

STANDING COMMITTEE ON PROGRAMMES AND FINANCE

Twenty-fifth Session

**HOW IOM CAN ASSIST STATES IN IMPLEMENTING MIGRANT PROTECTION
AND ASSISTANCE MEASURES**

HOW IOM CAN ASSIST STATES IN IMPLEMENTING MIGRANT PROTECTION AND ASSISTANCE MEASURES

Introduction

1. In the 2030 Agenda for Sustainable Development, States committed to “cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status”. As such, target 10.7 of the Sustainable Development Goals calls for the facilitation of orderly, safe, regular and responsible migration and mobility of people. Eliminating human trafficking is also identified as an international priority, as reflected in targets 5.2 (Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation); 8.7 (Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms) and 16.2 (End abuse, exploitation, trafficking and all forms of violence against and torture of children).

2. The Global Compact for Safe, Orderly and Regular Migration contains numerous commitments on the protection of and assistance for migrants in situations of vulnerability, such as addressing and reducing vulnerabilities in migration (objective 7); preventing human trafficking (objective 10); strengthening screening, assessment and referral (objective 12); enhancing consular protection and assistance (objective 14); providing access to basic services (objective 15); and ensuring safe and dignified return and sustainable reintegration (objective 21).

3. Meeting these commitments requires practical measures to identify migrants in situations of vulnerability, such as victims of trafficking, unaccompanied and separated migrant children, and others vulnerable to violence, exploitation and abuse, including displaced persons. It also requires the capacity to design individualized solutions for such migrants, and to work with a range of local and international partners to provide the necessary services – such as emergency food, shelter and medical care – and sustainable solutions, including return and reintegration support and regular onward migration.

4. In this regard, IOM has developed practical measures, including standardized identification and assessment protocols, standard operating procedures, and minimum standards for protecting and assisting migrants and displaced persons in need.

5. IOM has also established a variety of global mechanisms to ensure that migrants and displaced persons identified as vulnerable to violence, exploitation and abuse are able to access the protection and assistance services they require. These mechanisms can be accessed by Member States to support both their nationals abroad and such populations identified in their territories, but the mechanisms require sustained support.

Practical measures to support migrants in situations of vulnerability

6. One of the key operational challenges faced by practitioners in the field is the identification of migrants and displaced persons vulnerable to violence, exploitation and abuse. In this regard, IOM has developed a number of standardized identification tools. One such tool is an interview screening form for victims of trafficking, which guides practitioners through the process of identification based on the definition of the crime of trafficking as specified in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

7. Another tool is a screening form for identifying migrants at risk of, or who have experienced, violence, exploitation or abuse connected to their status as migrants or their migration process. This form is based on the IOM determinants of migrant vulnerability model, which assesses risk and protective factors at the individual, household/family, community and structural level which increase or decrease a migrant's vulnerability to violence, exploitation and abuse.

8. These tools have been adapted for use in transit and other high-volume situations where practitioners have limited time for interaction with migrants and where they must conduct rapid screening to identify potential high-risk individuals. These adapted tools respond directly to the call of the Special Rapporteur on trafficking in persons, especially women and children, for the development of innovative approaches that improve the identification and protection of vulnerable persons and victims of trafficking in large-scale movements.¹

9. These tools are available for adaptation and use by Member States and partners around the world. Similar approaches to identification procedures can facilitate collaboration between relevant actors, coordination between different organizations and different countries, the identification of best practices, and the rapid identification of those in need of rights protection and other forms of assistance.

10. IOM not only provides guidance on the identification of migrants vulnerable to violence, exploitation and abuse, but also on the delivery of protection and assistance measures. *The IOM Handbook on Direct Assistance for Victims of Trafficking* (2007) and the *IOM Handbook: Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* provide guidance and standards of care in areas such as shelter and accommodation, safety and security, health and well-being, livelihoods and employment, and family tracing, assessment and reunification.

11. IOM technical documents are increasingly focusing on guidance on the design and implementation of comprehensive policies and programmes to address and reduce the vulnerability of migrants at all levels: individual, household/family, community and structural. For example, two new publications provide guidance on how to plan responses to migrant vulnerability, and how to coordinate the provision of protection and assistance services.

12. Increasingly, IOM and other protection and assistance actors are called upon to assist migrant children, including separated and unaccompanied children and child victims of trafficking. The *IOM Handbook: Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* contains specific guidance, developed by UNICEF, on the protection of and assistance for vulnerable migrant children.

13. The aim of these tools and publications is to ensure that relevant actors have the resources they need to plan and implement protection and assistance measures for migrants and displaced persons vulnerable to violence, exploitation and abuse. By improving the capacity of front-line responders and service providers, they contribute to the aim of ensuring that all migrants and displaced populations vulnerable to violence, exploitation and abuse – no matter where they are – have access to the required services, and that no one is left behind.

14. IOM also serves migrants and displaced persons directly. The vast majority of IOM's protection and assistance programmes are implemented in-country, with support from Member States. However, in many countries, no IOM projects exist, and local capacities are often insufficient to meet the

¹ United Nations, Human Rights Council, Report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/38/45 of 14 May 2018).

protection and assistance needs of migrants and displaced persons vulnerable to violence, exploitation and abuse, and/or the supply of protection and assistance services is inadequate.

15. In order to ensure that no migrant is left in need, IOM operates two global funding mechanisms that provide protection and assistance services as a last resort:

(a) The Global Assistance Fund provides comprehensive protection and assistance services to victims of trafficking and to other migrants who have experienced or are at risk of experiencing violence, exploitation or abuse. Eligibility for assistance under the Fund is assessed using standard IOM screening procedures.

(b) The Humanitarian Assistance for Stranded Migrants mechanism assists migrants who have recently attempted to migrate but have become stranded and are unable to return home independently.

Requesting IOM assistance to support migrants in situations of vulnerability

16. States can request IOM's assistance to support victims of trafficking and other migrants and displaced persons vulnerable to violence, exploitation and abuse. This assistance can take two main forms: (a) the provision of technical support on the application of standards and guidelines in-country; and (b) the provision of protection and assistance services for a State's own nationals abroad or for migrants present on their territory.

17. Technical support includes providing guidance on the development of prevention, protection and assistance programmes. For example, IOM supports States in developing and implementing national plans of action, establishing national referral mechanisms and building the capacities of front-line responders to identify, refer and protect migrants and displaced persons vulnerable to violence, exploitation and abuse.

18. When the necessary capacities are limited or do not exist, States can contact the relevant IOM office and request assistance. IOM staff will work with their counterparts to assess each individual migrant's eligibility for support from in-country projects or from one of the global funding mechanisms. Once eligibility is established, IOM staff will work with relevant professionals to assess each individual migrant's specific needs and design an assistance package. IOM uses a case management approach to coordinate service provision for each individual. Assistance provided is usually a combination of services provided directly by IOM, such as documentation and health-care services; services provided by States, such as consular assistance; services provided by non-governmental organizations, such as shelter; and those delivered by private service providers, such as specialized health-care services and legal counselling.

19. Assistance packages can vary from limited, short-term assistance, such as emergency accommodation and transportation assistance, through to longer-term case management that includes comprehensive services – such as psychosocial support, documentation assistance, shelter, legal counselling, health care, and family tracing and assessment – and sustainable solutions, such as local integration or voluntary return and reintegration.

20. While some cases are relatively straight-forward and can be resolved quickly, with minimal expense, others are more complicated, require significantly more funds and expertise, and can require months or even years to resolve.

21. Cases involving children can be particularly challenging. They can require actions to determine and verify family relationships, establish legal guardians and conduct best interest determinations, together with family tracing, assessment and reunification activities.

Supporting IOM's protection and assistance work

22. The majority of IOM's protection and assistance services for migrants and displaced persons vulnerable to violence, exploitation and abuse rely on voluntary contributions. Currently, the funding available for these activities is limited.

23. Given that migrants in situations of vulnerability and victims of trafficking exist in virtually every country in the world, IOM encourages the establishment of State-run funding mechanisms for the protection and assistance of such groups, and welcomes any opportunity to share its experiences in that respect and to provide guidance on their establishment and implementation.

24. Member States are encouraged to support country and/or regional programmes that build the capacity of local actors and States to design and implement protection and assistance measures, as well as those that provide protection and assistance services to migrants directly. The benefit of local projects is that they can respond most effectively to changing trends and dynamics and can work towards the localization of protection measures.

25. More support for the global funding mechanisms is also needed to ensure that migrants in situations of vulnerability with identified protection and assistance needs can have those needs met, and that stranded migrants can find a speedy resolution to their situation without falling prey to those who would exploit their vulnerable status.