

HUMAN TRAFFICKING, EXPLOITATION, AND DISPLACEMENT IN SYRIA



© ChameleonsEye

Guiding principle 11:

1. Every human being has the right to dignity and physical, mental and moral integrity.
2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:
 - (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
 - (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
 - (c) Acts of violence intended to spread terror among internally displaced persons.Threats and incitement to commit any of the foregoing acts shall be prohibited.

Introduction

Manifestations of human trafficking, abuse and exploitation against migrants pose acute challenges to key stakeholders responding to this issue¹. Cases of international, intra-regional or even internal human trafficking for the purposes of sexual exploitation, labour exploitation, slavery and slavery-like practices and reportedly organ trafficking are all witnessed worldwide and Syria is no exception.

Complex and protracted humanitarian and migration crises, such as armed conflicts usually increase vulnerabilities and in some cases lead to an increase in human trafficking. In specific instances, the drivers of conflict may even lead to the emergence of specific forms of crisis-related trafficking in persons.

Although men are often caught up in crises, and their vulnerabilities are serious and often overlooked, women and children are still more vulnerable, with increased vulnerabilities amongst unaccompanied and separated children, young women, widows or female single-headed households left to for the family, the elderly, and those with disabilities. Young women may be at particular risk to sexual exploitation, whether that is to fill a local demand, i.e. women being forced to provide sexual services to militia groups.

Trafficking in persons is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat, use of force or other means of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the receiving or giving of payment... to a person having control over another person, for the purpose of exploitation².



Girls may be also at an increased risk of exploitation through slavery and slavery-like practices, such as an increased prevalence in early and forced marriage as families are compelled to respond to the crisis through alternative livelihood strategies and further their vulnerabilities may create a new demand, even resulting in (early) marriage tourism. Furthermore, young boys may be recruited as child soldiers as well as men, the traditional breadwinners, may be forced to take up abusive or exploitative labour including low or non-payment of wages, long working hours and maltreatment as common conditions.

Means of control and associated abuse against trafficked persons include rape, torture, debt bondage, unlawful confinement, and threats against their family members or other persons close to them as well as other forms of physical, sexual and psychological violence.



1. Adapted from Keynote speech, Sarah Craggs, IOM (25 September 2014): Trafficking risks and exploitation among mobile populations in times of conflict.
2. Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children

The Syrian context

At the onset of the crisis in Syria, there is a reduction in or eradication of traditional support structures and rule of law which might all create favourable conditions for organized criminal groups, new opportunities for human traffickers and possibly impunity from law, lack of organized response to prevention, protection and prosecution as well as the reduction in the capacity and/or availability of skilled and specialized anti-trafficking key responders.



Most internally displaced people in Syria are living in temporary shelters or with host communities and therefore may be at higher risk of becoming victims of various human rights abuses, discriminatory practices, exploitation and human trafficking. Such risk factors may include precarious conditions coupled with specific age, sex, gender or allegiance to a specific religious or ethnic group.

The Syrian government issued the Legislative Decree No. 3 in order to combat trafficking in persons which is compatible with the international definition of trafficking in persons. The criminal labelling of the previously mentioned criminal acts does not change whether they are completed through the use of force, threat of force, violence, inducement, fraud, deception, taking advantage of the victim's ignorance or vulnerability, abuse of official positions, or the complicity or assistance of someone who has power over the victim. The victim's consent is not relevant.

The demand for cheap labour, sexual services and certain criminal activities are among the root causes of trafficking, while the lack of opportunity, resources and social standing are other contributing factors.

The Syrian government issued specific national instruments against human trafficking such as:

1961	Law No. 10 for Combatting Prostitution
1974	Act of Juvenile Delinquents
2003	Law No. 30 on organizing the transplantation of human organs transfer law
2005	Legislative Decree No. 33 establishing the commission for combating money laundry and funding terrorism.
2010	Legislative Decree No. 3 to Combat Trafficking in Persons
2010	The Executive Code of the Legislative Decree No. 3
2013	Legislative Decree No. 65 and Decision No. 2644 organizing the work of Private Agencies for the recruitment and employment of foreign domestic workers, conditions and rules of their employment within the territory of the Syrian Arab Republic.

The international legal framework

Trafficking is prohibited by international human rights norms and principles and criminalized in the national legislation of a growing number of States. It is generally considered as a form of slavery and it constitutes a violation of a range of human rights.

Forced prostitution, forced early marriages, trafficking in human organs and forced labour are just few of the examples of human trafficking, a crime which is on the rise in Syria.



The Syrian government has ratified most of the relevant international treaties and conventions combatting slavery and trafficking in persons. These include the international declaration of human rights, the international covenant on civil and political rights, and the international covenant on economic, social and cultural rights, in addition to other specified conventions combatting slavery and exploitation of workers as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

The Syrian government adopted as well the following international instruments against human trafficking:

2000	United Nations Convention against Transnational Organized Crime and the Protocols Thereto
2000	Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing The United Nations Convention Against Transnational Organized Crime

The Protection sector response

Humanitarian agencies in Syria supported the efforts of the Syrian Government in issuing a Counter Trafficking Law (Legislative Decree No. 3) in 2005. The Protection Sector in Syria has assisted in building capacities of Judges, Law enforcement, professionals and NGOs in cooperation with Syrian Ministries through continuous workshops.

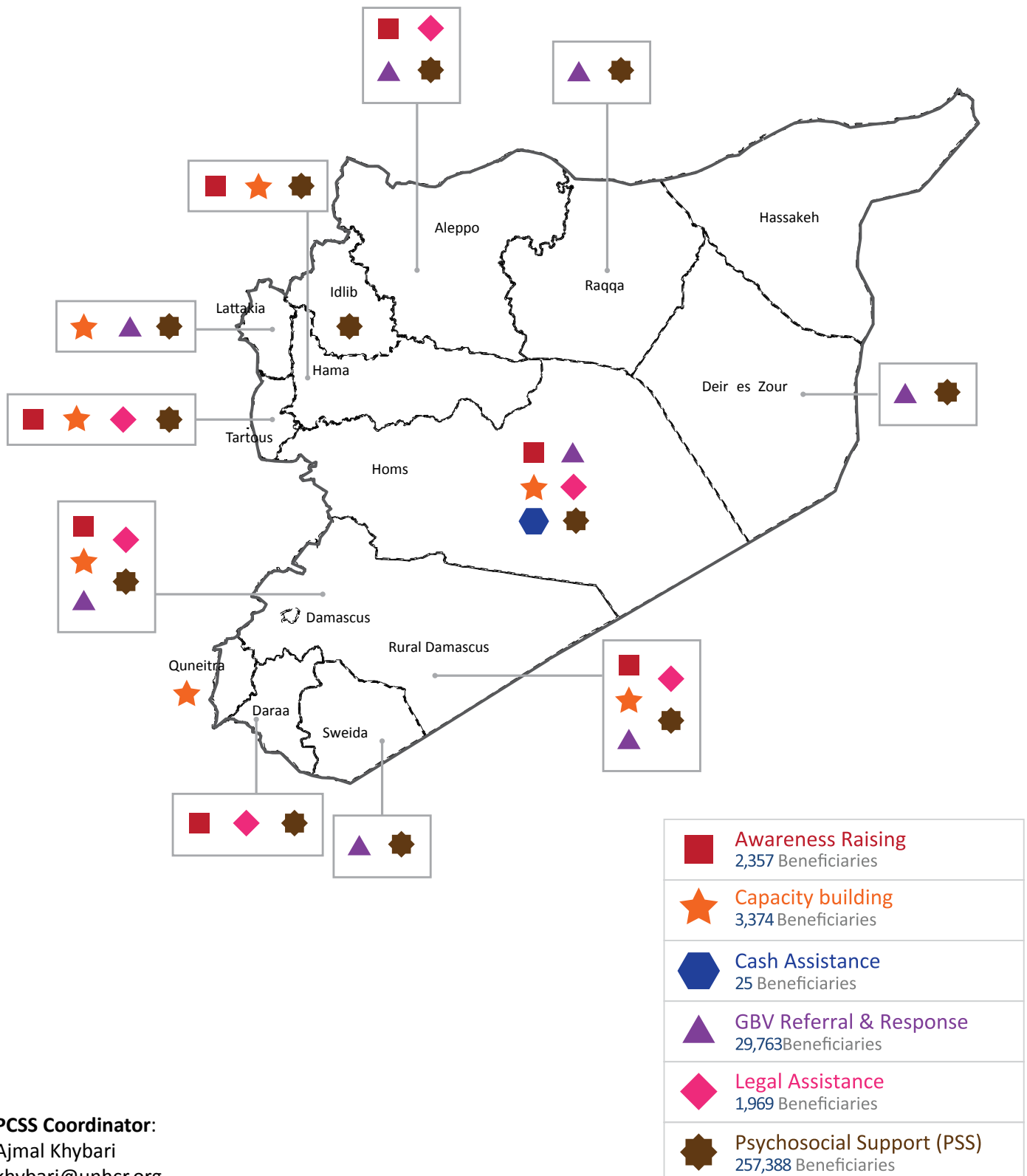
Moreover, the Syrian government established the Directorate for Counter Trafficking in the Ministry of the Interior which is responsible for referring all suspected cases of human trafficking to the Courts and/or assistance services. Currently, the directorate has 20 female police members. As well as this, a National Committee was established for Counter Trafficking which comprised of all concerned Ministries and NGOs responsible for the National Plan on Counter Trafficking.

Two safe houses for victims of trafficking in Aleppo and Damascus were rehabilitated, upgraded and equipped with furniture and IT equipment in 2008 and 2009. Despite the crisis, the safe house in Damascus is still running and currently hosts 11 female and 2 male victims, most of whom are children.

Furthermore, vocational trainings as well as awareness raising, cash assistance, gender-based violence referrals, legal assistance and psychological support have been all provided to affected people in the country including the victims of trafficking as indicated in the following map.



Protection Sector Response 01.01.2014 - 31.10.2014



PCSS Coordinator:
Ajmal Khybari
khybari@unhcr.org