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Programme to Support the Development of Transnational Referral Mechanisms (TRM) for Trafficked Persons in South-Eastern Europe

Final Regional TRM Seminar, 2-3 June 2009

SEMINAR CONCLUSIONS

The Final Regional Seminar of the *Programme to Support the Development of Transnational Referral Mechanisms (TRM) for Trafficked Persons in South-Eastern Europe* took place on 2-3 June 2009 in Ohrid, Macedonia. The project is jointly implemented by the International Centre for Migration Policy Development (ICMPD), the Ministry of Interior of Bulgaria and the Migration, Asylum, Refugees Regional Initiative (MARRI) in Skopje. The U.S. Agency for International Development (USAID) supports the programme financially.

As the concluding event of the three-year TRM programme, the seminar focused on the progress in the implementation of the TRM of all involved countries, on discussions about cross-cutting issues and on the outlook for future comprehensive anti-trafficking responses.

The welcome remarks, delivered by the Minister of Interior of Macedonia, Ms Gordana Jankuloska, stressed the importance of **cooperation between all relevant partners as the only way to improve** the fight against trafficking in persons. Ms Jankuloska pointed out that institutionalized regional cooperation through the TRM marked a significant success in this area. Mr Thomas Navratil from the US Embassy in Skopje reiterated the points made by Ms Jankuloska and further **emphasized the need for national ownership** of the implementation of the individual TRM guidelines in order to ensure the sustainability of this program and maintain dedication to strengthening transnational cooperation throughout Europe.

The key note speaker, ICMPD's Director General, Gottfried Zürcher, addressed the **external dimension of trafficking in human beings**, which will increasingly become a priority for all involved actors.

The point reiterated during the country presentations delivered by a representative of National Implementation Teams (NITs) is the **progress made** by all participating countries and the tangible changes in their daily approach to resolving transnational cases of trafficking. This progress was summarized with one sentence by a number of national representatives: **the TRM countries now speak a common language of transnational cooperation**. Even though every country is at a different stage of implementation and mode of official adoption of the TRM guidelines and some NRMs are under development,

the practitioners actively use them in their daily work. It is through the created platform for exchange of expertise and information that the TRM has become an effective and practical tool for cooperation.

A vivid example for that was provided during the case presentations. Two joint presentations were held by the representatives of Macedonia and Kosovo¹, and Bulgaria and Romania respectively. The stories of the cases, told jointly by the partner institutions, contained lessons learned about practical cooperation: they **highlighted the need for transnational work, facilitated contacts and mutual understanding**. Furthermore, the representatives of Spain and Italy shared their experiences in transnational cooperation and expressed their interest and commitment to participate in the TRM concept.

Throughout the three-year implementation of the TRM programme, **several cross-cutting issues** were identified as relevant to all participating countries and pertaining to transnational cooperation in anti-trafficking efforts. The Ohrid seminar featured expert presentations on four of these issues:

1. Monitoring and evaluation.
2. Information exchange and data protection.
3. Special measures for children.
4. Social inclusion of victims of trafficking.

These topics were also discussed in the four respective working groups. Lively discussions ensued among the participating practitioners, who outlined best practices and outstanding challenges in each field.

The participants in the working group on **Monitoring and Evaluation (ME)** agreed that the monitoring and evaluating mechanism of the TRM must be flexible and adaptable. This, together with national institutional ownership is the most important precondition for success. It was also suggested that the reports produced by the monitoring mechanism should be used to revise, adapt and target initiatives contained in the National Action Plans (NAPs) on a regular basis. In addition, the need for a change in the way of thinking was emphasized: it is necessary to understand the ME mechanism as an information management issue which will benefit the "end-user," i.e. the practitioners and national policy makers.

The working group on **Information exchange and data protection** was composed mainly of public prosecutors who explained how information exchange and data collection is carried out in their respective countries, mentioning on-going projects and collaboration with international organizations such as INTERPOL, EUROPOL, and the SECI centre. The specific role of EUROPOL in the European context was also addressed. The participants recognised the contact list of the TRM Guidelines as a useful tool in establishing direct informal contacts, most helpful in expediting case investigations. Outstanding challenges that require further work included: regulating and formalizing the role/responsibilities of the NGOs and/or shelters as useful sources of evidence gathering during the investigative procedures, and reviewing the penal code in view of stipulating the rights for compensation for trafficked persons, following the best practices of the TRM beneficiary countries.

¹ Under UNSCR 1244.

The underlying issues of the working group on **Special Measures for Children** focused primarily on age assessment, appointment of a guardian and best interest determination. It was agreed that the availability of special measures for children is in fact a substantial issue. The working group participants highlighted the need for more detailed SOPs for assisting and protecting children victims of trafficking, especially at specific (crucial) stages of the (transnational) referral process. Particularly in the referral of children more effective and timely transnational cooperation is crucial.

The working group on **Social Inclusion** of trafficked persons focused on outlining the “full package” of services that a victim of trafficking should be entitled to. It was agreed that these should include a range of short-term and long-term assistance in order to facilitate the sustainability of the victim’s integration or reintegration. It became evident, that such a full package of services is often provided on an ad-hoc basis. In addition to the diversification of funding, possible solutions include ensuring access to community-based additional services that the immediate care providers are not able to ensure.

The Steering group meeting that took place in parallel to the working group session, collected input from the National Coordinators on further strategic development and ways to strengthen the commitment of the national institutions towards implementation of the TRM. The National Coordinators confirmed their commitment to support further implementation of the TRM Programme on both national and transnational level and requested ICMPD to further facilitate this process.

It was continuously recognized by the participants that the TRM provides a **broad framework for practical transnational cooperation**, which addresses an array of relevant issues. To show and foster possible links between different activities, during the concluding session of the seminar a number of TRM related initiatives were presented by the participants. The **TRM EU** includes four of the countries currently involved in the TRM (Albania, Bulgaria, Macedonia and Romania) and four additional EU member states: Czech Republic, Hungary, Italy and Portugal. It follows the model of the TRM implemented in South Eastern Europe and is a proof that the TRM can continue to be expanded to include more committed states.

The second phase of the project on **Data Collection and Information Management** was also presented. Closely related to the issues of monitoring and evaluation, data management and protection, the outputs of the DCIM project are also relevant for the TRM programme.

In the Seminar conclusions, a summary of the two-day plenary and working group discussions was provided. The next steps of the TRM project, until its official end in October 2009 were also outlined:

- ICMPD will provide support in adapting and implementing the monitoring tool;
- A final report containing information gathered during the TRM implementation and lessons learned will be published;
- A final meeting of all National Anti-trafficking Coordinators will take place in October. At this meeting, upon their suggestions, the national coordinators would sign a joint declaration for the TRM implementation;

- The final, comprehensive version of the TRM guidelines in English will be published. The Advisory Board members will be invited to provide input on this version before its finalization.

The participants in the final seminar recognized that a process has started with the TRM programme that will not stop with the end of the programme itself. It became evident that the efficiency of the TRM is a by-product of the commitment of the actors involved in it to use it to its full potential. Although a functioning NRM is a precondition for an effective TRM, developing the two mechanisms can be combined and executed in a complementary manner, as it occurred in some of the TRM participating countries.

The TRM SOPs are not an artificial tool: they shall be inserted in a wider context, related to the whole anti-trafficking policy, labour legislation, migration policies of a given country. The TRM reflects the multidimensional and ever-changing environment of anti-trafficking efforts.

The TRM has evolved from a programme into a concept – a concept that promotes and facilitates international cooperation in anti-trafficking on a practical level. Such transnational cooperation is the only effective means to ensuring sustainability.

Vienna, 26 June 2009