





# Input for the UN Special Rapporteur on Trafficking in Persons, especially women and children's 2023 Report to the UN Human Rights Council

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#### 1. Introduction

This submission highlights the intersections between asylum and human trafficking and stresses the need for a comprehensive approach to international protection, which includes attention to protection and prevention obligations vis-à-vis human trafficking, through the lens of work undertaken by the Refugee Law Project (RLP), Makerere University, Uganda, in partnership with the Irish Centre for Human Rights (ICHR), School of Law, University of Galway, Ireland. The submission first highlights the need for anti-trafficking law, policy, and practice to permeate international protection settings. Then, attention turns to an example of such an approach in practice, through the case study of RLP's work undertaken in collaboration with the ICHR over the course of a 3-year Irish Research Council COALESCE project entitled 'Human Trafficking, Forced Migration and Gender Equality in Uganda'.<sup>1</sup>

### 2. A Need for Anti-Trafficking Law, Policy and Practice to Permeate International Protection

Since the adoption of the Palermo Protocol in 2000, efforts to address human trafficking have impacted law, policy and practice across a diverse cultures and contexts.<sup>2</sup> In addition, such

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<sup>&</sup>lt;sup>1</sup> For more information on the project, including outputs, see: 'Human Trafficking, Forced Migration and Gender Equality in Uganda' (*University of Galway*) <a href="https://www.universityofgalway.ie/irish-centre-human-rights/public/projects/uganda/">https://www.universityofgalway.ie/irish-centre-human-rights/public/projects/uganda/</a> accessed 27 February 2023.

<sup>&</sup>lt;sup>2</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime (adopted by GA Resolution 55/25 15 November 2000, entered into force 25 December 2003) UNGA Res 55/25. See, also UNODC, 'Trafficking in Persons'

action and efforts have been increasingly marked by a human-rights based approach, with key trafficking prevention and protection obligations now firmly rooted within international human rights law.<sup>3</sup> Notwithstanding the progress that has been made, human trafficking responses often remain siloed, disconnected from intersecting protection challenges. This is particularly the case when it comes to forced migration. Indeed, the number of refugees, asylum seekers, and internally displaced persons continues to rise, now sitting at an all time high of over 100 million.<sup>4</sup> Those who are displaced face a range of protection challenges. While some do find the safety and protection they seek, many remain in a position of insecurity, at risk of harm including human trafficking. This risk is present both on the journey and in the location of protection – be that within one's country of origin, or in another country.<sup>5</sup>

Until recently, focus on the intersections between human trafficking and displacement was largely limited to analysis of the extent to which situations of trafficking could fall within the scope of the refugee definition within Article 1(A)(2) of the 1951 Convention Relating to the Status of Refugees. Such an emphasis is important and ought to continue. Yet, the intersections between trafficking and displacement extend beyond this narrow focus. In particular, attention to the application of trafficking prevention and protection obligations to displacement contexts has been largely absent in law, policy and practice. Encouragingly, some signs of promise are observable. For example, in November 2021, UN Member States adopted the '2021 Political Declaration on the Implementation of the United Nations Global

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<sup>&</sup>lt;a href="https://dataunodc.un.org/dp-trafficking-persons">https://dataunodc.un.org/dp-trafficking-persons</a>> accessed 27 February 2023; US Department of State, '2022 Trafficking in Persons Report' (US Department of State 2022).

<sup>&</sup>lt;sup>3</sup> See, eg OHCHR and Trafficking in Persons, < https://www.ohchr.org/en/trafficking-in-persons> accessed 27 February 2023. See also, case law from ECtHR, in particular: *Rantsev v Cyprus and Russia* App no 25965/04 (ECtHR, 7 January 2010); *Chowdury and Others v Greece* App no 21884/15 (ECtHR, 30 March 2017; *S.M. v Croatia* App no 60561/14 (ECtHR, 25 June 2020); *V.C.L & A.N v. The United Kingdom* App nos 77587/12 and 74603/12 (ECtHR, 16 February 2021) See also: James C Hathaway, 'The Human Rights Quagmire of Human Trafficking' (2008) 49 Virginia Journal of International Law 1; Conny Rijken, 'A Human Rights-Based AppSroach to Trafficking in Human Beings' (2009); Tom Obokata, Trafficking of Human Beings from a Human Rights Perspective (Brill 2006). Vladislava Stoyanova, *Human Trafficking and Slavery Reconsidered: Conceptual Limits and States' Positive Obligations in European* Law (CUP 2017).

<sup>&</sup>lt;sup>4</sup> UNHCR, 'Refugee Data Finder' <a href="https://www.unhcr.org/refugee-statistics/">https://www.unhcr.org/refugee-statistics/</a> accessed 27 February 2023.

<sup>&</sup>lt;sup>5</sup> Gillian Kane, 'Effective Protection? A comparative analysis of the role of international law in preventing and tackling human trafficking among refugees and asylum seekers in Africa and Europe' (PhD thesis, Queen's University Belfast 2022); See also: Global Protection Cluster, 'An Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts' (2020), available at: <a href="https://www.globalprotectioncluster.org/sites/default/files/2022-09/introductory-guide-on-anti-trafficking-in-idp-contexts\_2020\_final-1.pdf">https://www.globalprotectioncluster.org/sites/default/files/2022-09/introductory-guide-on-anti-trafficking-in-idp-contexts\_2020\_final-1.pdf</a>> accessed 27 February 2023.

<sup>&</sup>lt;sup>6</sup> See, eg Susan Kneebone, 'Protecting Trafficked Persons from Refoulement: Re-examining the Nexus' in Satvinder S Juss and Colin Harvey (eds) *Contemporary Issues in Refugee Law* (Elgar 2013); Martina Pomeroy, 'Left Out in the Cold: Trafficking Victims, Gender, and Misinterpretation of the Refugee Convention's "Nexus" Requirement' (2010) 16(2) Michigan Journal of Gender and Law 453; Kaori Saito, 'International Protection for Trafficked Persons and Those who Fear Being Trafficked' (2007) UNHCR Research Paper No 149 <www.unhcr.org/research/working/476652742/international-protection-trafficked-persons-fear-trafficked-kaorisaito.html> accessed 27 February 2023;UNHCR Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked' (7 April 2006) HCR/GIP/06/07.

Plan of Action to Combat Trafficking in Persons'. Within the text of the declaration is an explicit recognition of the fact that 'refugees and migrants in large movements face greater risk of trafficking' and contains commitments to 'work to prevent trafficking among those affected by displacement' and to 'provide support for victims'. Moreover, in 2020, the Global Protection Cluster's anti-trafficking task team has produced 'An Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts'.

Regionally, the work of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings has also been instrumental in making the much-needed connections between human trafficking and asylum. Country and thematic reports regularly highlight the need to address trafficking in asylum contexts. For example, in both its 5<sup>th</sup> and 10<sup>th</sup> General Reports, GRETA has included a thematic section on trafficking in the context of asylum, in particular on 'issues related to the identification and protection of victims of trafficking among asylum seekers, refugees and migrants'. Moreover, it draws attention to 'important gaps in the identification and protection of victims of trafficking among asylum seekers and irregular migrants. Law enforcement efforts to combat irregular migration are too often disconnected from the legal obligation to identify victims of trafficking in human beings, with consequences for the protection of such victims and the prosecution of traffickers.' In addition, GRETA's two urgent procedures, in Hungary and Italy, both concerned the asylum context. Description of the second se

While such signs of promise are encouraging, it must be acknowledged that the intersections between human trafficking and displacement are not routinely addressed in comprehensive manner, in both practice and academia. In light of the growing acknowledgement of the intersecting and interconnected challenges present in the context of migration, it is unsurprising that there are increasing calls for a more comprehensive approach. Chetail, for example, argues for a 'holistic perspective' in any approach to international law which governs migration.<sup>13</sup>

<sup>9</sup> Global Protection Cluster Anti-Trafficking Guide (n 5).

<sup>&</sup>lt;sup>7</sup> UNGA, 'Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons' (9 November 2021) UN Doc A/76/L.11, para 24.

<sup>&</sup>lt;sup>8</sup> ibid para 24.

<sup>&</sup>lt;sup>10</sup> GRETA, '5<sup>th</sup> General Report on GRETA'S Activities' GRETA(2016)1, para 93; GRETA, '10<sup>th</sup> General Report on GRETA'S Activities' GRETA(2021) 35-58.

<sup>&</sup>lt;sup>11</sup> GRETA 5<sup>th</sup> General Report (n 10) para 99; GRETA, '8<sup>th</sup> General Report on GRETA's Activities (Council of Europe 2019), para 14.

<sup>&</sup>lt;sup>12</sup> ibid paras 16ff; GRETA, 'Report on Hungary under Rule 7 of the Rules of Procedure for Evaluating Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings' (2018) GRETA(2018)13; GRETA, 'Report on Italy under Rule 7 of the Rules of Procedure for Evaluating Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings' (2017) GRETA(2016)29.

<sup>&</sup>lt;sup>13</sup> Vincent Chetail, *International Migration Law* (OUP 2019) 166-169.

Moreover, academic discourse on the possibilities of 'global migration law' continues to grow. <sup>14</sup> Indeed, Ramji-Nogales calls for a move 'beyond the refugee law paradigm', arguing that 'global migration law offers the promise of a more integrated and complete approach. <sup>15</sup> Global migration law may offer the possibility for 'a reformed international law that is comprehensive and preventative'. <sup>16</sup>

Against the backdrop of a typically fragmented approach to human trafficking on the one hand, and displacement on the other, and calls for a more connected response to trafficking in displacement settings, the section below provides a practical example of good practice, by highlighting the work of the Refugee Law Project (Uganda) in facilitating dialogue on, and designing and implementing key tools which can enable a move beyond existing siloed approaches to trafficking.

### 3. Moving Beyond Siloes in Practice: The Practice of the Refugee Project

The Refugee Law Project is an outreach programme of the School of Law at Makerere University, Kampala, Uganda. Its mission is 'to empower asylum seekers, refugees, deportees, IDPs and host communities to enjoy their human rights and lead dignified lives'. It fulfils this mission through a range of projects, carried out at the head office in Kampala and 13 different field offices located at refugee settlements throughout Uganda. RLP's work takes place across the following thematic areas: Access to Justice for Forced Migrants; Gender and Sexuality Programme; Mental Health and Psychosocial Wellbeing; Media for Social Change; Operations and Programme Support; and Refugee Support Groups.

At present Uganda hosts almost 1.6 million refugees, the majority of whom come from South Sudan and the DRC.<sup>18</sup> Among this significant population, numerous protection challenges have been identified, including the risk and prevalence of human trafficking. A particular risk for young South Sudanese female refugees is that of early marriage. Indeed,

<sup>17</sup> 'About RLP' (Refugee Law Project)

<sup>&</sup>lt;sup>14</sup> See, eg Peter J Spiro, 'The Possibilities of Global Migration Law' (2017) 111 American Journal of International Law Unbound 3; Jaya-Ramji Nogales, 'Moving Beyond the Refugee Law Paradigm' (2017) 111 American Journal of International Law Unbound 8; Vincent Chetail, 'The Architecture of International Migration Law: A Deconstructivist Design of Complexity and Contradiction' (2017) 111 American journal of International Law Unbound 18.

<sup>&</sup>lt;sup>15</sup> Jaya Ramji-Nogales, 'Moving Beyond the Refugee Law Paradigm' (2017) 111 American Journal of International Law Unbound 8, 11.

<sup>16</sup> ibid 250ff.

<sup>&</sup>lt;a href="https://www.refugeelawproject.org/index.php?option=com\_sppagebuilder&view=page&id=75&Itemid=166">https://www.refugeelawproject.org/index.php?option=com\_sppagebuilder&view=page&id=75&Itemid=166</a> accessed 27 February 2023.

<sup>&</sup>lt;sup>18</sup> UNHCR, 'Uganda Comprehensive Refugee Response Portal' (UNHCR) <a href="https://data.unhcr.org/en/country/uga">https://data.unhcr.org/en/country/uga</a> accessed 27 February 2023.

early marriage is a form of trafficking reportedly encountered by many young refugee girls.<sup>19</sup> In addition, there are reports of trafficking for the purpose of forced labour among refugees in Uganda in both rural and urban settings.<sup>20</sup> The Uganda Ministry of Internal Affairs adopted National Referral Guidelines for Management of Victims of Trafficking with the launch of its second National Action Plan in July 2020.<sup>21</sup> Indeed, while Uganda has a robust legal framework addressing trafficking, implementation gaps still persist.<sup>22</sup> One challenge relates to 'screening [for trafficking] in mass displacement contexts'.<sup>23</sup>

Since 2019, the RLP has been working in partnership with the Irish Centre for Human Rights (School of Law, University of Galway) on an Irish Research Council COALESCE funded project entitled 'Human Trafficking, Forced Migration and Gender Equality in Uganda'. During the life of the project, a number of actions have been taken to include a focus on human trafficking across a range of RLP's activities. This section highlights some of the preliminary work undertaken by RLP and project staff to address human trafficking in Ugandan asylum contexts, and points to some of the initial learnings from such work.

## 3.1 Integrating a Proactive Approach to Identification of Human Trafficking among Refugees: Designing and Implementing a Screening Tool

Effectively addressing human trafficking in displacement contexts arguably requires concerted and proactive efforts to identify trafficked persons among populations of concern. With this in mind, RLP has supported anti-trafficking work through the development and implementation of appropriate mechanisms to identify potential and actual trafficked persons, through an existing tool that screens both women and men for evidence of war-related harms. The screening tool has been instrumental in capturing information on the war experiences of migrants engaged with RLP's services. Given the desire to proactively

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<sup>&</sup>lt;sup>19</sup> See, eg REACH, 'Uganda: Child Protection Assessment in Refugee-hosting Districts' (2022), available at: https://reliefweb.int/report/uganda/uganda-child-protection-assessment-refugee-hosting-districts-may-2022 accessed 27 February 2023. See also: media reports: Tobbias Jolly Owiny and Teddy Dokotho, 'Govt, Donors Struggle to Settle More Refugees Amid Budget Cuts' (*The Daily Monitor*, 1 February 2023) <a href="https://www.monitor.co.ug/uganda/news/national/govt-donors-struggle-to-settle-more-refugees-amid-budget-cuts-4107350">https://www.monitor.co.ug/uganda/news/national/govt-donors-struggle-to-settle-more-refugees-amid-budget-cuts-4107350</a>> accessed 1 February 2023.

<sup>&</sup>lt;sup>20</sup> United States Trafficking in Persons Report (n 2) 561.

<sup>&</sup>lt;sup>21</sup> 'National Action Plan for Prevention of Trafficking Persons in Uganda: 2019-2024' (2020), available at: <a href="https://www.mia.go.ug/sites/default/files/2022-06/National%20Action%20Plan.pdf">https://www.mia.go.ug/sites/default/files/2022-06/National%20Action%20Plan.pdf</a>> accessed 27 February 2023, <sup>22</sup> United States Trafficking in Persons Report (n 2) 588 claims that Uganda 'does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so'.; See also: Favour Offia, 'Policy Brief on Human Trafficking in Uganda: Law, Policy and Practice' (Irish Centre for Human Rights 2019), available at: <a href="https://www.universityofgalway.ie/media/irishcentreforhumanrights/files/ugandaproject/POLICY-BRIEF-ON-HUMAN-TRAFFICKING-IN-UGANDA---LAW,-POLICY-AND-PRACTICE.pdf">https://www.universityofgalway.ie/media/irishcentreforhumanrights/files/ugandaproject/POLICY-BRIEF-ON-HUMAN-TRAFFICKING-IN-UGANDA---LAW,-POLICY-AND-PRACTICE.pdf</a> accessed 27 February 2023.

<sup>&</sup>lt;sup>23</sup> Alice Eckstein, 'Delta 8.7 Country Policy Research Workshop on Uganda: Workshop Briefing' (UNU 2022), available at: <a href="https://collections.unu.edu/eserv/UNU:8849/UNUDelta\_UgandaWorkshop.pdf">https://collections.unu.edu/eserv/UNU:8849/UNUDelta\_UgandaWorkshop.pdf</a> accessed 27 February 2023,

identify human trafficking among forced migrants, the screening tool was amended to include questions which relate to indicators of human trafficking. This means that the tool can assist in uncovering evidence of human trafficking, in contexts where disclosure may **not occur**. The screening tool includes a series of both closed-ended and open-ended questions aimed at indicating possibilities of trafficking on the part of the respondent and/or their close kin-and-kith. These questions range from (i) tracking the details of the flight from the place of origin to the place of asylum, (ii) work experiences since the start of search for asylum, (iii) scenarios of sexual exploitation and/or sex survival, to (iv) scenarios of removal of organs. Such questions can lead to identification and ultimately early intervention for those victims and survivors identified. For example, those who have experienced trauma and additional medical-related challenges can be fully assessed and provided with appropriate medical care and psychological counselling. It is hoped that, as the screening tool is further developed, RLP's Gender and Sexuality Programme initiatives will not only focus on identifying cases and providing short-term support but also on adopting long-term initiatives and responses towards programming anti-trafficking action and empowering, and strengthening staffs understanding and awareness of human trafficking in a migration context. This will contribute significantly to strengthening support for victims of human trafficking.

#### 3.2 Training and Capacity Building: Working with the Ugandan Judiciary

Among the steps to ensure better management of human trafficking cases, RLP's Access to Justice programme has worked together with Uganda's Judicial Training institute (JTI) to organise and deliver trainings and dialogues with the Ugandan Judiciary. The training sessions - which focus on Refugee Rights and Protection – now include a module on 'Understanding Human Trafficking in the context of Forced Migration'. At the start of such trainings, attendees' existing knowledge is tested. The experience of RLP trainers is that, at this initial stage, human trafficking is often misunderstood and conflated with other crimes such as kidnap, grievous bodily harm, defilement, forced and/or early marriages, etc. This indicates a significant knowledge gap and/or a clear lack of understanding of what, precisely, amounts to human trafficking. Those who have completed the training have indicated how insightful it has been and it is clear that knowledge and understanding on human trafficking has been enhanced.

In addition, through the process of conducting such training sessions with members of the judiciary, RLP has identified a number of challenges which ought to be overcome in order to ensure that human trafficking is effectively addressed in forced migration contexts.

First, the issue of language barriers and translation remains challenging. The official language in Uganda is English and court proceedings are conducted in English. Judicial officers undertaking the trainings highlighted the challenges of translation of key words /elements of human trafficking from English into local languages. Indeed, due to the challenge in interpretation, right from reporting the offence to recording it and eventually to investigation/sanction to court, a lesser or different charge may be recorded yet the offence is actually of human trafficking. Second, the absence of a legal aid policy to help ensure that victims have adequate access to the legal system remains challenging. Where trafficked persons do report to court but lack legal representation, they may eventually decide not to continue with their case. In Uganda, state legal aid is usually only available for people charged with capital offences.<sup>24</sup> Legal aid is otherwise provided by willing service providers, such as NGOs. Yet there is no mandated institution to ensure that these service providers provide adequate services. Third, the absence of an established referral system in relation to human trafficking presents a challenge. Indeed, judicial officers can encounter victims and witnesses who may need further protection, yet without options to refer. In this regard, commitments within the '2019-2024 National Action Plan for Prevention of Trafficking in Persons in Uganda' to establish such a mechanism, are to be welcomed.<sup>25</sup> A fourth and final challenge lies in the fact that is worth noting that Uganda still has no witness protection programme, although a Bill was brought forward in 2015.<sup>26</sup>

Despite the challenges that remain, RLP's work in training and capacity building with judicial officers represents a significant step forward in ensuring that human trafficking is well-understood, including in forced migration contexts. It is hoped that this work can be built upon, through further actions, including: the inclusion of human trafficking as a discrete topic in the Judiciary's training manual; training of additional key stakeholders such as District Local Government officials, police officers, prosecutors, immigration officers, and community leaders.

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<sup>&</sup>lt;sup>24</sup> 1995 Constitution of Uganda as amended- Article 28(3)(e). See, eg LASPNET, 'Fact Sheet on Legal Sheet on Legal Aid in Uganda' (2018), available at: <a href="https://www.laspnet.org/joomla-pages/2014-07-09-10-38-31/other-publications/549-fact-sheet-on-legal-aid-in-uganda/file">https://www.laspnet.org/joomla-pages/2014-07-09-10-38-31/other-publications/549-fact-sheet-on-legal-aid-in-uganda/file</a> accessed 27 February 2023.

<sup>&</sup>lt;sup>25</sup> 'National Action Plan for Prevention of Trafficking Persons in Uganda: 2019-2024' (2020), available at: <a href="https://www.mia.go.ug/sites/default/files/2022-06/National%20Action%20Plan.pdf">https://www.mia.go.ug/sites/default/files/2022-06/National%20Action%20Plan.pdf</a> accessed 27 February 2023, 17. <sup>26</sup> 'Expedite the Witness Protection Bill – UHRC' (Parliament of the Republic of Uganda, 3<sup>rd</sup> March 2022) <a href="https://www.parliament.go.ug/news/5718/expedite-witness-protection-bill-%E2%80%93-uhrc">https://www.parliament.go.ug/news/5718/expedite-witness-protection-bill-%E2%80%93-uhrc</a> accessed 27 February 2023.

## 3.3 Awareness raising and localisation – a need for culturally relevant understandings of trafficking

In addition to training and policy dialogues, the Assessment, Intake, Community Interpretation and Reception Unit of the Refugee Law Project (RLP) undertakes important work to ensure that human trafficking may be more clearly understood and identified among those in affected populations. The unit receives and handles all clients who present at RLP offices, as well as those referred by partner organizations and RLP support groups. While assessing and managing cases, an interpreter may be required: most of the clients received originate from non-English speaking countries. RLP works with trained and professional interpreters/translators from both refugee and host communities. The languages interpreted/translated include among others English, French, Swahili, Lingala, Kinyarwanda, Kirundi, Kinyabwisha, Kinyamulenge, Somali, Amharic, Tigrigna, Oromo, Luganda, Acholi, Madi, Nuer, Dinka, Juba, Arabic, Kuku, Bari, Kakwa, Pojulu, Lugbara, and Lotuko.

The RLP CMS provides for various issues that refugees may be faced with, including human trafficking. Through the process of interpretation, however, the Assessment, Intake, Community Interpretation and Reception Unit, face the challenge that the English concept of 'human trafficking' and related terminology, does not always have a direct equivalent in other languages. In such cases, the community interpreters' team embark on a long and tedious linguistic research to work towards accurate and meaningful interpretation. The process of identifying, defining, translating, and documenting those words into the diverse RLP working languages is geared towards strengthening our interpretation and translation services. Accurate translation is, of course, essential to understanding and identification.

Through this process, the team has been able to collect and document some of the new terminologies related to human trafficking when this topic was introduced in the new screening tool currently used by Gender and Sexuality programme for screening of war-related harms in forced migrants. For example, related terms such as, sexual exploitation, abduction, slavery, removal of organs, forced labor, sex trafficking, child sacrifice, have all been identified as relevant by the RLP team. The interpreters have also taken up the initiative of ensuring clients understand what human trafficking is by explaining and breaking down the terminology for them for easier understanding. This includes discussing scenarios such as: being lied to, being offered a job which didn't pay, kidnapping young girls and marrying them, missing family members, having surgery and waking up unsure if all organs are intact, etc. The challenge that remains for interpretation/translation is that many of these words and statements

do not have any direct equivalent in local languages and cultures. As such, the research work of **glossary building and documentation** to be able to understand, interpret and translate them as accurately as possible in the context of clients' language and cultural understandings is extremely important.

The work of RLP interpreters highlights the need to deliberately promote a heightened awareness of the problem among staff and frontline workers, as well as within refugee communities, in order to ensure effective identification of trafficking and assistance for both refugees and hosts. This arguably requires broader community engagements, including working with faith leaders, schools, parents, cultural and local authorities, the immigration officers, police and relevant government departments.

### 3.4 Moving the Discourse Beyond Siloes: Policy Dialogues

An additional key aspect of the COALESCE project involved several high-level policy dialogues that engaged key stakeholders engaged in both anti-trafficking and refugee protection work. Those who attended included representatives from a range of intergovernmental organisations, national government departments, and civil society. <sup>27</sup> By facilitating discussion across the 'silos' of those focused on human trafficking and those focused on refugee protection, connections were made across thematic areas. Indeed, while at the outset of the project, the discussion was quite novel, by the final dialogue in early 2023, the conversation had moved towards consideration of action and next steps involved in addressing human trafficking among refugees and asylum seekers, as well as emerging intersecting issues, such as the impact of climate change. In addition, these dialogues have enabled reflection on some of the challenges of moving towards a holistic approach to addressing trafficking in asylum contexts. For example, a policy research workshop that was jointly convened by the UN Centre for Policy Research Delta 8.7, the Irish Centre for Human Rights of the University of Galway and Refugee Law Project held in February 2022 'to facilitate exchange on the most effective measures to prevent, identify and remediate trafficking of persons in refugee and asylum-seeking populations in Uganda'. <sup>28</sup> In this workshop, participants identified - among other things - that 'disconnection on goals' between, for example, donor States, the European Union, African Union and the international

<sup>&</sup>lt;sup>27</sup> Those who have attended include, among others, representatives from UNCHR, IOM, Uganda's Office of the Prime Minster, Uganda's Department for Immigration, IGAD, Uganda's Anti-Trafficking Coalition, Representative from the Hospitality Sector, and academics.

<sup>&</sup>lt;sup>28</sup> Eckstein (20220 (n 23) 3.

community, 'may cause protection gaps'.<sup>29</sup> For example, the African Union and European Union's goals in relation to migration within and from the African region may differ quite significantly.<sup>30</sup>

With continued engagement across thematic areas, important connections can continue to be made, and identified challenges can be addressed. This can take place on a domestic level, such as in Uganda. Moreover, it can – and should – also take place on a regional and international level. For example, **the Global Protection Cluster's Anti-Trafficking Task Team c**ould play an important role in this regard. Given its existing work on human trafficking in internal displacement contexts, there is scope to engage in similar work, with regard to refugees and asylum seekers.<sup>31</sup>

### 4. Summary

This submission has highlighted the need to ensure that anti-trafficking action permeates displacement contexts. The work of the RLP demonstrates some key actions that can enhance prevention and protection in refugee settings and assist in the move towards a more comprehensive response to this interconnected problem. Such actions include:

- Proactively screening for indicators of human trafficking among displaced persons
  (including refugees, asylum seekers, and internally displaced persons). In this
  regard, it would be beneficial to see developments towards a harmonised database
  for information held by key stakeholders addressing human trafficking in the
  refugee context (and beyond).<sup>32</sup>
- **Designing and delivering training on human trafficking** for key stakeholders, such as judges, prosecutors, police, immigration officials, community leaders, and humanitarian workers, as well as refugee communities.
- Working with **community interpreters and local populations** to enhance understanding of human trafficking and ensure that its **meaning is communicated** and understood in a culturally relevant way.

30 ibid.

<sup>&</sup>lt;sup>29</sup> ibid, 5.

<sup>&</sup>lt;sup>31</sup> 'Human Trafficking' (*Global Protection Cluster*) < https://www.globalprotectioncluster.org/issues/anti\_trafficking> accessed 27 February 2023.

<sup>&</sup>lt;sup>32</sup> N.B. The United States Trafficking in Persons Report (n 2) 558, contains a similar recommendation for Uganda.

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• Facilitating dialogue between key stakeholders engaged in anti-trafficking and/or refugee protection work, to enable a more coordinated, interconnected response in law, policy, and practice.

This work need not – and indeed should not - be limited to Uganda. Rather, these examples of good practice demonstrate what is possible and how strategic action can ensure increased awareness, prevention and protection in displacement contexts.