensitive to particular forms of funding (for e.g., leading them to avoid emergency specific funding), which can make it very difficult for applicants to strike the correct balance when designing new anti-trafficking programmes. [viii]

ii.) Emerging culture changes

A participant from Freedom Fund, with expertise over an extended period of time, has observed a shift in the culture amongst some funders. As a result of the COVID-19 pandemic, a number of funders have demonstrated a willingness to be more flexible and responsive to accommodate scenarios that have significantly changed. This has meant that some donors have supported large and rapid changes to funded programmes, in light of unfolding humanitarian disasters. Funds have been diverted for emergency use. For some, a further development can also be seen, where funding is allocated in advance to support activities/programmes focused on enhancing the preparedness of local communities, as they seek to be more resilient in the face of predictable forthcoming humanitarian emergencies.

A further change in culture has also been observed by the same participant , who noted how various groups in the global south are setting up funds that are controlled from the global south, with greater capacity to reach direct frontline operations. In such contexts, south-south funding has been typically more responsive, acting more quickly than what has been traditionally possible for big donors.

> **Promising Practices:** The Change Fund is an example of a locally led, global humanitarian response fund, which aims to 'localise' aid responses and ensure that local organisations can access funds to respond to emergencies quickly, more efficiently and more cost-effectively. Grants are designed to provide quick allocation of funding to frontline local NGOs in the Global South who are directly responding to worsening humanitarian conditions in their communities. The mechanism aims to promote local leadership, build resilience, and support sustainable solutions to humanitarian challenges in the communities where they occur.' [36]

viii For instance, one Independent anti-trafficking consultant spoke of differences between the two major US donors – the Office to Monitor and Combat Trafficking in Persons (J/TIP) and the Bureau of Population, Refugees, and Migration (PRM).

7. Wider areas of concern

The traffickers?

It was noted that what is often 'completely missed' in most emergency responses is the other side of the equation. The traffickers. In essence, you could have the most vulnerable person in the world, but if there is no one to exploit that vulnerability, they will not be exploited. One participant, with significant expertise in this area, noted that the dynamics of trafficking was typically 'not investigated in any meaningful way'. In part this appears to stem from the differentiation of functions between protection actors and law enforcement. Very often both sets of actors are not in a position to share information and resources, nor develop coordinated response plans.

There was a related concern raised by participants. As one participant explained,

'what we saw later in the response to the full-scale invasion of Ukraine, was a frustrated law enforcement sector across responding countries in the EU. They were told to focus on trafficking, but they ended up saying "we have a lot of things to focus on and the cases we're investigating are not turning out to be trafficking" … it became clear that [part of their issue was that they had] a violent understanding of trafficking, based on [an] organised crime [lens]' (IOM, 1)

Whilst severe cases do take place and are perpetrated by organised criminal networks, many participants had also seen or learnt of exploitation that took place at a lower level. For instance, this involved family members and/or members of the local community. In contexts where people are severely impacted by the emergency context, extreme vulnerability can lead to people either being targeted as victims, or turning to low level perpetrating of trafficking themselves due to absolute desperation. Consequently, the classic organised crime lens does not neatly fit emergency contexts and humanitarian settings.[37] With the latter in mind, UNODC are calling for a more nuanced approach to low-level perpetrating

Participants also raised the wider need to conduct a more comprehensive analysis in order to understand broader structural conditions. For instance, a few recommended that this might include examining the extent to which law enforcement agents had been complicit in exploitation and/or the pervasiveness of a culture of impunity.

Formal Identification

A final further concern consistently raised by participants related to formal identification for those in mixed migration flows. Many reflected on the fact that, in many states, individuals must be formally identified as 'victims of trafficking' by law enforcement authorities in order to access services and assistance. However, victims of trafficking are often reluctant and/or unable to come forward, which impacts i.) the extent to which protection can be timely and effective, ii.) the prosecution of traffickers, and iii.) the chance of further re-victimization.[38]

Participants spoke about the many barriers which stop victims from coming forward. These included: fear and distrust of law enforcement authorities; a lack of awareness of law enforcement agents, and their not identifying the indication of likely victimhood; law enforcement agents not employing trauma-informed and gender-sensitive approaches; the absence of safe spaces at key border crossings and anticipated routes of major refugee flows; language barriers and a lack of investment in cultural mediators; and victim blaming and shame.

When reflecting on such barriers and the ultimate impact of not gaining full protection and assistance in transit and destination countries, participants were highly critical of the traditional law enforcement-centred identification model. By way of example, two note,

'[we] need to make sure that this identification is not conditional on victims' willingness to cooperate with law enforcement, because this is the biggest impediment. Still in many European [countries] - and not only European - it is ultimately about… law enforcement. And so, where law enforcement [authorities] don't have enough evidence … there is no viable way to get assistance to this person.' (OSCE)

'…victims of trafficking should have access to unconditional support …it should be delinked from the criminal procedure. And so, it means that if you are identified as a victim of human trafficking you should have access to assistance and services. [It should not be limited] just because there's no investigation or there's no criminal or successful investigation or no prosecution. And that's what you see …. It is true that some countries - including Ukraine - have a separate status… but in practice we see that it's hardly happening. It's so often still related to the criminal procedure.' (La Strada International)

It should also be noted that even where assistance can be forth given to a person (whether based on their cooperation with law enforcement, or, in more rare cases, where victims have access to 'unconditional support') assistance is still dependent on whether the individual can legally remain in the country.

> **Ongoing calls to change practice:** The Council of Europe's (2005) Convention on Action against Trafficking in Human Beings makes clear that each Party should 'adopt legislative or other measures as may be necessary to ensure that assistance to a victim is not made conditional on his or her willingness to act as a witness'. Many organisations have since called for the development of unconditional support. For instance, the OSCE have framed this as "social paths" – a model based on the need to adopt a more inclusive first-level identification regime that supplements traditional law enforcement-centred identification. The "social path" to formal identification of victims of trafficking would involve the attribution of the status: a.) by designated welfare authorities; b.) outside the context of criminal proceedings; c.) irrespective of a presumed victim's willingness to collaborate with law enforcement authorities.[39]

8. Ukraine case study

Box 2: Broader context of risks to trafficking

Trafficking risks prior to the 2022 full-scale invasion

- From the early 1990s Ukraine has been a source, transit and destination country.[40]

- Since 2014, armed conflict and Russian-backed occupation of the Donbas region and the Crimea posed grave threats to civilian safety.[41] Approximately 1.4 million people were displaced due to the armed conflict and the occupation.[42]

- Sections within the Ukrainian population were especially vulnerable to trafficking for sexual exploitation and labour exploitation within Ukraine and across borders. Ukraine became a significant origin of human trafficking and labour exploitation (of adults and children).[ix]

Heightened risk of trafficking from the outset of the invasion, and ongoing

Building on findings established in section 2 (above) – which highlights that heightened vulnerabilities manifest in contexts where there is a breakdown of law and order, forced displacement, humanitarian need, socioeconomic stress, social fragmentation and/or family breakdown [43] – the following factors are also relevant to the Ukraine context:

- Prior to and at the outset of the invasion, a whole host of organisations and anti-slavery specialists warned of grave risks. Statistical linear modelling also suggested a high risk of trafficking for refugees, asylum seekers and the displaced population.[44]

- Within the first two months, more than 5 million people rapidly fled the country to find refuge, and over 7.7 million people were internally displaced within Ukraine.[45] Since then, at least a further 3 million have fled the country (over 8 million in total). 90% are estimated to be women and children [46], the vast majority of whom had never travelled abroad before.[x]

- Risks were, and continue to be, higher for certain groups. Participants noted that this has included non-Ukrainians, including undocumented and stateless people; Ukrainian Roma people; 'unaccompanied' and 'separated' children and those previously in institutional care; lesbian, gay, bisexual, transgender persons and persons of diverse gender identities; older persons; and persons with disabilities.

- Trafficking risks continue to rise due to "delayed vulnerabilities." [47] As the conflict continues, more people will become internally displaced, access to basic services and livelihoods become scarcer and more remain disconnected from places of communal safety. Likewise, millions of refugees will need to settle for longer periods of time, and desperately require access to labour markets with suitable working conditions and safe accommodation. Many may become newly vulnerable to traffickers.

- Risks to re-trafficking increase the more protracted the conflict.

ix 'Between 2017 and 2021 victims trafficked outside Ukraine were detected in 40 countries in Central Europe, Southern Europe and Eastern Europe. Victims were also trafficked to the Middle East and to a minor extent, to the Americas and East Asia.' UNODC (2023) Call for Inputs.

x According to the Office of Democratic Institutions and Human Rights research, over 56% of Ukrainian women now in Europe had never travelled abroad before.

Box 3: Progress identified by research participants

Extraordinary levels of attention

From the outset there was an extraordinary level of attention directed towards the conflict and potential risks to TIP:

- Internationally – key groups immediately launched recommendations for actions on TIP e.g., Council of Europe, EU, UN Special Rapporteur; the OSCE;

- Regionally - e.g., establishment of Regional Anti-Trafficking Task Force for Ukraine;

- Nationally – Ukrainian government and neighbour states shared knowledge of risks; a national cluster task force was set up in Ukraine, lead by IOM and La Strada-Ukraine;

- Civil society - numerous local NGOs (within bordering countries) provided core evidence of risks to protection sector; and

- Big international media coverage of trafficking risks– leading to growth in general public awareness (by contrast to previous years). Evidenced through significant growth in calls to anti-trafficking hotlines (inclusive of people offering help from all over the world).

Significant mobilisation of civil society

Vast numbers of established humanitarian organisations provided substantial support to the humanitarian effort. Additionally, over 19,000 newly registered NGOs and organisations arrived at the borders to assist in the broader response.[48]

Development of existing programmes and a readiness to respond from the outset

In response to earlier cases of trafficking, existing national/local programmes around prevention of TIP were already in place and ongoing (for e.g., raising awareness and improving compliance to labour standards in country). This meant that many national/local actors were also ready to roll out awareness raising campaigns (online and at key border crossing points and transportation hubs).

From the outset the protection sector benefited from very robust regional support

The Regional Anti-Trafficking Task Force for Ukraine ensured that there was strong leadership from anti-trafficking stakeholders, who were well-established in the area. They brought together strong anti-trafficking knowledge, expertise and assistance.

Generalised knowledge of frontline workers

By contrast to previous emergencies, there was a significant increase in generalised knowledge of frontline workers (for e.g., assisting in food distribution, medical care, shelter etc), and a willingness to consider risks to trafficking from day one. Many were actively looking for indicators.

Donor investment for targeted-awareness raising activities

In the early phase of the invasion, various humanitarian organisations received funding from donors to implement new wide-spread TIP awareness raising campaigns (online and at key border crossing points and transportation hubs).

Establishment of 'Blue Dot' hubs (outside Ukraine)

UNICEF, UNHCR, local authorities and partners established 33 hubs across bordering countries: Bulgaria (5); Hungary (4); Moldova (8); Poland (5); Romania (4); Slovakia (6); Slovenia (1). Hubs were situated in key locations (border crossings, anticipated routes of major refugee flows, transport hubs, refugee registration sites and facilities and cash distribution points).[49] Although they were not set up as a specific anti-trafficking response, they aimed to be an extension of the governments' national protection systems. Minimum services offered included identification and referral of children at risk, mental health and psychosocial support, legal aid and counselling, and information distribution.[50]

Formation of Survivor Relief Centres (within Ukraine)

Survivor Relief Centres have been established in key locations within Ukraine, responding to the challenges of the ongoing war. They offer legal, social and psychological assistance and rehabilitation to internally displaced people, those who have fled active combat zones or Russian occupied territories and local residents. Long term recovery and support is also offered to survivors of sexual violence. [51]

Box 4: Challenges identified by research participants [xi]

No emergency plans in place for vetting newly registered NGOs at border locations

19,000+ newly registered NGOs and organisations turned up at borders to assist and take people across Europe at a rapid rate.[52] Whilst this was an incredible expression of solidarity, due to the absence of any relevant national emergency plans, significant coordination issues prevailed. For instance,

- unvetted organisations and individuals were able to drive to the borders with coaches and take people to another country – this created chaos at the borders;
- criminal records of volunteers were not checked;
- many organisations did not have robust polices/procedures in place to ensure that staff/ volunteers 'do no harm' in humanitarian contexts;
- vast majority of organisations did not have the capacity to train staff/volunteers, concerning how to identify or respond to those at risk of trafficking or in live trafficking situations;
- various "cowboy" humanitarian organisations (who came with no understanding of the humanitarian or local context) were able to promote questionable practices, deemed detrimental to the wider anti-trafficking response; and
- it is very possible traffickers, or those looking to exploit, took advantage of this situation. Participants spoke of anecdotal evidence of this.

Promising practices: the international community issued guidance for vetting and registering volunteers and organisations. La Strada International members and other key actors also stepped in to help coordinate the voluntary response effort. However due to the vast numbers, it was difficult to stay on top of the demand.

Significant gaps in protection and prevention at border crossings

A number of significant gaps were identified in the early months,

- most crossings did not have sufficient child protection safeguarding procedures in place. Most were not able to triage - with no mechanisms in place to identify/ protect/ refer 'separated children'. There was slightly better coverage for 'unaccompanied children'.
- police presence was typically for crisis management, with no anti-trafficking element.
- many border force staff had no equipment or computers – so were unable to check any databases or records, or share information (for e.g., if saw suspicious groups/ vehicles)
- where border force staff had some basic equipment – many were unclear what mechanisms were in place or what procedures they should follow.

Coordination of anti-trafficking information

Following the rapid and intense mobilisation of multiple anti-trafficking actors, various different sources of information were developed and distributed (online and at key hotspots). Whilst this had an incredible reach and many were able to access core messages, there were also multiple points of duplication, and at times, misinformation (especially related to the eligibility criteria of the EU's Temporary Protection Directive). Additionally, some messages were not targeted nor actionable (for e.g., explaining that smuggling situations can turn into trafficking – when many feel they have no choice but to use the services of smugglers to flee the conflict).[53]

Lack of training of frontline workers

Despite the significant increase in generalised knowledge and overall willingness to actively look for indicators, many frontline staff were not trained in how to identify those at risk, or refer instances of trafficking. This concern was especially raised relating to frontline health workers.

xi Research participants did not discuss the trafficking risks for Ukrainians who have been spontaneously returning to Ukraine from other countries without assistance. For this reason, this aspect has not been included in the case study.

Minimal back-end capacity to respond
Whilst investment was made to train frontline law enforcement, the back-end capacity to open investigations and protect and support victims was frequently limited to non-existent. Staff reported following protocols as set out in the training, but little/nothing happened. Many subsequently doubted whether to follow protocols in the future.

Limited capacity for specialist anti-trafficking expertise
Within the protection sector and wider humanitarian response there was limited capacity:

- to do rapid risk assessments – e.g., to hone in on the actual risks;
- to target programmes based on data and reality on the ground;
- to establish specialist coordination across key actors, e.g., law enforcement (to proactively investigate); anti-trafficking police; organised crime units; ministry of social services; and
- to pull on the expertise of local actors and specialists, who for e.g., have full knowledge of child protection and safeguarding mechanisms. Many of whom were in Ukraine and were also at risk and/or fleeing.

Tensions following the establishment of parallel anti-trafficking infrastructure
Due to the segmentation of protection under the Inter-Agency Standing Committee (IASC) and national responses (Ukraine and bordering countries), tensions arose. These emerged following communication issues, a wider lack of familiarity with the national context and limited advanced anti-trafficking capacity (at the national level). Consequently, core elements of the new parallel structures were seen to be problematic. For instance:

- aspects of the parallel structures were seen to be at odds with existing national structures;
- existing national referral mechanisms were not adequately understood, nor were various social protection procedures (for e.g., who were the case workers); and
- many actors within the national response did not feel listened to, or were ignored.

The vast majority of survivors removed/rescued themselves, and then came to the protection sector through different pathways.

Underdeveloped anti-trafficking capacities leading to low numbers of proven cases
To date, the number of proven TIP cases is low, by contrast to large numbers predicted by numerous anti-trafficking specialists familiar with the context.[xii] There continues to be limited anti-trafficking capacities in prosecution, investigation and law enforcement. Typically, cases rely heavily on victim evidence as the main source of evidence, which is immensely challenging and problematic in this context.

No clear picture of trafficking trends – impacting the ability to target future response
Despite the wide-range of anti-trafficking stakeholders acting on grave concerns about risks of TIP, very little is known about who is being trafficked, how, what the dynamics are or the prevalence. Due to data-protection concerns, a lack of formal procedures concerning information sharing, and limited donor investment, little data can be used to implement evidence-led targeted responses.

Monitoring bodies have not gained the necessary access to verify allegations of large-scale deportation of Ukrainian children to the Russian Federation
Since February 2022, Russian Federation agents have taken at least a further 19,546 children to Russia from Ukraine. Amongst the countless human rights violations, the dynamics of trafficking for child solider exploitation and forced adoption is still unknown. No monitoring bodies have been given access.[55]

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xii As of March 2023, the Regional Anti-Trafficking Task Force note that 'no increase has been observed in the number of trafficked persons identified in Ukraine and the surrounding/host countries.' Regional Anti-Trafficking Task Force (2023) Human Trafficking in the Ukraine Crisis.

Box 5: European Temporary Protection Directive (TPD)

The most significant progress observed by participants relates to the European TPD.[xiii] The Directive applies to all Ukrainian nationals who 'reside' in the country and left on or after 24 February 2022.[56] It enables safe and free movement into and within the European Union, and a residence permit for the entire duration of the protection. Beneficiaries of the European TPD also have rights to access: the labour market, asylum procedure, suitable accommodation, social welfare, medical care, education (up to the age of 18), and banking services.[57]

The fact that registered Ukrainians can travel through Europe regularly, safely, quickly, with rapid access to protection status and the associated rights has been a major source of resilience to TIP.

TPD-related concerns raised by participants

- Whilst more than 8 million people fled Ukraine following the full-scale invasion, as of August 2023, only 4.15 million had registered for temporary protection status.[58] Further research is needed to understand the dynamics of this gap.
- The TPD was not made available to Ukrainians who fled before the specified date. Consequently, there is anecdotal evidence that many Ukrainians travelled back to Ukraine at great risk to qualify for the TPD.
- Highly vulnerable groups (including, stateless and undocumented migrants living in Ukraine at the time of the invasion) remain outside of the protection offered.
- The TPD does not apply equally to third country nationals residing in Ukraine. This was significant, as more than 70,000 students (mostly from India and Africa) were studying at Ukrainian universities – in addition to workers and family members.[59]
- There was a lack of information relating to the specificities of the TPD, and how it could be interpreted and implemented differently by different member states. Rules were not uniform and so vital aspects were unclear to those at risk, civil society organisations and migration experts.
- The EURES portal [60] is the key mechanism used to offer employment opportunities to those covered by the TPD. Whilst the theory is good, numerous issues prevailed.
  - The portal lacked a comprehensive monitoring component. Recruiters with ill intentions can in principle still offer bad contracts and exploitative employment.
  - There was no awareness raising element, to help identify risks to trafficking or exploitation.
  - There have been frequent mismatches – e.g., language barriers, lack of child-care provision, incorrect papers.
  - More recently, companies have not wanted to renew contracts (established through the portal), on the assumption that the TPD would not be extended.
- Currently the European TPD is due to end in March 2025. It is not clear what will happen after this date.

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xiii Moldova and Belarus have also granted 'temporary protection' to displaced persons from Ukraine, providing an immediate form of protection and access to services based on an eligibility criterion. Like the EU TPD, this potentially allows for rights to remain, accommodation, healthcare, education and social assistance services. See: UNHCR (2023) Temporary Protection In Moldova. Belarus (2014) Belarus: Decree No. 420 of 2014 on the Stay of Ukrainian citizens in the Republic of Belarus.

have been given accommodation and/or employment. Police are to conduct regular visits to check the suitability of conditions (for example, access to time off, no requirement to excessively compensate for the provision of accommodation etc).[61] Romania remains one of the very few countries that has opted for this method – seeking to actively develop a targeted plan that is specific to the needs and risks of the context.

9. Further considerations and recommendations

- Our review found a **number of significant capacity gaps that need to be addressed**. Recommendations to close these gaps include:

  - **Governments, donors and UN agencies should prioritise longer-term investment in specialist anti-trafficking capacity,** particularly developing capacity within contexts where states and regions face predictable forthcoming humanitarian disasters.

  - **Frontline humanitarian staff (including non-protection frontline workers) need to be systematically trained** to recognise indicators of trafficking, and to know where to refer victims to, or who to inform about suspected cases. For foreign frontline humanitarian workers, additional training is also needed, to ensure that information regarding existing national referral structures and relevant legislation is also understood.

    - This training should be accompanied by the provision of protection integration checklists to operationalise this training, as well as the development of clear referral pathways and connection to inter-agency and national support services.

  - **The capacity of wider first line responders – located in border force agencies, law enforcement, medical services, education, social services and prisons - also needs to be developed.** In the same way, these responders need to be trained to recognise indicators of trafficking, and to know where to refer victims to, or who to inform about suspected cases. This is especially key for contexts where states and regions face predictable forthcoming humanitarian disasters.

    - Again, this training should be accompanied by the provision of protection integration checklists to operationalise training, as well as the development of clear referral pathways and connection to inter-agency and national support services.

  - **Local capacity needs to be built to develop preparedness where states and regions face predictable forthcoming humanitarian disasters**. This involves the development of long-term flexible financial and technical support for relevant local NGOs and grassroots organisations. Also having emergency action plans in place (which must include checklists for who is to be trained and what different groups – including humanitarian staff - need to know).

  - **For effective proactive investigative action to take place, a strong back-end capacity must be in place.** This requires the establishment of multi-agency co-ordination and mechanisms (between law enforcement, organised crime, border agencies, ministries of social services and also the judiciary). Again, for contexts where nations and regions face predictable forthcoming humanitarian disasters, preparedness to respond with a strong back-end capacity needs to be considered within national emergency plans.

- Our analysis suggests that **better coordination and leadership is required across agencies and at a national level**. Recommendations to strengthen this area include:
  - **Clear inter-agency leadership and coordination should be established** to facilitate predictable and effective anti-trafficking work across protection clusters, sectors and other organisational forms of humanitarian response. This should not lead to overlap and donor competition and/or competition for staff or anti-trafficking specialists.
  - In contexts where states and regions face predictable forthcoming humanitarian disasters, **national emergency plans should be developed to include preparedness for responding to risks of trafficking** in such scenarios.

- Our analysis also suggests that **the current system creates prevention and protection gaps that need to be addressed**. Recommended efforts to ensure that those vulnerable to trafficking or victims of trafficking are not left outside of the necessary protection response include:
  - **Trafficking risks should be addressed through protection assessments, and relevant protection strategies or programming cycles across all sectors, not just through the interrelated established Areas of Responsibility** (AoRs) of gender-based violence (GBV) and child protection (CP).
  - **Protections for internally displaced persons, especially children need to be strengthened through relevant national policy and legal frameworks.**
    - Stronger leadership and coordination (as identified in the preceding recommendation above) will help to address this significant gap.

- Our review also found that:
  - **Greater, longer-term investment in anti-trafficking work is needed** to address heightened vulnerability associated with **longer term displacement and protracted conflict.**
  - **Better data collection and research is required, in order to strengthen understanding of prevalence and what works.**
    - **Donors have an imperative role to play here** in breaking – what we identify to be - the 'funding-practice-data deficiency cycle.' Where currently, the lack of funding significantly impedes the ability to develop effective anti-trafficking work (to find/ identify/ assist/ protect/ investigate etc), which sequentially leads to low prevalence rates. This in turn gives rise to a continued lack of investment (on the assumption that prevalence is lower than it actually is). And, so the cycle continues. Instead, donors should prioritise investment in programmes that bolster understanding of prevalence and what works.
  - **More flexible and responsive funding is needed** to help funded programmes accommodate scenarios that have significantly changed, and to support activities/ programmes focused on enhancing the preparedness of local communities (particularly where nations and regions face predictable forthcoming humanitarian disasters). We are encouraged to see some progress in this area, but more needs to be done.

- Finally, our analysis reveals that if we are to move forward in a concerted way:
  - **Political, cultural and practical (including language) barriers that prevent local actors from engaging fully in cluster and sector level meetings and planning need to be removed.** A consistent observation made by participants was that local actors have invaluable and nuanced insight of: local protection needs; relevant legal frameworks; existing mechanisms and infrastructure; and the broader political and cultural context.
    - Local actors also need to be encouraged to engage, however overwhelming workloads and a lack of resources can be a significant wider barrier. Typically, donors' provision of financial support to increase capacity is needed (for e.g., by funding effective coordination of volunteers and the training of humanitarian actors).
  - **A more nuanced understanding and approach to low-level perpetrating needs to be developed** (rather than overwhelmingly operating through a classic organised crime lens).
  - **More must be done to prevent abuses by member of the international protection community.** States must commit to stronger screening mechanisms to remove soldiers and police with histories of abuse and sexual violence, whilst various national legal systems also need to be updated to be able to better hold soldiers accountable for behaviours during deployment.
  - **Importantly, priority needs to be given - at every level - to addressing the risk of trafficking in humanitarian settings**. As noted in the introduction to this study, without this, human trafficking will remain one of the largest human rights violations exacerbated in times of crises where the humanitarian community does not have 'a predictable, at-scale way to respond.'[62] As the world continues to experience more protracted crises, with devasting humanitarian consequences and large-scale movements of people, the need for a more systematic response couldn't be more urgent.

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