

**THE VIENNA FORUM TO FIGHT HUMAN TRAFFICKING
13-15 February 2008**

Vienna, Austria

AIDE MEMOIRE

**PANEL: RETURN AND REINTEGRATION OF VICTIMS OF HUMAN
TRAFFICKING**

BACKGROUND

The Vienna Forum to Fight Human Trafficking to be held at United Nations Headquarters in Vienna from 13 to 15 February 2008 will focus on the three overriding themes of vulnerability, impact and action. It will offer plenary sessions and a series of panels and workshops on different aspects of the three themes.

This event is part of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT). The Global Initiative aims to mobilize state and non-state actors to eradicate human trafficking by i) reducing the vulnerability of potential victims and the demand for exploitation in all its forms; ii) ensuring adequate protection and support to those who do fall victim, and iii) supporting the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons.

UN.GIFT is part of a wide partnership by the UN-System and other international and regional organizations (ILO, IOM, OSCE, OHCHR, UNICEF, UNODC). These organizations, which form the UN.GIFT Steering Committee, are responsible for the organization of the panels and workshops of The Vienna Forum.

This panel, Return and Reintegration, is organized by IOM, in partnership with key stakeholders.

CONTEXT

The return of trafficked persons to their countries of origin is often highlighted as the main feature of any assistance strategy. While many trafficked persons do wish to return to their home countries, and countries of destination are often willing to facilitate return rather than provide for the continued stay of the victim of trafficking, or create a parallel asylum process, there are many factors which need to be taken into consideration when assessing, in each individual case, whether return and reintegration is a safe, feasible and sustainable option. For example, a victim of trafficking may, because of his/her trafficking experience, be at heightened risk of becoming re-trafficked upon a return to the country of origin; s/he may also risk being subjected to reprisals from members of the trafficking network, or to social exclusion, ostracism or severe discrimination from his/her community. A child victim of trafficking, whose

parents have been involved in initiating the trafficking, may face additional risks upon a return. In such cases, the individuals concerned may qualify for international protection based on applicable human rights instruments.

Without adequate support upon arrival, the beneficiary may likely return to the same environment which contributed to his or her being trafficked initially, in addition to returning ill-equipped to deal with the trauma s/he has suffered. Such factors are likely to hamper both the safety and the sustainability in general of a return.

OBJECTIVES

This panel aims to contribute to the dialogue on the importance of a rights-based approach in the search for sustainable solutions for victims of trafficking. It will illustrate the importance of empowerment and participation of the victim of trafficking in the decision-making process and the necessity of having a sound understanding of the risks a victim might face upon a return and the context and environment to which s/he would return. Some of the specific issues which will be explored include: the return of trafficked persons to their countries of origin, including the essential element of volition, the importance of a risk assessment, the merits of the reflection delay period, and the centrality of effective and sustainable reintegration as the primary objective of the return process. The panel will also explore alternatives to return in cases where return is not a viable option either because of security concerns or because sustainable reintegration is unlikely to be achieved.

EXPECTED OUTPUTS

1. A concise statement of key policy messages will be elaborated on the essential elements of implementing a rights-based approach in the search for sustainable solutions for victims of trafficking in the context of return and reintegration programmes, as well as alternatives to return;
2. A summary of panel discussions will be prepared and incorporated into the overall final report of the Vienna Forum.

STRUCTURE AND CONTENT

The panel will consist of a single session, which will take place on 15th February, from 1100 until 1230.

The panel will feature four experts, and will be moderated by IOM. All four experts will speak in succession, and each will have a maximum of 10 minutes to address one or several of the enumerated themes.

Following the presentations, participants will have 40 minutes to address questions to the panel experts or comments to the session at large. The moderator will offer a summary of the discussions at the end of the session, and secure a general consensus for the summary to be adopted as the official record of the panel session.

THEMES

During the panel/workshop the following themes/questions will be addressed:

1. **Pre-Departure** – ascertaining ‘voluntariness’; the merits of the reflection delay; deciding when, and to what extent, a risk assessment is necessary, and what constitutes a sufficient security risk as to make return untenable; essential features of rights-based pre-departure assistance;
2. **Return and Post-Arrival** – necessary elements of a rights-based return;
3. **Reintegration** – the elements of effective reintegration; who should be involved; what constitutes ‘sustainability’?; at what point can reintegration be considered to have been achieved?;
4. **Alternatives to Return** – the alternatives to return that may be available to victims of trafficking, including those offered by the 1951 Refugee Convention and other legal instruments.

PARTICIPANTS/SPEAKERS

This panel is expected to attract approximately 150/200 participants, including government officials, parliamentarians, representatives of the private sector, civil society, academia and international organizations.

Moderator: Jonathan Martens, IOM

Confirmed Speakers:

- Poonam Joshi, Amnesty International (UK)
- Karolina Lindholm-Billing, UNHCR
- Nagasayee Malathy, IOM (India)
- Ana Revenco, La Strada (Moldova)

WORKING LANGUAGE

Simultaneous interpretation will be provide in English, French, Spanish, Russian, and Mandarin Chinese.

CONTACT INFORMATION

Name: Faryal Shah

Division: Migration Management Services Department

Organization: International Organization for Migration (IOM)

E-mail: avrctmms@iom.int