

Final Conference

Recommendations



Funded by the Asylum, Migration
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Credits

Project Coordination: The Family and Childcare Centre (KMOP – Greece)

Project Partners

The Asociatia Ecumenica a Bisercilor din Romania (AIDRom – Romania)

The Animus Association Foundation (AAF – Bulgaria)

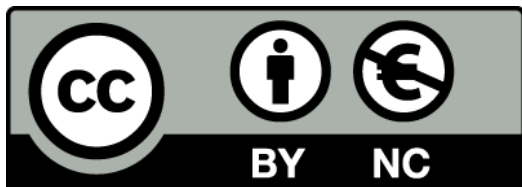
CESIE (Italy)

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LEFÖ Beratung, Bildung und Begleitung für Migrantinnen (LEFÖ – Austria)

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1. Overview of the Final Conference

The current COVID-19 crisis is affecting all countries and societies, with most European States taking restrictive measures to prevent the further spreading of COVID-19 and mitigate the health risks for the population. While this affects everybody, the new situation has a particularly negative consequence on marginalized communities. Critical voices draw the interim conclusion that those who have been excluded from protection are now left even more vulnerable in a global pandemic¹. The impact of the pandemic must be looked at as a breaking point, which has only reinforced and aggravated existing problems and inequalities. It is important to underline that the impact of the pandemic is not only devastating in terms of access to the labour market, but on the entire process of the protection and integration of Trafficked Persons, from identification to holistic social inclusion.

Accessing the labour market before was already difficult for vulnerable groups. It was even more difficult for women especially as the gendered labour divide puts women in jobs where their work is perceived to be unskilled and/or where work is hidden from the public, such as in private homes. Now the economic aftermath of the pandemic on the labour market has made it even more challenging for vulnerable groups to access the labour market and find a job with decent working conditions that is for many essential to support their families or renew residence permits (just to mention two examples). Women Victims of Trafficking for sexual exploitation, face many more challenges, aside the pandemic, when accessing the labour market (i.e. trauma recovery, lack of language's knowledge, lack of recognition of qualifications, difficulty to secure a job/income, cultural and gender barriers, having children dependent on them, discrimination and stigma, safety and security issues).

The TOLERANT Project (Transnational network for Employment integration of women victims of trafficking) partners organised the final conference of the project to discuss human trafficking in the broader context of labour and trafficking in policy and practice. The conference "Exploring links between trafficking and labour - Discussing Migration and Gender in the Context of a Pandemic" brought together experts, stakeholders, professionals and interested communities. The exchange of various perspectives on different (good) practices and challenges supporting Women Victims of Trafficking was fostered, and recommendations and policies were discussed. During the Final Conference participants discussed about labour market integration, in other words access to the labour market, in

¹ See „The impact of COVID-19 on the protection of rights of trafficked and exploited persons“ (La Strada International NGO Platform, 2020) accessed 15 July 2020

two ways. Firstly, challenges and good practices concerning the labour market integration of women victims of Trafficking were identified. Secondly, the topic was further addressed by critically examining how the labour market is shaped and how it needs to be changed in order to eliminate barriers to ensure a sustainable and equal inclusion for all, prevent exploitation and counter Human Trafficking as well as what gender specific services are necessary for a holistic integration into the labour market. Due to COVID-19, the Conference was held online on the 9th and 10th of December. Following a wide dissemination to national and European stakeholders, more than 100 persons have registered to attend the Conference and the majority of them attended various sessions of it. Overall participation and evaluation were very positive and feedback from participants was constructive and enriched the ongoing discussion.

2. Panel Discussion

Following the welcoming remarks of Evelyn Probst, Head of LEFÖ – Intervention Centre for Trafficked Women and Jennifer Resch Head of Division for Women and Equality at the Austrian Federal Chancellery, the panel started with a short presentation of the project's objectives, activities and key challenges and results achieved during its implementation. After this project introduction by Thanasis Tyrovolas Researcher at KMOP, 5 experts from various institutions addressed the topic of the Conference by raising significant trends, policy gaps and steps to move forward. The five key experts who participated in the panel where:

- a) Evelyn Probst, Head of LEFÖ-Intervention Centre for Trafficked Women;
focusing on the rights and realities of Trafficked Women in Austria, enriching the discussion with her long- standing experience in the field and stressing the importance of a rights-based, holistic approach to social inclusion.
- b) Johannes Peyrl, Expert on Migration Policy and Migration Law, Chamber of Labour (AK); speaking on the structural difficulties migrants and asylum seekers face when accessing the labour market in Austria and Europe, stressing that there needs to be more effort made when it comes to support services as well as a change of legislations on order to facilitate labour market inclusion.
- c) Carina Lesiak, Specialist on labour market integration and psychosocial counselor of women at Frauenberatungsstelle für Migrantinnen;
speaking from her rich experience in supporting migrant woman accessing the labour market and stressing the importance of employment to be self-sustaining and independent.

- d) Erika Koller, Member of the European Economic and Social Committee and the Worker's Group; International Secretary of the Forum for the Co-operation of Trade Unions;
speaking from an European perspective on victims' rights, drawing from a long standing experience in reporting and policy making.
- e) Thanasis Tyrovolas, Researcher at KMOP (Member of the TOLERANT Project Consortium);
sharing insights from the Tolerant Project's approach and implementation as well as challenges that have been identified by the project partners across Europe.

After the short panelist interventions, the moderator gave the floor to the participants and an interesting and enriching Q&A session took place. Central in the discussion were questions around the topic of special residence permits for victims of trafficking giving (free) access to the labour market as well as the transformation of a legal possibility into reality as many labour markets in European countries face a challenging time with high unemployment numbers. The different European perspectives especially enriched this discussion and made it clear, that challenges and blank spots that stakeholders, specialized service providers and institutions supporting migrants face, are similar across the EU.

3. Key Notes from workshops

Following the keynote speeches during the first part of the Final Conference, participants could choose from four interactive workshops.

Workshop 1 - New approaches: How to strengthen transnational cooperation and exchange on the topic of labour market integration for VoT?

The discussions with the participants focused very much on "how to strengthen transnational cooperation for the integration of the victims on the labour market". The participants, representatives of different organisations from Greece, Austria and Bulgaria came with examples of their own experience, especially now when the pandemic affected the labour market in most of the countries. The moderator also highlighted the steps that are necessary for the individual empowerment of the VoT as well as the most common obstacles during the integration plan. During the emergency, when societies were in lockdown, the biggest challenge was to provide services for the victims through on-line systems. During lockdown,

the jobs opportunities were fewer and the beneficiaries that managed to get a job before the pandemic lost their jobs.

Moreover, during the workshop, participants reflected on the below points:

- Labour market integration differs from country to country especially when countries of transit are compared with countries of destination. It is often the case that migrant VoT from third countries are not willing to stay in Southern/Easter European Countries (e.g. Greece, Bulgaria, Romania) but they want to continue their journey to get to Western Europe. They often consider South and Eastern Europe as a temporary solution and Western European countries as final destination. Nevertheless, most of the time they are trapped amidst policies that lead to limbo conditions. As a result, they have to strategise balancing between their desires and the ability to implement them, which leads them to designing strategies in parallel. Therefore, people on the move don't experience integration as a linear process but rather as a complex process where they actively express their agency.
- Migrant women face multiple problems. Service providers spend much effort to solve different social, medical, family or related to children issues. In that way, women are able to start working on their financial independence, career and professional development. Therefore, labour integration goes hand in hand with intensive social work. For migrant women, having to deal with severe survival problems (from accommodation to health related issues), integration (e.g. language courses or finding a job) could be a mere luxury.

Workshop 2 - The struggles behind 24/7 care work. Who cares?

During the second workshop, facilitators engaged with the topic of care work and the existing situation in Austria. The main topics discussed were the live-in care system in Austria and its structural problems, the elderly live-in care system during Covid-19, the important role that placement agencies play in the sector, as well as the response from movements, activists and other actors fighting for migrants' rights. In the second part of the workshop, participants had the chance to engage with an interesting and real case study where they had to navigate through different roles (e.g. migrant worker/carer, placement agency, and client/elderly) and decide on the best strategy to avoid exploitation of the migrant worker.

Workshop 3 - How to Support Undocumented Workers

The main question that participants had to reflect on was "What are the possibilities to support undocumented workers". The main topics discussed were:

- the definition of “undocumented work”
- the difference between employed and self-employed status
- the link between different types of residence permits and access to labour market
- main principles/slogans (e.g. “Work without documents, but not without rights”, “All workers have rights no matter they are undocumented”)
- the work of UNDOK drop-in centre
- the rights of workers even without documents
- forms of violation of workers’ rights
- Case studies

Workshop 4 - During the pandemic and beyond: Supporting Trafficked Persons accessing the labour market in Austria

In the last workshop, multifold obstacles and gaps for Trafficked Women when accessing the labour market in Austria were discussed. Starting from the case of Austria, participants have explored similar/ different elements in other countries as well. Important steps during VoT assistance were identified. In this context, capacity building is central for Trafficked Women in their social inclusion. Social inclusion should be in the centre of all efforts supporting Trafficked Women. Social inclusion prevents from further violation of human/women’s rights and vulnerable situations including re-trafficking.

Being able to find a job, to receive a salary, means for Trafficked Women to live an independent life. Consequently, it is even more important, to reduce the gaps and bottlenecks for trafficked women to access the labour market once they are not in an exploitative situation anymore. The obstacles for Trafficked Women are linked to their experience as woman, migrant woman and Trafficked Woman. Access to the labour market is highly restrictive and selective. This means that Trafficked Women often face a lack of recognition of their certificates or skills, racism/discrimination and a high demand in low wages. The gaps have widened as an aftermath of the pandemic. In Austria, there was no prolongation of any residence permits because of the pandemic as observed in other European countries.

An interesting part of this workshop was the intersection between ICT and migration. Migrants are often more mobile and transnational than the majority society, and they recognize the opportunities of using information and communication technologies for their participation in the immigration society as well as for maintaining links with the society of origin. Due to the specific living conditions, migrants often show a higher interest and a greater willingness to use ICT. They often acquire the skills to use ICT through self-learning strategies. Obstacles for migrants when using ICT include lower socioeconomic status,

barriers to the language of the majority society, lack of appropriate infrastructure in the migrant neighborhoods, web content not being prepared for this target group, etc. Racism in Austrian society and the very restrictive immigration laws create a climate of fear and insecurity.

Therefore, the exclusions in real life reinforce exclusion in the virtual world and vice versa. Structural inequality also in the field of ICT therefore prevents equal participation in society and in working life. With regard to these inequalities, the term "digital divide" is used. In many of the EU's policy papers and initiated programmes and projects, digital literacy is regarded as a means of integrating migrants into society and into the democratic political process. This assumption should be viewed critically. The possibility and ability of gathering information about job opportunities online does not change the fact that exclusion mechanisms on the labour market or the racist employment policy of companies exist. For example, the fact that all parties upload their election programs online cannot solve the structural problem that migrants in Austria are not entitled to vote. Access to information is not similar to access to rights. Another example can be the YouTube videos, which offer inexhaustible information on every aspect of political and everyday life. However, as long as these videos do not contain subtitles, their use for people with a first language other than German or English is very limited.

In summary, the workshop discussed the topics migration, gender, work and trafficking in women and the importance of a human rights based approach, putting the needs of Trafficked Women in the centre of all actions. An empowerment approach is pivotal for a holistic and sustainable social inclusion for Trafficked Women. It is important to design policies that recognize the importance of a direct access to the labour market for Trafficked Women being pivotal for social inclusion.

4. Policy Recommendations

The following recommendations are the outcome of the fruitful panel discussion as well as the four workshops that were held in the frame of the conference. Having drawn a multifold perspective on the topic of the access to the labour market for Trafficked Persons, the following recommendations show the remaining efforts that still need to be made.

To State Authorities

General Recommendations/Integration/Gender mainstreaming

- Properly address all the economic, social, cultural and political factors that continue to relegate women and girls in subordinated and marginal positions.
- Pay immediate attention to the assistance and protection of women victims of trafficking, who, in light of the current Covid-19 outbreak and huge global economic fallout, risk further exposure to isolation, exclusion, disempowerment, multiple discriminations, stigmatisation and re-trafficking.
- Design and implement a holistic integration policy at central level while acknowledging the gender specific vulnerabilities that many migrants, including women victims of trafficking, face.
- Promote a gender mainstreaming approach to all interventions.
- Acknowledge that integration is a complex process and should be not limited only to integration in the country of stay, but in EU as whole by providing orientation courses and informative sessions on rights, which are common to EU context.

Coordination among stakeholders

- Ensure the engagement of all stakeholders involved as well as the effectiveness of the coordination mechanisms in place.
- Strengthen multi-agency involvement in the assessment of the personal situation and the vulnerability of victims of trafficking and establish good communication between competent authorities and specialised organisations/institutions working with Trafficked Persons, from a multidisciplinary approach.
- Build more European solidarity and strengthen a cooperative approach between EU member states in assisting those in need.

Access to services/documents/rights

- Address and eliminate structural and systemic barriers that limit women's and girl's autonomy and access to key resources, including adequate and protected accommodation, healthcare that includes psychological and physical wellbeing, legal aid, education, childcare, employment opportunities etc.
- Acknowledge, that in order to achieve the desired outcome of migrants' integration, their basic needs must be covered as a basis on which to built all further efforts.
- Extend all protection and assistance measures for all victims of trafficking, including work permits and access to services, to ensure continuity in their social inclusion process beyond the current health crisis.
- Provide Trafficked Women residency documents able to facilitate and guarantee access to fundamental rights and services, without which an empowering, gender sensitive labour integration project is not possible.

- Provide protection programs for victims of trafficking.
- Ensure the availability of interpretation/cultural mediation services to all Public Services.
- Ensure the issuance of social insurance number and tax number for all migrants in order for them to have access to services and rights.
- Promote the role of the Ombudsman for rights' violation.
- Establish income support measures for all those who are excluded from social welfare programmes.
- Introduce regularization measures to reduce vulnerability, exploitation and social exclusion of migrants in an irregular situation in employment.
- Where Trafficked Persons can apply for other residence permits within the framework of the regular law on aliens, exempt them – at least for the initial application – from general conditions, such as minimum income.

Access to asylum

- Ensure that Trafficked Persons have fair and effective access to asylum procedures and that both victim protection standards and asylum procedural guarantees are systematically applied.
- Take measures to ensure an adequate duration of the asylum procedures to avoid limbo conditions. Very long durations of the asylum processes leave women with elevated fears about their future and great frustration and prevents them from accessing fundamental services such as civil registration, healthcare services for their minor children, professional training courses and labour integration etc.
- Strive and ensure that the survivors' rights to non-discrimination and non-refoulement, including detention in repatriation centres, deportation, and stigmatisation are respected and protected.
- Offer temporary residence to those that currently cannot return, and stop issuing return decisions, detention and forced returns (including Dublin transfers) of irregular workers and/or Trafficked Women.
- Reconcile your obligations under refugee law and human rights law with those under anti-trafficking law to ensure sufficient and adequate protection of victims of trafficking seeking asylum and fair decision-making concerning their asylum claims.
- Establish accelerated procedures and facilitate preferential access to family reunification for Victims of Trafficking.
- Admit and handle cases involving a vulnerable person such as a Trafficked Person or a person at risk of being trafficked in the ordinary asylum procedure to allow a correct and adequate assessment on the merits of their claims.

Accommodation

- Provide more accommodation spaces in order to avoid precarious living conditions for all asylum seekers, refugees and migrants. Accommodation centres should guarantee a safe and gender violence-free environment for women. They should not be overcrowded and grant women access to gender-specific medical, psychological and legal assistance. Accommodation centres should not be remotely located and they should avoid institutionalization, isolation and ghettoization of the survivors. Public authorities should implement actions that ensure appropriate timing for survivors to reach independency and integration. As aforementioned, Trafficked Women repeatedly reported being trapped in the accommodation system for 3-4 years, without access to fundamental rights and services, which ensure their full integration and independency.

Education/Training Opportunities

- Ensure access to training opportunities even for people with asylum pending documents. The duration of courses with qualifications should be adjusted according to the duration of women's projects in both protected programmes and first and second-line facilities.
- Promote the attendance of all refugees and asylum seekers in language courses from the beginning.
- Enhance State recognition of language skills and other certificates that refugees might possess.
- Engage the academic community (universities) and training agencies in the anti-trafficking response by persuading them to provide education opportunities which will be really accessible and suitable for people with low education attainment profiles (e.g. basic language skills)

Exploitation/Labour Rights/ Access to labour market

- Enhance monitoring mechanisms to provide a safety net against exploitation (e.g. labour, sexual etc.) especially for undocumented VoT who are afraid to report their exploitation due to fear of deportation.
- Continue to carry out targeted inspections of working conditions in sectors at high risk of labour exploitation and unsafe working conditions in the context of the pandemic, ensuring that all workers are supported in accessing information and protective measures, support and redress and face no risk of immigration enforcement.

- Recognize the contribution of migrant workers to support European economies and fill labour shortages.
- Recognize the importance of a direct access to the labour market for Trafficked Women.
- Grant victims of trafficking direct access to the labour market – without imposing any restrictions regarding occupation, sector of activity and territorial scope – as a measure towards the social inclusion and the full recovery of victims.

To actors implementing interventions

General/ Trafficking-specific

- Ensure the participatory planning process of all interventions designed and implemented, improve consultation procedures and feedback mechanisms from the refugee/migrant communities.
- Carefully take into account and address the impact of trafficking and exploitation both from a mental and physical health and victims' well-being aspect.

Gender mainstreaming/Gender-specific

- Design and activate structured interventions of empowerment and social integration addressing in a gender sensitive manner important difficulties that women VoT face such as gender specific trauma, physical and health conditions related to the violence and sexual exploitation suffered in origin, transit and destination countries, in addition to language barriers, residency issues, access to justice, legal assistance and healthcare, support of a social network, demonstration of previous work skills, discrimination and stigma, stable housing.
- Adopt a gender sensitive and empowerment approach and human rights approach, which help the important process of establishing trust relationships with women, the disclosure of their stories and most importantly allow women to speak up and become agents of change. The labour market integration for Trafficked persons should entail a holistic approach, which takes into consideration many different aspects of women's' and girls' lives such as safety, protection, trauma, secondary victimization, accommodation, legal aid, childcare, residency documents etc.
- Ensure a gender-based approach to all programmes implemented.
- Design interventions to deconstruct gender stereotypes related to the caretaking.
- Provide tools that promote self-awareness, self-agency, independent decision taking etc. Gender transformative activities should be an essential part of the integration project.

Access to services/rights/protection

- Provide highly secured and confidential services to women victims of trafficking.
- Put at the centre the best interests of the trafficked person and ensure that the person is referred to the most appropriate channel of protection to secure his/her rights and access a durable solution (be it in international protection or permanent residence in the country of destination or return and reintegration in the country of origin).
- Provide online support to victims of trafficking inside and outside shelters. Psychological counselling, legal support as well as educational and training activities are examples of the services, which might be temporarily provided remotely to ensure the continuity of victim's support and to prevent re-trafficking.
- Provide support to facilitate the issuance of social insurance number and tax number for all migrants in order for them to have access to services and rights.
- Ensure that counselling on residential status/migration status and labour rights will be provided to migrants and refugees.
- Establish interventions particularly for undocumented victims of trafficking since they are the most "invisible" for the anti-trafficking response system. Apart from the services provision necessary for such a target group, it is essential to keep advocating and lobbying the Authorities for recognition of such cases in the Justice System.

Education/Training Opportunities/ Access the labour market

- Design education programmes that are tailor made for asylum seekers, refugees and migrants in order to enhance their employability. Register their skills and competencies in order to be matched with market needs.
- Establish apprenticeship schemes for migrants and refugees in collaboration with the private sector and respective government bodies.
- Properly address Trafficked Persons' needs with regards to formal education and assist them enrolling in public schools with the scope of obtaining diplomas and attending professional training courses.
- Include women's informal previous work experience when supporting them drafting their CVs and looking for employment.
- Encourage women to pursue education and qualifications that provide them with access to labour sectors that go beyond low skilled job in the care and domestic industry, which risk perpetuating vulnerabilities and victimisation.
- Raise awareness and sensitise work agencies, potential employers and public institutions that deal with employment support.

Collaboration among stakeholders/ Exchange of knowledge

- Build more European solidarity and strengthen a cooperative approach between EU Civil Society Actors in assisting those in need.
- Take advantages of practices developed for VoT, which could be easily implemented for migrant women victims/survivors of GBV or at risk.

To Donors

General/COVID-19 related

- Pay immediate attention to the assistance and protection of Trafficked Women, who, in light of the current Covid-19 outbreak and huge global economic fallout, risk further exposure to isolation, exclusion, disempowerment, multiple discriminations, stigmatisation and re-trafficking.
- Increase the evaluation mechanisms for projects implemented as well as the accountability mechanisms for all stakeholders involved.

Gender mainstreaming/Gender-specific

- Request funded interventions to adopt a gender-sensitive approach and evaluate proposals with a strong element of gender analysis positively.
- Fund emergency shelter for survivors of GBV including Victims of Trafficking.
- Allocate funds for raising awareness on the topic of trafficking to fight stigma and discrimination.
- Continue funding rehabilitation interventions as the risk of 'losing' those survivors who are already in transition is now particularly high due to the adverse economic situation.

Access to services/rights

- Fund education programmes that are tailor made for asylum seekers, refugees and migrants in order to enhance their employability. Register their skills and competencies in order to be matched with market needs.
- Fund interventions including free legal aid to undocumented migrants including potential Trafficked Persons.