Workshop 3

Migration control, criminal justice and a human rights-based approach to human trafficking – how to serve all?

Friday, 21 October 2016, Hofburg, Heldenplatz, 1010 Vienna (please look at the signs indicating the rooms for the workshops)

Chair: Nadja Schuster, Gender consultant, VIDC, Austria

Language: English, without interpretation

Structure: short inputs by three practitioners/academics followed by three working groups on three different sub-themes. The experts will be available as resource persons in the working groups. The outcomes of the workshop will be presented in the last panel of the conference, which takes place from 17:30 to 18:30.

Working group 1 with Julia O’Connell Davidson, Professor at the University of Bristol, GB

Why is the transatlantic slave trade a very different phenomenon from modern-day coercion, exploitation, trafficking in human beings? How does the term “combating modern slavery” influence the perspective on the root causes of trafficking and on perpetrators? What is hidden in the concepts of migration control and criminal justice? “Human trafficking has to be fought by all means and justice needs to be pursued by all means.” How many jurisdictions did we have in Great Britain and in Austria in the last 3 years?

What would happen to “the market” of traffickers and smugglers if there were legal channels for refugees and migrants to the EU?

What would happen if we shifted the focus from a migration control and criminal law model to a human rights-based model for human trafficking and put the rights of the victims in the foreground?

What does a human rights-based approach to human trafficking look like? Which parameter is it built upon?
**Working group 2 with Ghada Jabbour, KAFA (enough) Violence & Exploitation, Lebanon**

What forms of trafficking occur in Lebanon and who are the people at risk? Are Syrian refugees and other refugees particularly vulnerable to trafficking/exploitation and to specific forms of trafficking/exploitation? What needs to be considered from a gender and gender-based violence perspective?

What kind of prevention, protection, and prosecution measures should the government take?

What challenges does an anti-trafficking NGO offering social services and assistance to migrant workers and (potential) victims of trafficking face?

**Working group 3 with Marco Bufo, independent expert and consultant, Italy**

What kind of European and country-specific legislative measures, polices, and programs do we need to tackle the increased vulnerability to trafficking of migrants and refugees (access to work, health, education, etc.)?

How should gender-specific needs and children’s needs be taken into account?

How are anti-trafficking policies and structures responding to the new trafficking-related scenario of migration and asylum? What are the challenges for the always evoked and invoked but too seldom applied holistic approach?

How should effective multi-disciplinary and multi-agency work be organized?

**Expected results**

- Participants understand the interconnectedness of migration control, criminal justice and human trafficking
- Participants become aware of the pitfalls of one-dimensional and short sided policy solutions and their impact on the human rights of migrants and refugees
- Participants understand the negative effects of restrictive migration and border control policies on the vulnerability of migrants and refugees to trafficking and exploitation
- Recommendations for a human rights-based model to human trafficking are made