

Strasbourg, 2 April 2020

## **In time of emergency the rights and safety of trafficking victims must be respected and protected**

In the midst of the COVID-19 pandemic, the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) draws attention to the particular difficulties experienced by victims of human trafficking, who generally find themselves in a position of great insecurity and vulnerability. In addition to having suffered incapacitating psychological trauma and physical injuries, many of these women, men and children have no means of subsistence and may be in an irregular migration or employment situation, without medical or social protection, and with no documents and resources to enable them to return to their home countries. During the COVID-19 pandemic, their situation can only deteriorate and criminals may actively use this global crisis to exploit vulnerability to increase the financial profit human trafficking generates.

To contain the spread of the virus and save lives, Council of Europe member states have declared state of emergency or other restrictive measures, including mandatory quarantine, closure of non-essential activities and sealing of borders. While these measures may be necessary, they also create challenges for professionals supporting and protecting victims of human trafficking. In many countries, law enforcement is mobilised in implementing the state of emergency or other restrictive measures, which limits their capacity to investigate human trafficking cases and identify victims. Similarly, other actors who can detect victims of trafficking, such as labour inspectors, social workers, health-care staff and NGOs, are currently dramatically limited in their anti-trafficking action. At the mercy of their traffickers and exploiters, many victims are invisible, and the risks that they remain undetected and unprotected are heightened as attention and resources are geared towards curbing the spread of COVID-19.

Frontline civil society organisations providing accommodation, support and redress to victims of trafficking have issued alerts about access to shelters being denied to such victims because of COVID-19, putting them at risk of homelessness and continued exploitation. Some shelters have reported COVID-19 infections and have had to close, not to put other people staying there at a higher risk, while in certain countries NGOs have had to close field offices, shelters and outreach services for refugees.<sup>1</sup> Many NGOs have reduced their office presence and even though they strive to continue offering legal and other support online or by phone, the services provided by them have been partly suspended and there are increasing concerns about the availability of funding. Without access to safe accommodation, specialised facilities, health care and psychological assistance, victims of trafficking, even when identified, are exposed to revictimization, as much as they are exposed to the virus.

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<sup>1</sup> <http://lastradainternational.org/Isidocs/3351-LSI%20statement%20-%20Impact%20of%20COVID-19%20on%20the%20protection%20of%20rights%20of%20trafficked%20and%20exploited%20persons.pdf>

Trials are being postponed, causing significant disturbances in the conduct of proceedings before criminal, civil and administrative courts to the detriment of victims' rights.

The state of emergency or other restrictive measures also have implications for the return of victims of trafficking to their countries of origin, which may be delayed or, on the contrary, precipitated, even if the persons concerned face serious health and protection risks in the countries of return.

It is understandable that governments must make choices in terms of priorities and resources when faced with risks to life and physical integrity. However, GRETA recalls that the Council of Europe Convention on Action against Trafficking in Human Beings continues to apply during the emergency measures. Under the Convention, state parties have an obligation to identify victims of trafficking and to adopt measures to assist them in their physical, psychological and social recovery, taking into account their safety and protection needs. These measures apply to all victims in a non-discriminatory manner - women, men and children, whether subjected to transnational or national trafficking, regardless of the form of exploitation and the country where they were exploited. All other measures of assistance and protection under the Convention, including the right to a recovery and reflection period, the granting of a residence permit, and risk and security assessment before any return, should be applied to victims of trafficking.

It is in such times that GRETA must remind leaders of state parties of the legal and moral obligation not to cut corners on the rights and protection of the most vulnerable, which include victims of human trafficking. Inspiring and creative surges of solidarity have shown that our societies find ways to remain tightknit and overcome isolation even under lockdown. We must make sure that the thousands of women, men and children who are victims of trafficking in human beings, while being out of sight, do not slip out of our minds.

During the period of emergency measures, GRETA will continue its activities on monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, even if its schedule of country visits and adoption of reports is temporarily affected.