



ONLINE INSigHT FINAL CONFERENCE

TRANSNATIONAL APPROACHES TO FIGHT HUMAN TRAFFICKING FROM NIGERIA: RESEARCH, PRACTICES, POLICIES 16th March 2021 (3:00 – 5:30 pm CET)

Day 3: Policy Towards Improved Transnational Cooperation

Report

The INSigHT Action aims to increase the capacity of key local stakeholders in the Veneto Region (Italy), Edo and Lagos states (Nigeria) and in the Stockholm area (Sweden) to tackle human trafficking and to deal with evolving dynamics, trends, forms and modus operandi. With a specific focus on women and girls, the Action further seeks to promote knowledge-based policymaking in the respective countries and to reinforce transnational cooperation. It is implemented within the framework of the Common Agenda on Migration and Mobility between the European Union and Nigeria and as part of the Mobility Partnership Facility Framework (MPF).

The third and final day of the INSigHT Action closing Conference focused on the challenges and opportunities for transnational cooperation. Presenters and panelists included experts and stakeholders across a variety of sectors: policymakers, Italian, Swedish and Nigerian government officials/representatives, service providers and legal professionals. The online conference gathered over 80 participants who learned of the legal, political and practical challenges to transnational cooperation and the potential opportunities to address and overcome them. They also had the opportunity to ask questions and contribute to discussions.

Prior to the panel discussion, contributions from invited speakers and the opportunity for open debate, a short overview of anti-trafficking efforts in Italy, Nigeria and Sweden was provided. English and Italian translations were also made available and recordings in both languages are available on the INSigHT website: <https://www.insightproject.net/project/final-conference/>

Chair: R. Evon Idahosa, Founder and Executive Director of Pathfinders Justice Initiative, Nigeria

Welcome to the INSigHT Final Conference

Jennifer Tangney, Senior Project Manager MPF, ICMPD

The final day of the conference opened with an overview of the INSigHT Action and called upon anti-trafficking experts and policymakers in Italy, Nigeria and Sweden to discuss the challenges that lie ahead, with specific attention on the challenges for transnational cooperation. Additionally, the MPF's and ICMPD's role in supporting these efforts, particularly towards more collaboration, were introduced.

The New Migration Pact and Human Trafficking

Melita Gruevska Graham, Head of ICMPD Anti-Trafficking Programme





This session provided an overview of the new EU Migration Pact and explored the positive and challenging implications it is having on anti-trafficking efforts. Participants were informed that the aim of the EU Pact is to address unsafe (irregular) migration through better management of external borders and stronger international partnerships.

Melita Gruevska Graham: *"The narrative has broadened to take a more human and humane approach and has changed from stopping migration to recognizing that migration with a well-managed system migration can contribute to integration in the longer-term and be fully grounded in EU values and laws. The focus of the session was on three main issues. 1) **Introduction of a pre-screening of asylum seekers directly at the external borders of the EU.** The Pact provides for a faster procedure at the border for people with a very low chance to get international protection. The critical aspect of this provision regards its enforcement in full protection of human rights and children's rights. Although the intent of this externalization policy endeavours to preserve the fundamental human rights of would be migrants, it appears that practical implementation of the policy has proven challenging. The Pact states that guarantees will be put in place to ensure that every person can have an individual assessment in full respect of the principle of non-refoulement but the implementation will be challenging. A challenge regards the high number of people transiting in some locations at given times and entering within a short time, that make it difficult to assess individual cases. A second challenge concerns the lack of capacity among asylum and border authorities to identify potential victims of trafficking. A third challenge is connected to the lack of political to address this issue effectively. A fourth challenge is associated with the reception of people in closed centres under conditions of detention and with restricted access to essential services and timely and fair asylum procedures. Because of these elements, people lose trust towards authorities and this makes them even more vulnerable to trafficking and other abuses. Hence the introduction of a pre-screening should be done only after certain safeguards are in place, including the incorporation of specialist training and the putting in place of an adequate effective system of referral. Moreover, asylum authorities should be trained to screen and refer people. Antitrafficking stakeholders may have no experience in working with migration and asylum authorities to identify victims which is why if these institutions work better together more people can be identified and protected. It is also important to incorporate measures regarding the context of the people on the move into the national and transnational referral mechanisms, setting out rules for all stakeholders in asylum, migration, antitrafficking as far as referral and assistance are concerned. 2) **Common system of return.** The need for this system is justified by the need to protect people staying in the European territory illegally and subject to exploitation by criminal networks. Yet, the return of trafficked people and people vulnerable to exploitation, to their country of origin or the first country of transit, is often not the best option for these people and may lead to re-trafficking and continued traumatization. In the second report of the progress made on the implementation of the EU anti-trafficking Directive, dated 2011, the civil society reported that effective protection is difficult when legal provisions are in conflict with return procedures. In this regard there is a need for additional safeguards to ensure that trafficked people with right to international protection can access both mechanisms: antitrafficking social protection and international protection. Attention should be put to ensure that the most favorable mechanism is applied to trafficked people and migrants more generally. People are vulnerable because of the need to move and they can hold multiple legal statuses (refugee, internally displaced, regular migrant, trafficked victim, etc.). The asylum system could ensure that trafficked people are identified and ensure they are protected. When return is the only option there should be better coordination with the source country for victims of trafficking. The process of return is a challenge as a result of lack of coordination and it is often not possible for receiving countries to prepare properly. This can*





severely jeopardize the safety of victims and contribute to the risk of re-trafficking hence the need is evident for the transnational referral of cases to ensure safe returns. **3) Reinforcing actions against smuggling.** For the period 2021-2025, this will mean deterring irregular migration and prohibiting the employment of irregular third country nationals while stimulating cooperation between the EU and Third countries through counter-smuggling actions. While the proposed Action Plan against smuggling acknowledges the importance of assistance and protection of smuggled migrants and in particular vulnerable groups, such as women and children, it does not specify the actions under this priority, except for the fact it mentions the impact assessment on the possible revision of the Directive on residence permits. Specific action for the protection and assistance of vulnerable people are missing. The exploitation of people on the move is very often linked to migrant smuggling and to a certain extent it is the most common form of abuse of vulnerable people. It is therefore important to ensure protection and assistance but also to avoid possible unintended consequence of EU legislation and EU MS policies and practices in the area of border management in relation to vulnerable people. Smuggling policies must not only respond to smuggling but also ensure that existing policies affecting vulnerable people do not leave them more vulnerable to re-trafficking. The text of the Pact is not a final product and consultations will continue in 2021 and it is important to continue working to mainstream antitrafficking policies into migration policies to ensure protection for people on the move, particularly as far as they may not fall within one clear-cut category.

The on-going challenges to fight human trafficking: policy recommendations of the INSIGHT Action.

Michela Sempredon, Coordinator of INSIGHT Research Team, SSIM Unesco Chair, Italy

This session presented the research findings from the INSIGHT Action as well as 5 recommendations to anti-trafficking experts and policymakers in Italy, Nigeria and Sweden and 10 priority recommendations for transnational cooperation more specifically, as reported in the slides presented (available on the INSIGHT website: <https://www.insightproject.net/project/events-and-documents/>).

3:30 – 4:15 Policy recommendations on transnational cooperation among Italy, Nigeria and Sweden – introductory speeches

- *Cinzia Bragagnolo, Coordinator of N.A. Ve Project of the Municipality of Venice, Italy*
- *Imaan Sulaiman Ibrahim, Director General of NAPTIP, Nigeria*
- *Maria Grazia Gianmarinaro, former UN Special Rapporteur on trafficking in persons, especially in women and children*
- *Mats Paulsson, Senior Investigator, Swedish Gender Equality Agency, Sweden*

Panel Discussion: The panelists shared reflections on the state of the art and more specifically the open challenges for antitrafficking work in the respective countries. They also provided examples of transnational cooperation between Italy, Nigeria, and Sweden and raised suggestions on the way ahead. Some of their policy recommendations included: the need for trust building by offering multi-sectoral trainings that afford stakeholders the opportunity to learn from each other; the need to ensure that the needs of each demographic of VoTs (victims of trafficking) are outlined and incorporated; better cooperation between law enforcement and social services providers; finalization of Nigeria's new National Plan of Action; revision of the process in Sweden for qualification for residence permits; stronger partnerships in financial investigations and in data sharing; on-going training of law enforcement.





Cinzia Bragagnolo: *"More and more it is clear that Italy is not necessarily the final destination of people victims of trafficking, but it is Europe more generally. Hence, we must think about Europe as the context. Antitrafficking stakeholders cannot limit their work to very restricting geographic areas as it would be anachronistic. Antitrafficking operators in Italy meet more and more people in situations of mixed-migration flows hence we need to focus more our attention on identifying migrants and vulnerable groups not only coming from countries of origin but also arriving through secondary movements, with particular attention to Dublin movements. More and more we are experiencing the arrival of victims returning to Italy after having been exploited in other countries in Europe. Hence more cooperation is needed with asylum authorities, but also authorities working with minors and women and involved in the prevention of gender-violence. Women and men have different specific needs and we need ad hoc programs for each person and also we need to consider age. We need to consider men and women, transgenders, minors and mothers with children, for example. I also would like to stress that in Italy we are quite advanced in the use of art. 18 and art. 22 that offer different levels of protection for victims of trafficking but the residence permits they grant are a starting point not an end one. We also need to plan integration processes to empower people to ensure they have a solid network and to help them in their self-determination. We do not want people to have to trust criminal networks to integrate. In this direction continuous efforts must be made to keep developing the multi-agency system. It is an old system in Italy, it was activated 20 years ago and the INSigHT was precious to share training sessions with various stakeholders, but it is important to remain vigilant and not to think that the system is structured and solid enough. It is important to include more and more agencies, to include labour authorities and trade unions and all the relevant actors in the sector. Regarding transnational collaboration, there should be transnational European cooperation to share how to protect and identify victims of trafficking and in this sense Italy has accumulated much experience and can share it and interchange with other countries. Also, transnational cooperation is important with African countries, not only Nigeria. The INSigHT Action offered a great change to share practices but also to get to know each other. Because of the pandemic we could not meet face to face but we could implement small actions that could be done together and having the same goal is what allows to go beyond biases and stereotypes and work towards the same goal hence the protection of the rights of survivors while also stopping criminal networks."*

Imaan Sulaiman Ibrahim: *"Nigeria is not only a country of origin for victims of trafficking but also a country of transit and destination and there is also internal trafficking that needs to be dealt with. This is why more and more cooperation is needed, in spite of the significant efforts that have already been made to fight trafficking. There are still insufficient improvements. A National Action Plan is needed to highlight the responsibilities of each state in Nigeria to ensure each state is fully accountable. And it is important to support NGOs that are strongly needed. We would also like further collaboration in investigations and financial investigations in particular. Stronger collaboration is crucial on mutual legal assistance so that people can be convicted in another country if there are case files open. Data must be strengthened to ensure it is properly referenced and used. It is also important to ensure more support to survivors and at the same time more work in prevention, by addressing the root causes. We know that root causes include lack of economic means and still lack of awareness. Hence we need to empower people so that they can make the right decision and find out what are the channels to migrate regularly, if they want to migrate. It would be important to continue collaborating and exchanging as we are doing so that we are using resources in the best of ways."*





Maria Grazia Gianmarinaro: *“Transnational cooperation is an important aspect of antitrafficking policies which is not very often treated as an essential aspect of antitrafficking efforts. There are various challenges: legal challenges, differences in legal definitions, juridical and legal procedural provisions, definitions of crimes, different cultures in which law enforcement, for example, understand their roles and deal with victims (some are trained, some are not). There are also practical and political challenges. What I think is the main obstacle is that migration policies are still focused on the idea that migration flows should be blocked or at least minimized hence there is no attention on early identification in mixed-migration flows because if the main concern of border police and internal police is to avoid that people enter a certain country there is no space for individualized procedures and identification of vulnerabilities and putting in place policies to help people in their migration project. And this goes beyond the bilateral cooperation between countries. In Italy there has been a certain attention to vulnerable women coming from Nigeria and in some cases they have been identified by Territorial Commissions trained by UNHCR to identify victims and referred to services and recognized protection on the ground of trafficking. I think this is a very important form of cooperation between the asylum universe and the antitrafficking one. The Italian experience has been virtuous in this sense. What I have learnt from this experience and I think this can also apply to relations between institutions in different countries is that when we want to build cooperation there is a strong need to build trust to start with. It does not come immediately. It is necessary to promote regular communications and cooperation between different institutions from different states to make the process work. It is not possible to wait for investigative information. They do not come if there is no trust and regular communication. So it is a long process. In Italy law enforcement have learnt a lot from NGOs and there have been many joint trainings involving prosecutors, law enforcement and NGOs and it has been an opportunity for people to learn from each other. This is something that we need to continue doing in order to protect people and ensure the respect of human rights. Nigeria has made enormous efforts and the experience of NAPTIP show how much the government has invested in this field but as in many other countries these efforts have been channeled through a law enforcement approach which has been the main approach of the Palermo Protocol. So the main focus has been on the repression of crime, more than the promotion of human rights. My recommendation to Nigeria was to collaborate much more with NGOs and the civil society and ensure that shelters are more adequate in terms in quality. And also there are many civil society initiatives that are not funded by government institutions and supported in any way. Financial investigations are certainly crucial and the sharing of information on the flows of financial exchanges too. There is much to do in this sense. Regarding the EU Pact, it is completely at odds with its initial declaration of principles. It is again mainly focused on controlling EU external borders and the procedures cannot grant the rights of people. Pre-screenings are clearly much less likely to guarantee rights compared to the national practices. So it is a missed opportunity to revise EU policies on migration. We have to put in place harm reduction efforts and we need to integrate in the new Pact early identification mechanisms.”*

Mats Paulsson (speech reported by Isabelle Johansson): *“There are currently some initiatives in place to revise the Swedish anti-trafficking system. At departmental level there is currently an attempt to revise the period of reflection, connected to the relevant residence permit. At present only prosecutors can apply for this permit for victims if investigations have started and victims are willing to collaborate. And this critical issue has been raised by many stakeholders. The possibility is being considered for antitrafficking coordinators to apply for this permit as they are key actors for both authorities and victims and they are not law enforcement actors but work within the sphere of social work hence they are better suited for*





this role and to support victims in this sense. But this would require a change of law hence it is challenging. Thoughts are under way regarding the protection of smuggled minors and the support that can be provide to them. There is also increasing attention to Nigerian organised crime, as an increasing role of Black Axe, for example, has been observed in Sweden. Increasing attention has been put in cooperation with Nigeria, NAPTIP, but also Pathfinders Justice Initiative, as potential future collaborator for Sweden.”

4:15 – 5:30 Policy recommendations on Transnational Cooperation by International – roundtable discussion

- *Yinka Omoregbe, former Attorney General and Commissioner of Justice, Edo State and Chairperson of the Edo State Taskforce Against Human Trafficking (ETAHT), Nigeria*
- *Hajara Haruna Yusuf, Assistant Chief State Counsel, Federal Ministry of Justice, Abuja; and Nigerian Liaison Magistrate Italy*
- *Salvatore Fachile, Lawyer, Member of ASGI (Italian Association of Juridical Studies on Migration), expert on migration laws and trafficking, Member of Sciabaca Project, Italy*
- *Tiziana Bianchini, Cooperativa Sociale Lotta and Expert on trafficking, Italy*
- *Elin Johansson, Regional Anti-trafficking Coordinator, Malmo, Sweden*

Speaker Contributions: Invited speakers shared their experiences with transnational cooperation and how same informs policy recommendations. A major theme that surfaced was a need for a coordinated strategy that is more humane and coordinated (rather than the current disaggregation of efforts). Additional recommendations included better coordination between Nigerian NGOs and Nigeria’s anti-trafficking agency, NAPTIP; increased funding for stakeholders on the ground; eliminating bureaucratic bottlenecks; eliminating the mindset that all irregular migrants are economic migrants and that as such, VoTs do not require the support mandated by international laws; revision of policies in light of the onset of the global COVID-19 pandemic; a need to formalize the identification process and create a hotline for VoTs in Sweden.

Yinka Omoregbe: “Some countries have replicated the Edo State anti-trafficking model hence efforts of the Edo State government have been very useful well beyond the State. We think that the activities carried out by ETAHT have contributed also to prevention efforts as to help women understand what chances they have, not only in travelling abroad but also if they decide to remain in Nigeria. Efforts have been made also in terms of protection, with shelters that are very good and offer very good facilities for residents. Some can also accommodate women with children. More cooperation is under way with NGOs, for example with Pathfinders Justice Initiative. An essential aspect that is still to be addressed is that of funding. We are very grateful for any facilitation in our work.”

Salvatore Fachile: “ASGI (Italian Association for Juridical Studies on Migration) is working, among other things, on trafficking. Two are the main issues that must be stressed in terms of transnational cooperation and the fight against trafficking. The first is about the role of UNHCR which still considers victims of trafficking identified in Libya as economic migrants. As a result, these people are only provided with a return solution which is not the real need they have. It is of concern that the UN still does not consider victims of trafficking as refugees hence they cannot benefit from international protection and are obliged to return to Nigeria where they are likely to fall victims of re-trafficking, as they are “forced” to ask for support to the criminal network. The second issue regards collaboration with Nigeria. We have been able to develop





collaborations focusing on protecting men and women who are victims of trafficking and are returned on a non-voluntary return program. However, there is dangerous aspect in the way that EU countries are exploiting the increasing attention of Nigerian NGOs and government on returnees to advance the opinion that victims returnees are no longer in danger and can return as they are not in need of international protection. This attitude is dangerous as it is reducing the guarantees of protection for victims of trafficking and remains a major issue of concern.”

Tiziana Bianchini: “This invitation is really a change to interchange experiences in order to try and find and identify measures to support victims of trafficking and give them voice. Giving voice is important to try and transmit new narratives to start with. Narratives should not only be the narratives of politicians and operators. For Italy, as for other countries, this is a special moment. It is a special moments for transit and destination as well as origin countries. What is happening in Italy is really characterized by the Covid-19 and it has been though to work in this context and in the future it will still be though to ensure consistent work and collaboration in helping people integrate. It was very difficult for us to work with victims as in Italy, at least for Nigerian young women, the criminal organisations that control them really supported them, while the civil society organizations found it hard to provide support. They were not active enough and sufficiently “next to them”. It was a though year as multiple vulnerabilities became even more evident and mor complex to deal with and we all had to identify new working methods to reach out to people and we were not expecting this and we had to make efforts to provide effective support to them so that they would maintain full trust in us. Trust is paramount. There is still lots of work that we have done and are still doing at local level and with municipalities and also the asylum authorities because we have more and more problems to address and in order to protect and help victims we need to do what is needed no matter whether they are asylum seekers or fall into any other category relevant to either the asylum or anti-trafficking systems. We know that in Italy we are dealing with sexual exploitation but also labour exploitation, begging, criminal economies and we must address all these areas of exploitation as well as the wider scenario and we have to do it by using a multi-agency approach. We need to develop a strategy for systems to be integrated as well as policies in order to really give voice to people.”

Elin Johansson: “Regional coordinators in Sweden work in 7 regions in Sweden and the task is to coordinate and ensure victims of trafficking get the support they are entitled too. Regarding the secondary movements I think it is mostly Dublin movements now. It is mostly women that were in other countries in the EU and are not entitled to support in Sweden and it is very frustrating for us in Sweden but most will be referred back because some have permits to be in Italy and then we can give them access to the program by IOM. This is our tool for return. Being collaborating with INSight has been important to get the local knowledge and can complement the support of IOM. The Dublin cases in Sweden are complex for us as little opportunities are available for us. I agree with the recommendations especially the introduction of a formal mechanism for identification, such as Denmark. We do not have a formal process at the time being. Identification we do it depending on our knowledge. So the lack within socialservices and police and prosecutiros means that people do not get the support they are entitled to hence broading the knowledge is essential. We also need a hotline as there is in Italy so that people in need of help would need where to call.”

Hajara Haruna Yusuf: “Liaison magistrate in Italy and spain initatived by UNODC to activate a direct communication line on criminal networks and also to provide support on extraditions.





The cooperation is reduce bottlenecks between countries. We had situations were requests were sent to Nigeria but because of bureaucratic bottlenecks (many passages before getting to the right desk to be dealt with). And by the time the answer come it may be the case is closed. The project is promising if we remove the bureaucratic if request gets directly to the right authority. If the criminals are not arrested then efforts are in vain. I can receive requests and send them directly to Nigeria as I was working directly with the prosecutors in Italy and was sending informally. While the formal requests through diplomatic means is long. Bilateral agreements useful. Extradition possible and enforcement of court judgements and collaboration. I was introduced to the council of Europe group of prosecutors and in march 2020 and also collaboration with Germany on an internet fraud. Spain also interest in extradition hence getting a bilateral agreement also with Spain. The challenges was the disconnection between countries. When an Italian prosecutor has a case he does not know whom to reach out to... hence now there is a direct call to me."

Following the roundtable discussion, themes and questions were raised from the audience, including the need:

- to include and collaborate with a broader group of stakeholders (such as sex workers) in both the design and implementation of projects. The importance was stressed to bridge the gap between sex workers organisations and antitrafficking authorities, particularly in Sweden;
- to eliminate the use of jargon and acronyms that the average person may not understand to increase a sense of collaboration with all relevant partners, inclusion and access to information and protection to all;
- to disseminate widely the research findings of INSigHT Project. Although the findings are country specific, the broader learnings are relevant and can be leveraged for adaption in other countries and contexts in Africa and Europe. A copy of the final reports (on Sweden, Nigeria, sex trafficking and the system of protection in Italy, begging and the system of protection in Italy, secondary movements and the protection system at the northern-Italian Brenner border will be made available online on the INSigHT Action as soon as they are finalized. A copy of the gap-analysis reports on anti-trafficking projects in Nigeria was already published last year and is available here: https://www.insightproject.net/wp-content/uploads/2020/10/INSighT_Gap_Analysis_Report_ICMPD_DEF20200928-2.pdf

The organisers finally reminded that a series of 6 webinars will be organised soon to disseminate the research findings further.

