

RECOMMENDATIONS

Determinants of Anti-Trafficking Efforts



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Recommendations

On the basis of the findings of the project, we have drafted a series of recommendations for different audiences.

Law and Policy Makers

1. Implement international law obligations in good faith, including in how trafficking is defined, understood and applied in domestic law, policy and practice.
2. Consult and engage local stakeholders and civil society organisations - including survivors' groups and trade unions - in the determination of priorities and measures to be implemented as well as in the implementation, monitoring and evaluation of policies, projects and programmes.
3. Allocate sufficient resources to anti-trafficking efforts and across different responses, as well as ensure that funding is 'secure' and stable even in situations of emergency.
4. Ensure that civil society is supported in implementing anti-trafficking efforts and that the government does not hinder such implementation. Governments should acknowledge that the responsibility to implement anti-trafficking efforts vests in the State and that, whilst NGOs can support such efforts, they should not be made responsible for the same. When NGOs are implementing efforts that are otherwise the responsibility of the State, they should be supported (including through adequate funding) by the State whilst ensuring that the organisations' independence and impartiality are maintained.
5. Actively consider the inter-connection between anti-trafficking and other areas of law and policy which have a direct or indirect impact on anti-trafficking efforts and outcomes (e.g., education, housing, healthcare, immigration, citizenship, welfare) and actively counter the influence of negative determinants (e.g., corruption; discrimination; shrinking of civil society space) on anti-trafficking efforts whilst ensuring that such issues are actively discouraged more broadly.
6. Ensure sustainability and continuity of anti-trafficking efforts and that projects and programmes which are time bound are part of a broader, long term sustainable strategy.

7. Ensure that all efforts, in particular partnerships with other States and international organisations, cover capacity building and best practices sharing, as well as address the various dimensions of anti-trafficking efforts beyond merely focusing on prosecution - including prevention, (genuine) protection and access to remedies. International partnerships have great potential in improving anti-trafficking efforts but must be considered as part of a holistic anti-trafficking framework.
8. Ensure that all those involved in governmental anti-trafficking efforts receive quality and up to date training and have the requisite competences and understanding of the issues at stake. This includes stakeholders working on other policy fields which may have a direct/indirect impact on trafficking (or vulnerability thereto).
9. In so far as data collection and data sharing are concerned, facilitate the independent collection of data, and availability and accessibility of data in the most comprehensive and disaggregated manner as possible to those involved in order to allow cross-sectoral, in-depth analysis of trends and realities and synergies to be developed across solutions proposed. Adopt a multi-dimensional approach to data and analysis, acknowledging that often closed cycle between data collection, responses and new data collected. Acknowledge the limitation(s) of any data collection exercise and that no one data set will provide the full picture. Facilitate the possibility for civil society and other actors to scrutinise data collected and its use in policy making.
10. Actively engage with monitoring processes in good faith, ensuring access to accurate data and that recommendations are genuinely considered and implemented.
11. Establish (or strengthen) independent and resourced specialised anti-trafficking institutions, providing them with the competence, space, role and resources to actively engage in the production, implementation, monitoring and evaluation of law and policies.

Civil Society Organisations

1. Recognise the role to be played by a range of CSOs in the country including those not directly or explicitly working on human trafficking (e.g., organisations working on healthcare, housing, education, workers' rights, etc.)
2. Carefully consider the use of language (as part of acknowledgement and framing of trafficking) to ensure that advocacy on one issue specific subset of trafficking is not counter-productive to broader anti-trafficking efforts.
3. Ensure the active participation of people with lived experience of trafficking across all areas of organisations' work and facilitate the active and influential presence of trafficked persons's voices across all organisational activities.

4. Engage with a range of actors involved in anti-trafficking work including academia, the media and individual anti-trafficking champions to raise awareness of grassroots realities and concerns.
5. Collect and share data and analyses in order to confirm, contrast and/or supplement data provided by governmental authorities.
6. Consider the value of international partnerships in supporting civil society actions within and beyond the State, including through solidarity and sharing of promising practices between different organisations having diverse experiences of engagement.
7. Adopt a smart mix of measures in advocating for improved anti-trafficking efforts.
8. Consider (to the extent feasible given capacity concerns) engagement with international monitoring mechanisms (including, inter alia, the UN Special Rapporteur; UN Treaty Bodies; Regional Courts and Tribunals) as both a source of information and an avenue for sharing the analysis of the organisation to inform broader advocacy efforts.

International Organisations

1. Build capacity and a holistic understanding of trafficking across all anti-trafficking efforts implemented, ensuring that efforts addressing a specific subset of trafficking (e.g., a specific group of trafficked persons, a specific type of exploitation) are not counter-productive to broader efforts.
2. Strategically follow up on monitoring efforts to ensure that recommendations made are implemented thereby enhancing anti-trafficking efforts and furthering the goals of the organisation.
3. Ensure that programming and planning of activities and interventions reflect the priorities of local communities, are embedded in the local context, and are developed, implemented and monitored collaboratively with affected communities
4. Engagement and partnership with civil society and all related stakeholders in order to ensure buy-in on efforts and that the contribution furthers national strategies

Donors and Funders

1. Ensure that donor priorities and mechanisms are determined in full consideration of local needs and in consultation with local stakeholders.
2. Avoid (or minimise) the projectisation of anti-trafficking efforts. The sustainability of funding should allow further resources to be leveraged and secured to ensure that incremental and positive changes are not hampered by the cessation of funding.
3. Make funding available to a broad range of organisations, including smaller and local organisations who are engaging at the local and regional level.

4. Develop or strengthen mechanisms for allowing visibility and a critical role for local entities and community voices in the selection of priorities, and in the way projects are monitored and evaluated.
5. Constantly assess issues of financial management, transparency and accountability on funding ensuring the monitoring of outcomes and impacts of funded projects.
6. Ensure that indicators of success for funded projects and programmes are both quantitative and qualitative in nature and consider the long-term sustainability of actions and impacts.
7. Ensure that trafficking considerations are mainstreamed into funding available for other areas of development, humanitarian and other bilateral and multilateral assistance.

Media and Research

1. Acknowledge the impact of media on how trafficking is framed and understood, and consider the language used to discuss trafficking and related issues and the impact that such framing will have on anti-trafficking law, policy and practice.
2. Carefully consider the use of language and imagery (acknowledgement and framing) to ensure that advocacy on one issue specific subset does not jeopardise broader anti-trafficking efforts.
3. Engage with civil society organisations and all related stakeholders in order to ensure that all points of view are covered (and that best approach is used when involving people with lived experiences of human trafficking).
4. Ensure that research is made available and accessible to relevant stakeholders, allowing it to inform policy and practice.
5. Consider the impact of analysis across different fields on anti-trafficking efforts.
6. Ensure that confidentiality and privacy of individuals with lived experiences of human trafficking - including with respect to court proceedings - are respected and protected, unless the person is able and willing to give informed consent to their information being shared.