

HUMAN TRAFFICKING AND HUMAN RIGHTS IN HUMANITARIAN CRISES: THE CASE OF REFUGEE CAMPS

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Abstract

Recent global statistics show that refugee situations are on the rise. A growing body of literature has focused on the scale of the crises, mostly in rich countries, portraying refugees as ‘victims’, ‘burden’ and ‘problems’. In general, host communities have been perceived as being homogenous while socially constructed differences between them and refugees have been understudied. Implementation of top-down interventions with a primary focus on refugees’ basic needs satisfaction increased their dependency on aid and instilled their dignity triggering the strategy of their confinement mainly in camps. Accommodation of refugees in camps has not always been the best solution because they did not always provide a safe place for their dignified life. Operational gaps in some refugee-accepting countries, on the one hand, and the disproportionate efforts made by the international community to support them to manage humanitarian crises, on the other hand, have made refugees a profitable target for human traffickers. While human trafficking has been perceived as a side effect rather than a direct consequence of the humanitarian crises, it has not been prioritized in humanitarian responses’ design.

Considering the existing gaps in the literature about challenges faced by refugees in camps and insufficient research about refugee-host communities’ relations, this paper aims at discussing the risk of human trafficking in refugee camps and how it is addressed. It examines how policies and approaches advocated by International Office for Migration, European Commission, and the United Nations High Commissioner for Refugees call to promote a rights-based anti-trafficking response in refugee camps during humanitarian crises. It uses secondary data to illustrate the vulnerability of refugees to human trafficking in refugee camps and provides some recommendations to be taken into consideration.

Key words: *Refugee, refugee camp, human rights, human trafficking, anti-trafficking*

Introduction and Paper Organization

Complex and catastrophic humanitarian crises of the 21st century have precipitated heterogeneous forms of cross-border movement of affected population (United Nations Office on Drugs and Crime, 2018). On a temporary or permanent basis, in a legal or irregular way (Institute for the Study of International Migration, 2013; Meçe 2016, 2018; Organization for Economic Cooperation and Development, 2015), poor, homeless, and persecuted people are held in refugee camps, community-based shelters, collective accommodation centers and other facilities (Blank, 2020; Digidiki & Bhabha, 2017; Stamatoukou, 2020; World Bank, 2019). While they expect to find there an amicable and safe place that respects their human rights and dignity, they are very often exposed to various forms of abuse (Donnelly & Muthiah, 2019; Mengesha, 2016) and human trafficking (Brunovskis & Surtees, 2017; Obakata, 2006; Shahid, 2019; Turek, 2013). Research indicates that human trafficking is evident in situations of conflict and war all over the world. It is aided by a range of factors including corruption, neglect and complicity of authorities (Ballesteros, 2007). Massive movements of people caused during humanitarian crises drives them into highly exploitative situations (CARITAS, 2015; Gallagher, 2010; OECD, 2015; Wilson, 2011). The vulnerable status of refugees has been in the focus of the international community. Throughout the 20th century, guidelines, laws, and conventions have been developed aimed at ensuring the protection and respect of human rights of refugees (The United Nations High Commissioner for Refugees, 2011). But putting them into practice has been very challenging. Signatory States were the first ones that did not fully implement human rights standards and norms avoiding their obligations to refugee protection.

Moreover, human trafficking in humanitarian crises has been overlooked because it has not been seen as its direct consequence by both governments and non-governmental organizations (International Office for Migration, 2015). Even though there are various refugee settlements, research applies the concept of camps, which is not defined in international law. Evidence indicates that the majority of refugees are located in developing countries (UNHCR 2014, 2019) which are classified as origin, transit, and destination countries of human trafficking (United States Department of State 2017, 2018, 2019). Even some elements of the concept of human trafficking are not uniformly understood. Lack of precise definition of exploitation in the law can lead to inconsistency and difficulty to distinguish human trafficking from other crimes (IOM, 2015; UNODC, 2015). Both theoretical and practical gaps hinder full protection of those who become trapped in humanitarian crises (ISIM, 2013) and are exposed to human trafficking during their stay in refugee camps.

But human trafficking is a life-threatening phenomenon that has serious detrimental effects on refugees' life. The 2030 Agenda for Sustainable Development calls for design of holistic anti-trafficking responses to be

implemented by diverse actors in order to ensure effective prevention and protection of victims in humanitarian crises (UNDOC, 2018).

The main aim of this paper is to contribute to the debate on how to design and prepare suitable rights-based anti-trafficking responses in refugee camps during humanitarian crises in order to provide adequate treatment and protection of their dignified life. For this purpose, it uses secondary data drawn by various sources, mostly from the US Department of State, UNHCR, and IOM, as well as research articles and assessment reports prepared by scholars and international institutions about a rights-based approach, human trafficking, and refugee camps in humanitarian crises. It examines three approaches promoted and advocated by three prestigious institutions and organizations respectively, IOM, European Commission (EC) and UNHCR. They have been selected for two main reasons: a) they represent some innovative and structured institutional responses to address human trafficking in humanitarian context, and b) they emphasize the importance of involvement of a wide spectrum of actors with clear roles and responsibilities in order to guarantee refugees' protection. Last but not the least, recommendations of this paper intend to influence attempts of host societies to highly adopt rights-based anti-trafficking approaches to ensure full protection of refugees in their new settlements and minimize their punitive, exploitative and inhumane climate.

This study has three main limitations. First, it examined only three approaches developed and implemented by three international organizations and institutions mainly, IOM, EC and UNHCR. Therefore, policies designed by other organizations, bodies or institutions were not discussed. Second, it did not find detailed evidence of human trafficking in refugee camps that is why a more analytical analysis of this phenomenon was hindered. Finally, this paper was based on secondary data drawn by various reports. Therefore, it lacks evidence from the voice of the refugees who have been directly affected by human trafficking during their stay in the camps in host societies.

This paper is organized in five parts. Following an introduction and brief description of the paper's organization and its limitation presented in the first part, a general overview of the humanitarian crises' context and scale including refugee dynamics, vulnerability in refugee camps and human trafficking are discussed in the second part. International law and rights-based approach to address human trafficking are presented in the third part. Three approaches to address human trafficking in humanitarian crises, in general, and in refugee camps, in particular, are examined in the fourth part including their challenges and drawbacks. Conclusions and recommendations are included in the fifth part.

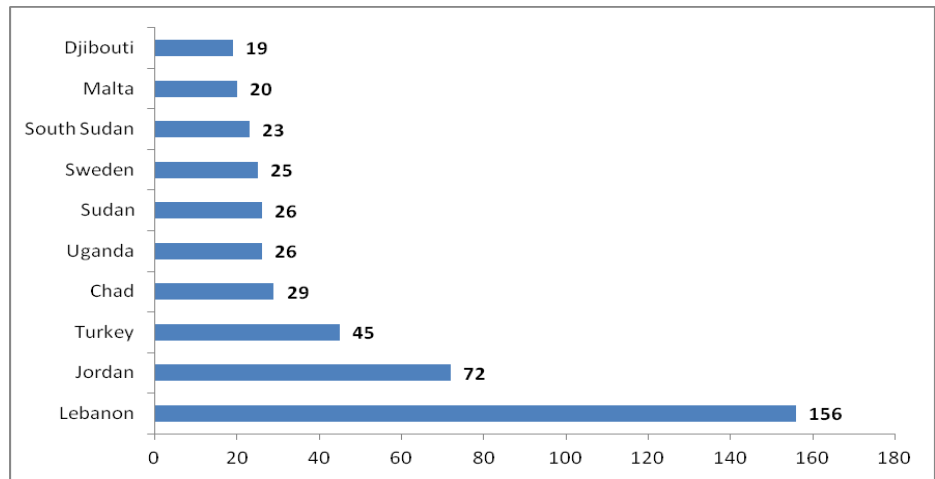
A General Overview of the Humanitarian Crises' Context and Scale

Humanitarian crisis is defined as an exceptional situation characterized by widespread threat to life, health, safety, and subsistence that goes beyond the coping capacity of individuals and communities in which they reside (ISIM, 2013). Evidence shows that humanitarian crises are complex and differ greatly (EC, 2016). Usually they have been caused by a series of pre-existing factors mainly related to poverty, inequality, lack of access to basic services and were exacerbated by armed conflicts or natural disasters leading to multiplication of destructive effects (OECD, 2015; UNHCR 2014, 2015). However, the 21st century is marking a rapid change of risk landscape where global risks are becoming central to humanitarian crises making people more vulnerable to build resilience to cope with them (The United Nations Office for the Coordination of Humanitarian Affairs, 2015). According to UNHCR (2019), almost 70.8 million people have fled worldwide: 25.9 million refugees, 41.3 million internally displaced people, and 3.5 million seeking asylum. Only during 2018 there were reported 1.1 million new refugees. The majority of them come from Syrian Arab Republic, Afghanistan, South Sudan, Somalia, Myanmar and Democratic Republic of Congo (UNHCR, 2019). Statistics show that 51 percent of the global refugee populations are children, while women and girls represent 50 percent of the entire refugee population (EC, 2016; OECD, 2015).

Growing refugee flows are not only a humanitarian challenge but also a political, human rights, development and economic challenge (EC, 2016; UNHCR, 2019). Research has highlighted that coping capacity of the country challenged by large-scale humanitarian crisis highly depends on its infrastructure and socio-economic conditions prior to crisis (OCHA, 2015). While wealthy countries try to reinforce strict border control rules to protect their national territories from massive refugee flows, the majority of them remain in poor countries (Freedman, 2019).

Evidence shows that especially in the 21st century, low income countries with poor socio-economic profiles and critical levels of underdevelopment have been highly affected by humanitarian crises (OCHA, 2015; Shahid, 2019; UNHCR, 2019). Paradoxically, these regions continue to receive millions of new refugees. Statistics show that in 2018, on average, there were 2.7 refugees per 1,000 inhabitants in developed countries versus 5.8 refugees per 1,000 inhabitants in low- and middle-income countries. Only the Least Developed Countries provided asylum to 6.7 million refugees, or 33 percent of the global total (UNHCR, 2019). Figure 1 shows distribution of refugees per 1,000 inhabitants in some developed and developing countries by the end of 2018.

Figure 1: Number of refugees per 1,000 inhabitants, 2018



Source: UNHCR. (2019). Global trends. Forced displacement in 2018. Geneva: UNHCR, p. 21.

Refugee Dynamics, Vulnerability of Refugees in Camps and Human Trafficking

Article 1 of the Geneva Refugee Convention and its 1967 Protocol defines the refugee as a person who is outside his or her country of nationality and is unable or unwilling to return due to persecution or a well-founded fear of being persecuted because of race, religion, nationality, membership in a particular social group or political opinion. It is a person who lacks proper agency, voice and face (Soguk, 1999). In the case of humanitarian crises, refugees forcibly leave their homes taking dangerous and risky routes where they are exposed to various forms of violence and life-threatening experiences. Their inhumane treatment during these journeys is combined with several gendered and racial forms of insecurity (Freedman, 2016, 2019).

Refugees who reach destination countries are accommodated in various types of settlements (Donnelly & Muthiah, 2019; Freedman, 2019; Wilson, 2011). Jacobsen (2001) identifies *self-settlement* (which occurs when refugees settle amongst the local community and get help by local people without direct official support); *reception settlement* (which represents a temporary or transit accommodation because the host population needs its buildings); and *camps*. Even though millions of refugees are accommodated in one type of these settlements or another (Turner, 2015), there is no definition of the term ‘refugee camp’ in international law (Janmyr, 2015). However, various authors and humanitarian agencies have defined it as a

temporary settlement (Norwegian Refugee Council, 2008), purpose-built site inhabited by people who have left their homes from the fear of war, destruction or violence (Donnelly & Muthiah, 2019) where dwelling structures are tents or flimsy huts (Jacobsen, 2011) located close to the border or far from cities where demarcation between the inside and the outside is distinct (Digidiki & Bhabha, 2017; Donnelly & Muthiah, 2019; Stamatoukou, 2020; Turner, 2015). Even though it serves as a temporary measure until a proper solution is found, the length of the stay in refugee camps is undetermined (Turner, 2015).

Studies have documented formal and informal refugee camps. Formal refugee camps are mostly resourced by international and non-governmental organizations and partly by the States which have accepted refugees in their territories (Donnelly & Muthiah, 2019). Informal refugee camps are usually established by refugees who are not able to reach their desired country or when the number of refugees in a certain country exceeds its management capacity. For instance, 2015 statistics of the UNHCR showed that approximately 84% of the refugees in Jordan were not living in official refugee camps (Donnelly & Muthiah, 2019).

Research indicates that humanitarian crises increase the vulnerability of the refugees who are also treated as commodities in the political negotiations between nation-states and become subject to dehumanizing practices in refugee camps (Wilson, 2011). Usually refugee camps have a high population density (Freedman, 2019; Tamminem, 2014), accommodate a large proportion of people with different needs (Donnelly & Muthiah, 2019; Jones, 2002), do not always satisfy their entire needs (Brunovskis & Surtees, 2017), suffer from low investment (Crisp, 2002; Shahid, 2019) and have very limited infrastructure (Freedman, 2019; The Freedom Fund, 2016). All these deficiencies and deficits make refugees struggle for economic survival (Wilson, 2011) and a dignified life (Amnesty International, 2013).

Literature has documented some gendered and age dimensions of vulnerability in refugee camps (Brunovskis & Surtees, 2017; Donnelly & Muthiah, 2019). Extreme vulnerable and desperate situation of women is highly exacerbated by gender-based violence, sexual abuse, trauma, lack of educational opportunities and poor financial means (Shahid, 2019; Wilson, 2011). The worst scenario is the situation of young women with dependents without a male companion accommodated in refugee camps established in the countries where the social protection system is weak while unrelated men and women are forced to live together and fight to have access to food, hygienic materials, clothes, etcetera (Donnelly & Muthiah, 2019). On the other hand, young girls and unaccompanied minors are exposed to rape, sex for survival, petty crimes and drug smuggling because they are reliant on adults for food, wellbeing and security (Digidiki & Bhabha, 2017; Donnelly & Muthiah, 2019; Gallagher, 2010; Wilson, 2011).

Some scholars argue that refugee camps serve as potential places that breed unlawful activities and crime (Ballesteros, 2007; International Refugee

Rights Initiative, 2018; Steven & Eberechi, 2019). They have been denoted as grounds for human traffickers who take advantage of the vulnerable status of the refugees. Risk factors that expose them to human trafficking include physical insecurity in the camp due to inadequate monitoring, complicity and corruption of refugee camp security forces (Amnesty International, 2013; Brunovskis & Surtees, 2017; Humpri, 2013; Shahid, 2019), forced recruitment of unaccompanied minors who reside there to combat in civil war (Tamminem, 2014), negative coping mechanisms developed due to high level of poverty and social exclusion making some refugees being involved as brokers within the camp, organize kidnapping and exercise pressure on girls to be involved in survival sex (Digidiki & Bhabha, 2017; Wilson, 2011).

Even though there are no precise data about human trafficking in refugee camps (UNHCR, 2012; United Nations Office on Drugs and Crime, 2007), statistics of some international organizations show that this crime exists, represents a serious life problem and shames us all (UNODC, 2007). According to the IOM data, 420 cases of human trafficking were identified in Rohingya refugee camps in Bangladesh during the period December 2018 – June 2019. This figure was four times higher than that reported during the previous fourteen months (Shahid, 2019).

The UN Convention against Transnational Organized Crime (UNCTOC) adopted in 2000 includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (known as Palermo Protocol). Article 3 paragraph (a) of this protocol defines human trafficking as “the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs” (United Nations, 2000, p. 2). The same wording of human trafficking was also included in Article 4 of the Convention on Action against Trafficking in Human Beings adopted by the Council of Europe in 2005. In addition, it was added that “‘victim’ shall mean any natural person who is subject to trafficking in human beings as defined in this article” (Council of Europe, 2005, p. 3). But, human trafficking, which robs the dignity and freedom of many refugees, is based not only on the desire for profit, but also on social norms and values that permit gross exploitation (Inter-Agency Coordination Group against Trafficking in Persons, 2014). If human trafficking is evident in refugee camps during humanitarian crises, why is it insufficiently addressed?

Right-based approach to address human trafficking and international law

A rights-based approach to human trafficking presents a conceptual framework to deal with this phenomenon based on the standards set in international human rights law. This approach intends to analyze ways of human rights violations throughout the trafficking cycle emphasizing the obligations of the States under the international human rights law. Focusing on both, identification and redressing of discriminatory practices as well as unjust distribution of power that denies justice to the victims of trafficking. This approach works to strengthen the capacities of right holders, secure their rights and guide duty bearers to meet their obligations (UNHCR, 2014).

But human trafficking in humanitarian crises flourishes and it is insufficiently addressed for various reasons mainly: a) the legal framework to fight against human trafficking is articulated in the Palermo Protocol, but this protocol “does not necessarily refer to crisis or post-crisis situations” (IOM, 2015, p. 10). Therefore, human trafficking is underestimated when humanitarian assistance is designed; b) even though the Palermo Protocol is ratified by 152 states out of 171 which are parties to the Convention (van Reisen, Estefanos and Rijken, 2012), its practical application is hindered by lack of precise definition of certain aspects of the concept of human trafficking (UNODC, 2015). For instance, exploitative purpose of human trafficking remains a challenge because “neither ‘exploitation of the prostitution of others’ nor ‘sexual exploitation’ is defined in international law” (UNODC, 2015, p. 9). Moreover, in practical terms, culture, religion and ethnicity affect the determination of the threshold required to consider exploitation for trafficking purposes. They impact the ‘grey areas’ of what constitutes abduction, forced labor, exploitation, gender-based violence and trafficking. For instance, sexual exploitation and forced marriage have particularly targeted women and girls. But men and boys are also victims of human trafficking (UNODC, 2015) and they should not be left out of the victim archetype. These uncertainties hinder appropriate measures and interventions against human trafficking in refugee camps; c) both, governments and non-governmental actors have perceived human trafficking as a mere side effect of the humanitarian crises and not interrelated to it (IOM, 2015). This has hampered prompt response in terms of victims identification, criminal investigations and prosecutions (Special Rapporteur, 2015); d) human trafficking in humanitarian crises is less documented due to scarce resources and challenging environments. Therefore, it is difficult to assess the impact of humanitarian crises on trafficking trends, in general, (IOM, 2015) and in refugee camps, in particular (Table 1 shows increasing number of refugees accommodated there during the period 2014-2016).

Table 1: Accommodation of refugees, 2014-2016

Type of accommodation	Number of refugees			% women			% children			% urban		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Planned/ managed camps	3,512,500	3,390,900	4,011,000	50.5	51.4	51.4	55.7	57.6	58.6	7.0	1.4	3.3
Self-settled camps	487,500	518,600	525,200	52.9	53.3	52.4	56.3	57.1	56.5	0.4	7.6	7.2
Reception/ transit camps	111,700	197,600	281,800	51.5	51.3	62.5	51.0	54.3	35.7	15.1	10.7	9.6

Source: UNHCR. (2017). Global Trends. Forced Displacement in 2016, p. 55

Ongoing pressure of the European Union on neighboring countries with conflict zones to accept refugees and accommodate them in camps has changed the international context of the refugee issue (CARITAS, 2015). The majority of the refugee camps are located in countries which are source, transit and destination countries of human trafficking while their governments either do not fully comply with the minimum standards to eliminate this phenomenon (Tier 2) or do not fully comply with the minimum standards to eliminate it and do not make any significant effort to address it (Tier 3) (US Department of State, 2019). Table 2 shows Tier ranking of some of these countries during the period 2012-2019.

Table 2: Tier ranking of selected refugee hosting countries, 2012-2019

Countries	2012	2013	2014	2015	2016	2017	2018	2019
Lebanon	Watch list 2	Watch list 2	Watch list 2	Watch list 2	2	2	2	2
Jordan	2	2	2	2	2	2	2	2
Chad	Watch list 2	Watch list 2	Watch list 2	2	2	Watch list 2	Watch list 2	2
Djibouti	Watch list 2	Watch list 2	Watch list 2	Watch list 2	3	Watch list 2	2	2
South Sudan	Watch list 2	Watch list 2	Watch list 2	3	3	3	3	3
Turkey	2	2	2	2	2	2	2	2
Kenya	Watch list 2	Watch list 2	Watch list 2	2	2	2	2	2

Source: US Department of State. (2015). Trafficking in Persons 2015; US Department of State. (2016). Trafficking in Persons 2016; US Department of State. (2017). Trafficking in Persons 2017; US Department of State. (2018). Trafficking in Persons 2018; US Department of State. (2019). Trafficking in Persons 2019.

Moreover, some of them like Lebanon and India have not signed the 1951 Geneva Refugee Convention, while Turkey has placed restrictions on the Convention accepting only refugees from Europe. These make refugees have limited protection status (CARITAS, 2015; Center for Feminist Foreign Policy, 2019). But the 1951 Geneva Refugee Convention and its 1967 Protocol clarify the rights of refugees and the obligations of the States which are part of these instruments (UNHCR, 2011). According to them refugees are entitled to seek protection and exercise their rights while host States should not accommodate them at areas at risk (The Freedom Fund, 2016). Protection and assistance of refugees is also articulated and adopted in other international documents. So, Article 5.1 of the United Nations General Assembly (1985) Declaration on the human rights of individuals who are not nationals of the country in which they live clearly states that they shall enjoy their rights in

conformity with the domestic law and international law as per obligations of the State where they are accepted. Article 22 of the UN Convention on the Rights of the Child (1989) obliges State parties to take relevant measures to ensure appropriate protection and enjoyment of human rights for children who seek refugee status or are considered refugees.

But, some scholars argue that disproportionate efforts of the governments of some refugee-accepting countries to guarantee their full protection as per international law is sometimes the consequence of the failure of the promise provided by the international community. Limited financial resources to manage refugee crises force governments of these countries made insufficient efforts while tensions among refugees and local population grow security concerns in refugee camps. For instance, as of 24th August 2019, the government of Bangladesh had received only 330 million USD out of 920 million USD promised to support Rohingya refugees in camps (Shahid, 2019).

A Review of some Policies that address Human Trafficking in Humanitarian Crises, in general, and in Refugee Camps, in particular

Counter-trafficking measures should be taken into consideration during humanitarian crises and should be seen as life-saving protection which mitigates harm, threat or loss of life within a short period of time and protect people with dignity (IOM, 2015). Since international refugee law is related to human rights law, application of rights-based approach in humanitarian crises is needed to preserve dignity of refugees (Mengesha, 2016) and address human trafficking. This section discusses three policies designed by the European Commission (EC), International Office for Migration (IOM), and United Nations High Commissioner for Refugees (UNHCR).

The European Commission Policy on “Lives in dignity: From aid dependence to self-reliance”

The European Commission (2016) “Lives in dignity: From aid dependence to self-reliance” policy is a comprehensive approach that prioritizes the vulnerable situation of refugees in humanitarian crisis and seeks to bridge the gap between humanitarian assistance and development through supporting self-reliance opportunities. This development-oriented document designed as a response to refugee protection argues that improved self-reliance of refugees will lead to the improvement of the quality of the protection system (EC, 2016).

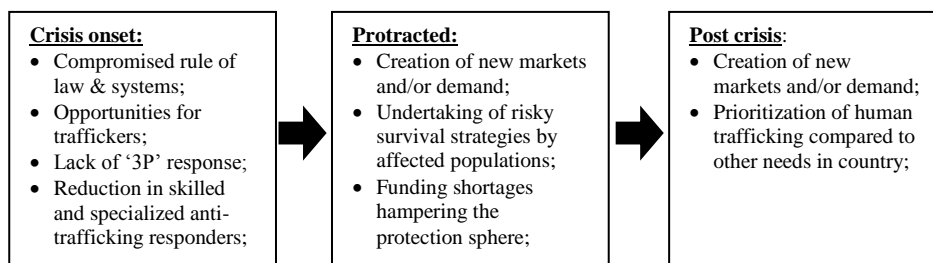
This ambitious policy framework is guided by several elements and requires a humanitarian and development nexus (EC, 2016). Fostering a deeper exchange of information and coordination of actions, this approach foresees more holistic, effective protection of refugees. It calls for coherent collaboration among political, humanitarian and development actors at the

very early stage of the crisis in order to design evidence-based strategies to address vulnerabilities of the refugees. It seeks for effective strategic engagement and partnership with a wide spectrum of concerned stakeholders to ensure policy dialogue with host countries and raise awareness of refugees about their rights. Moreover, education of refugees and their access to labor market have been perceived as suitable ways to strengthen their protection and minimize the drivers of their vulnerability in their host communities (EC, 2016).

But to what extent did this policy respond to the reality of refugees kept in camps in host communities? Limited research conducted so far on the impact of this policy on human trafficking of refugees accommodated in camps showed that it did not fully address their vulnerable situation and did not ensure their expected protection. According to the World Bank (2019) study on self-reliance of refugees in Kenya, humanitarian assistance was the main source of their income in both camps in Kakuma and Dadaab. Unemployment rate was very high among refugees who suffered from poverty and deprivation. Self-reliance opportunities were very limited because of the underdevelopment and poverty of the host communities. Refugee women were more vulnerable and less likely to be involved in education. Sexual exploitation of children and commercial sex work for food persisted (World Bank, 2019). Some of the challenges faced into practice included: a) difficulties to work together due to lack of joint visions and joint analytical frameworks; b) insufficient coordination; c) different funding cycles due to different programming regimes; d) failure to differentiate concrete needs, vulnerabilities and capacities of different people under the same situation; e) underdevelopment of strategies to achieve self-resilience due to insufficient allocation of funds (EC, 2016).

The approach of the International Office for Migration (IOM) to address human trafficking in humanitarian crisis

In its document on addressing human trafficking and exploitation in time of crisis, IOM (2015) does not view risk factors of human trafficking as static or linked to only one phase of the humanitarian crisis. Its framework prioritizes counter-trafficking efforts as a matter of life and livelihood of victims of trafficking. Therefore, it considers them as life-saving activities and calls for implementation of adapted response strategies to each setting in order to make sure that protection gaps are addressed (IOM, 2015). Chaos generated during crises situations and weak rule of law hamper the capacity of the country to respond to crime and diverse forms of human trafficking that flourish. Therefore, IOM framework considers risks factors in three phases (before, during and after crisis) while emphasizes the importance of addressing them in each phase (Figure 2).

Figure 2: Risk factors for human trafficking in crisis settings

Source: IOM. (2015). Addressing human trafficking and exploitation in times of crises. Evidence and recommendations for further action to protect vulnerable and mobile populations, p. 31-35.

To ensure better incorporation and application of counter-trafficking response in cluster system, IOM (2015) provides a list of recommendations to States in order to strengthen partnerships with civil society organizations, enhance cooperation with law enforcement agencies at national and international levels and raise awareness on human trafficking through various educational campaigns targeting a wide audience including at-risk population and government officials to close the knowledge gap about this phenomenon before, during and after the crisis. Adoption of a rights-based approach of reporting to the Cluster System should be strengthened while more efforts should be made to bridge the gap between pre-existing trafficking patterns and those emerged during crises (IOM, 2015).

IOM policy framework identified specific parameters of response which correspond with three phases: crisis onset, protracted, and post crisis. During crisis onset, the main emphasis has been on states to promote and adopt counter-trafficking laws in their domestic legislation, integrate them in emergency preparedness including National Referral Mechanisms and elaborate livelihood activities to reduce vulnerabilities of population at risk. In addition, capacity building activities to combat human trafficking should target multi-sector stakeholders (IOM, 2015).

During the crisis, counter-trafficking measures should be part of humanitarian response while inter-agency cooperation mechanisms established will allow more coherent counter-trafficking response. Tools and guidelines developed should ensure better involvement of multi-sector stakeholders in case management, effective protection of victims and their accommodation in safe places during crisis, and relevant legal support will be provided to exploited mobile population (IOM, 2015). After the crisis, the states should take measures to prosecute those involved in human trafficking, deliver direct assistance to victims of trafficking and evaluate measures taken during the crisis in order to identify gaps and close them (IOM, 2015).

UNHCR Policy on ‘Alternatives to Camps’

This UNHCR (2014) policy intends to apply alternatives to camps whenever possible in order to ensure effective protection and assistance of refugees as well as achieve relevant solutions. Being aware of the special status of the refugees under international law, successful implementation of this policy requires close collaboration with host governments. Alternatives to camps are diverse as refugees, cultures, communities, laws and policies of countries where they reside. Therefore, enabling them to peacefully and lawfully reside outside the camp, maximizing their protection space and supporting them to build their safe lives will positively contribute to maintenance of their independence, responsibility for their family life and development of sustainable livelihood (UNHCR, 2014). Building their life outside the camp will help refugees better interact with local people, achieve self-reliance in local conditions, work together to live peacefully and solve any misunderstanding or difference. Therefore, refugees will have access to community-based services and local infrastructure avoiding duplication of services and establishment of parallel separated structures for them (UNHCR, 2014).

While supporting the policy of ‘Alternatives to camps’, UNHCR adapted various comprehensive protection policies it applied in refugee camps to ensure that refugees were protected from abuse, exploitation and violence. It partnered and further developed collaboration with host communities, government authorities, non-governmental organizations and other community-based organizations including refugees (UNHCR, 2014). To make ‘Alternatives to camps’ policy work well into practice some preparatory work is needed. Therefore consultation with refugees and local communities is necessary to establish communication and overcome challenges; a protective environment should be promoted to ensure safe access of refugees to local services; advocacy strategies should be developed to apply rights-based approach to protection of refugees’ rights; contingency planning and emergency preparedness should be reinforced to facilitate alternatives to camps; synergies with other national development plans should be found to achieve efficiency and greater impact on both, refugees and host communities; community-based protection mechanisms should be strengthened to ensure direct engagement of refugees in host communities (UNHCR, 2014).

Even though this policy sounds positive, some challenges have to be taken into account to new strategic direction mainly a) high pressure of large number of refugees on resources of local people of host communities leading to tension; b) understanding the needs of refugees and making the contacts with local people which sometimes might take a longer time than that initially foreseen; c) adoption of procedures and approaches to develop new skills across protection, and program management; d) information gaps about refugee rights to protection (UNHCR, 2014).

But to what extent did ‘Alternatives to Camps’ policy ensure protection of refugees from human trafficking in practice? Research conducted in Ethiopia where this policy was piloted in 2015 and in Sudan showed that it did not fully work (International Refugee Rights Initiative, 2017). Eritrean refugees in Shagarab camp were in a contradictory situation. They were highly restricted to move out of the camps. Those who opted for that were considered ‘illegal’ and did not benefit humanitarian assistance. This increased their vulnerability to human trafficking because they did not have other means to meet their food needs. On the other hand, according to Eritrean refugees, Shagarab refugee camp was regulated by traffickers where kidnapping was ongoing while camp security forces were involved in refugees’ selling (International Refugee Rights Initiative, 2017). Therefore, protection of refugees against human trafficking lacked inside and outside the camp.

Conclusions and Recommendations

This paper discussed human trafficking in humanitarian crises, in general, and in refugee camps, in particular. It emphasized some practical difficulties and barriers faced to identify and document this life-threatening phenomenon in humanitarian context. Furthermore, it examined three rights-based anti-trafficking responses promoted by IOM, European Commission and UNHCR to address it highlighting their shortcomings in practice. Their analysis showed that these three policies had a good intention to reduce the vulnerability of refugees to human trafficking regardless the way they approached it. The policy of the European Commission tried to address refugees’ vulnerable situation and dependence in camps through improving their self-reliance. IOM took a broader approach and tried to address human trafficking at onset, protracted and post-crisis situations while the policy of UNHCR was specifically focused to address a range of protection and security issues within refugee camps. Regardless these differences, these anti-trafficking institutional responses were hard to be successfully implemented. Their policy makers were somehow blind about a range of challenges mainly related to the difficulty to work together and coordinate based on a common vision and framework; lack of proper understanding of structural, cultural, religious, linguistic and ethnic factors that divide rather than unite refugees and local people in host communities; failure to distinguish the diversity of refugee groups in order to design specific interventions for them; insufficient funds to support implementation of these new responses; and limited alternatives available to underdeveloped and poor host communities to reduce the vulnerability of refugees and increase their self-reliance.

Conclusions of this study lead to some recommendations which might be taken into consideration by policy makers who are concerned about detrimental effects of human trafficking in refugee crises, in general, and refugee camps, in particular. It is necessary for them to acknowledge that a

good anti-trafficking policy for refugees in humanitarian crises should also be a good policy for the host communities where they are accommodated. Tangible benefits of the host communities in terms of better economic opportunities, improved infrastructure, protection and safety will, in turn, contribute to reduce the vulnerability and human trafficking of refugees. Therefore, a preliminary assessment of the situation of the host country to get information about existing legal framework, cultural differences, possible localization of refugee camps, capacity of services available to meet the needs of refugees should be prioritized. Awareness raising of host people about the phenomenon of human trafficking and on-job training of camp security forces about human trafficking and respect of refugee rights are of great importance. This highlights the need for well-coordinated and concerted actions among a broad spectrum of actors including camp security forces, refugees, local authorities, national authorities, civil society organizations and faith-based organizations to alert any suspected effort for human trafficking and take adequate measures to timely respond to it. It is important to bolster protection of specific refugee groups to close protection gaps. This can be reached through tailoring specific- and context-bound refugee-centered interventions. Innovative approaches to fight against human trafficking in humanitarian crises, in general, and in refugee camps, in particular, require further improvement of domestic legal framework to be consistent with the international law as well as its enforcement in refugee-accepting countries.

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