Conference Outcome Document

Enhancing Cross-Border Cooperation of National Referral Mechanisms to Address Trafficking in Persons in Contexts of Displacement and Mixed Migration Flows

Contents

*This **Conference Outcome Document** outlines the key challenges, guiding principles, and strategic actions required to strengthen National Referral Mechanisms (NRMs) and enhance cross-border cooperation across the South-Eastern Europe as well as Eastern and Central Europe region. It is informed by, and builds upon, the deliberations and recommendations of the Regional Conference on "Enhancing Cross-Border Cooperation of National Referral Mechanisms to Address Trafficking in Persons in Contexts of Displacement and Mixed Migration Flows," held on 12–13 November 2025 at the Hotel Marriott in Skopje, Republic of North Macedonia. The conference brought together 55 participants, both in person and online, including practitioners, policymakers, and experts from South-Eastern Europe (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia, and Kosovo under UNSCR 1244), as well as from Eastern and Central Europe (Moldova, Ukraine, Poland, Romania, and Slovakia). Representatives from international and regional organizations, civil society, and academia also contributed to the discussions, making the event an important platform for regional dialogue, knowledge exchange, and consensus-building.*

I. Context and Rationale

Traffickers operate in a borderless manner, necessitating **shared regional solutions** and the transformation of borders into bridges of protection. Although all SEE countries have established National Referral Mechanisms (NRMs), their operational effectiveness varies widely. Persistent systemic gaps—related to coordination, resources, legal frameworks, ability to capture data and implementation—limit the ability of NRMs to identify and protect victims, particularly in complex mixed migration contexts.

> *A National Referral Mechanism (NRM) is a co-operative framework that brings together government agencies, civil society organisations, and international organisations to safeguard the fundamental rights of trafficking victims. There is no single standardised model globally; rather, NRMs vary by jurisdiction whilst sharing common principles.*
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> *The primary objective of an NRM is to protect victims' basic rights and ensure they are directed to appropriate support services. Key functions include the proper identification of trafficking victims, coordinated referral to assistance programmes, and effective liaison amongst diverse stakeholders—including law enforcement, prosecution services, social service providers, and specialised anti-trafficking agencies. At its core, an NRM facilitates victim identification, protection, and assistance through systematic multi-agency collaboration across governmental, civil society, and international organisations.*

Effective protection requires that identification processes be seamlessly linked with clear referral pathways, legal safeguards, and comprehensive support services. For many countries in the region, these components are not yet functioning as a coherent system, and regular monitoring and assessment of NRMs remain limited.

II. Key Systemic Challenges at National Level

Despite notable progress in establishing NRMs, several structural and operational gaps continue to hinder victim protection:

1. Limited Identification Capacity

Insufficient standardized identification procedures and a shortage of trained staff significantly reduce the ability to identify victims—especially within asylum and mixed migration flows. Many victims remain undetected, leaving them without access to protection.

> **Proposed action:** Development of an interview guide and uniform indicators that countries could use when interviewing potential victims.

2. Insufficient Coordination

Coordination among relevant institutions involved in identification, referral, assistance, and protection of victims often remains fragmented. This leads to parallel processes, information gaps, and inconsistent referral practices within both the National Referral Mechanism (NRM) and the broader anti-trafficking framework, affecting the overall effectiveness of victim protection.

> **Proposed action:** Strengthen coordination at both the operational and strategic levels. Within the NRM, clarify roles, procedures, cooperation modalities, and ensure sustainable funding to support consistent, timely, and victim-centred identification and assistance. In parallel, develop or update National Action Plans (NAPs) to provide clear national objectives, priority areas, and sustainable funding. While separate from the NRM, NAPs should complement its work by guiding broader prevention, protection, and prosecution efforts.

3. Conditional Access to Support and Restrictive Legal Frameworks

In many countries, access to assistance is conditioned upon cooperation with criminal proceedings. Inconsistencies between trafficking, migration, and asylum laws further hinder protection, complicate the recovery period, and can obstruct access to services—particularly for foreign victims.

> **Proposed action**: Introduce unconditional access to assistance in national policy/law, clearly stating that support for victims is not dependent on their cooperation with law enforcement or participation in criminal proceedings. This principle should be explicitly defined to avoid misinterpretation and to ensure that all victims can access protection based on their needs and rights. At the same time, the system should include appropriate safeguards to ensure fair and consistent application of assistance mechanisms. Align trafficking, migration, and asylum frameworks to remove legal barriers and guarantee consistent protection, especially for foreign victims.

4. Shortage of Specialized Services

Specialized accommodation and services—especially for unaccompanied minors, male victims, and individuals with complex vulnerabilities—remain insufficient. This limits the ability of NRMs to provide holistic and survivor-centred care.

Proposed action: Expand specialized accommodation and services within the NRM, including tailored support for unaccompanied minors, male victims, and individuals with complex vulnerabilities. Establish a sustainable financing mechanism as part of the NRM, including predictable funding for NGOs providing specialized assistance. Strengthening these services will enable more holistic and survivor-centred care.

5. Inadequate Training and High Staff Turnover

Frontline actors often lack mandatory, ongoing training on human trafficking, trauma-informed approaches, child protection, and cultural sensitivity. High turnover erodes institutional memory and affects consistency in victim identification.

Proposed action: Create a centralized digital training platform to provide newcomers with standardized onboarding materials, combined with regular in-person training for frontline workers to strengthen their ability to recognize signs of trafficking in human beings and respond appropriately.

6. Fragmented Data Collection and Analysis

Data systems remain siloed, inconsistent, and not interoperable. Without harmonized indicators and integrated data collection, policymakers cannot accurately assess trafficking trends or evaluate NRM performance.

Proposed action: Develop a harmonized, interoperable data system with shared indicators across all relevant institutions, enabling unified data collection, improved trend analysis, and accurate evaluation of NRM performance. The system should allow input from multiple actors, while designating a single institution responsible for hosting, managing, and owning the platform to ensure accountability and data integrity.

III. Critical Gaps in Cross-Border Cooperation

Systemic weaknesses are amplified at borders, where coordination between states is essential:

1. Limited Border Capacity and Policy Barriers

Border police frequently lack adequate resources, interpreters, and trained staff to conduct effective vulnerability screenings. These constraints can hinder proper assessments and limit timely access to protection mechanisms. In addition, age assessments, although designed to support appropriate protection measures, may in some cases lead to reduced

access to services when individuals are assessed as adults. This underscores the need for harmonized, child-sensitive procedures that ensure age assessments consistently contribute to safeguarding and do not inadvertently limit protection.

2. Inconsistent Cross-Border Procedures

Variations in national procedures, delays in information exchange, and limited trust between institutions hinder coordinated action. Cross-border referrals are often ad-hoc and bilateral, leading to inconsistent follow-up and gaps in protection.

3. Legal and Administrative Obstacles

Divergent legal frameworks—especially regarding recovery and reflection periods or residency rights—create protection gaps. Unequal treatment of national and foreign victims further limits continuity of care.

4. Constraints on NGO Access and Funding

NGOs play a central role in identification and support, yet face limited access to reception centres, detention facilities, and border zones. Unstable funding reduces their ability to contribute to coordinated responses.

IV. Foundational Principles for Strengthening NRMs

To ensure NRMs move toward effectiveness, their operations must adhere to these foundational, victim-centered principles:

1. **Prioritize the Social Path and Unconditional Assistance:** Implement the "social path" by **lowering the evidentiary threshold** needed to initiate protection and assistance. Assistance must be **unconditional** upon judicial cooperation, prioritizing victim safety and preventing secondary victimization.

2. **Ensure a Trauma-Informed, Victim-Centred Approach:** [1]Procedures must be respectful and sensitive. This approach ensures proper implementation of recovery and reflection periods, full respect for children's rights[2], and maintains **continuity of care** and post-transfer support for victims referred across borders.

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[1] More info on Trauma-informed and victim centered approach could be find here: Guidance on Trauma-Informed National Referral Mechanisms and Responses to Human Trafficking https://www.osce.org/files/f/documents/1/9/549793.pdf
[2] Child Rights Convention, https://www.unicef.org/child-rights-convention/convention-text

3. **Adhere to the Non-Punishment Principle[3]:** It is essential that victims compelled to commit offenses are **not criminalized**, as this denies them rights, obstructs recovery, and undermines trust in law enforcement and NRMs.

4. **Develop NRMs from the Bottom-Up:** NRMs must function as flexible frameworks developed through a bottom-up process, actively involving stakeholders, **specialized NGOs**, and **survivors/survivor leaders** whose practical knowledge is critical for designing effective mechanisms.

5. **Integrated Multi-Agency Cooperation:** Enhanced cooperation between state institutions, law enforcement, the judiciary, civil society, and international organizations can contribute to more consistent practices and improved referrals. While greater harmonization may support more equal treatment of victims, it is important that coordination efforts remain flexible and ensure that all individuals continue to have unhindered access to protection mechanisms. Different models of cooperation—including bilateral referrals—can also provide effective safeguards when implemented appropriately. Therefore, multi-agency coordination should be designed in a way that strengthens protection, supports fair and needs-based procedures, and maintains a victim-centred approach across all stages of identification and assistance.

6. **Shared Regional Responsibility and Solidarity:** Trafficking in persons is a transnational crime that cannot be solved by any single country acting alone. This principle commits all stakeholders to route-based, cooperative approaches that share the burden of response and ensure that the protection of a victim does not end at a national border.

V. Strategic Actions for Legal and Systemic Strengthening

Countries must address systemic and legal challenges that limit NRM functionality:

• **Harmonize Legal Frameworks:** Amend national laws to **harmonize anti-trafficking legislation with migration and asylum laws**. This is crucial to establish legal clarity, expand protections, and clearly define the rights of presumed victims, particularly foreign citizens.

• **Mandatory and Regular Training:** Implement **mandatory and regular training** for all frontline professionals (police, border staff, consular officials, judges, lawyers). Training

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[3] Article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings (2005) establishes the non-punishment principle, requiring each State Party to provide for the possibility of not imposing penalties on trafficking victims for their involvement in unlawful activities, to the extent that they were compelled to do so. This principle recognises that trafficking victims may be coerced by their traffickers into committing various offences, such as immigration violations, use of false documents, or other unlawful acts directly resulting from their trafficked situation. The provision aims to prevent the inappropriate penalisation and further victimisation of trafficking victims, acknowledging that punishment for crimes committed under compulsion would be unjust.

must focus on human rights, **gender sensitivity**, cultural awareness, and specific techniques for identifying potential human trafficking cases.

• **Address the Digital Dimension of Trafficking:** Update NRM tools, expertise, and response mechanisms to address the **rapidly evolving digital dimension of trafficking**. This includes capturing data on the use of technology in human trafficking and responding to AI-facilitated cyber-trafficking and the online recruitment and exploitation of victims, including migrants and refugees.

• **Establish Independent Monitoring and Accountability:** Establish mechanisms for independent monitoring to systematically evaluate NRM effectiveness and the implementation of anti-trafficking policies. Independence may be ensured through different models—such as a state-supported body with guarantees of autonomous assessment or the use of external audits by qualified third parties. Where monitoring is carried out by an institution outside the state administration, independence should be clearly defined, including its mandate and financing. Whichever model is chosen, the mechanism should ensure objective, transparent, and regular monitoring that supports evidence-based improvements.

• **Strengthen the National Referral Mechanism (NRM)**: Ensure the NRM maintains a clear and focused mandate centred on the identification, referral, assistance, and protection of victims of trafficking. Strengthening procedures, roles, and cooperation modalities within the NRM can enhance consistency and ensure timely, victim-centred support. In addition, establish sustainable funding arrangements—including financing for NGOs delivering specialized services—to ensure the effective and continuous implementation of NRM responsibilities.

• **Develop National Action Plans (NAPs):** Develop National Action Plans (NAPs) with clear objectives that ensure comprehensive protection for all vulnerable groups, including asylum seekers, women, and children, and include sustainable funding allocations to ensure effective implementation of planned actions. While separate from the NRM, a well-designed NAP can complement and reinforce national anti-trafficking structures.

VI. Operational Priorities for Cross-Border Protection

Fragmented approaches and border capacity limitations hinder victim identification, particularly among asylum seekers and migrants. Coordinated cross-border action is essential:

1. **Adopt Route-Based Responses:** Move away from partial or isolated humanitarian responses toward **comprehensive, route-based approaches** [4]that ensure coordinated action among all countries along migration pathways.

2. **Formalize Regional Protocols and Information Exchange:** Develop formal **bilateral and regional protocols** for information exchange and victim protection. This is necessary to improve coordination, address delays caused by varying national procedures, and navigate differing personal data protection laws.

3. **Implement Protection-Sensitive Entry Procedures:** Utilize **vulnerability screening** for all arrivals. Lessons from the rapid activation of the Temporary Protection Directive (TPD) for Ukrainian refugees demonstrate that granting **immediate access to rights** (residence, work, healthcare) helps significantly mitigate trafficking risks.

4. **Enhance Identification Capacity and Avoid Detrimental Practices:** Ensure formal identification mechanisms ("structured informality") and trained personnel are available. Detrimental practices that impede effective vulnerability assessments and reduce the detection of trafficking cases should be avoided.

5. **Ensure Systematic NGO Access:** Specialized NGOs can play an important role in the early detection and informal identification of potential victims. Within national procedures and in coordination with the responsible authorities**, multi-disciplinary teams—including NGOs—can strengthen timely identification and support efforts** at reception centres, immigration facilities, and border areas. Establishing clear modalities for such cooperation can contribute to a more comprehensive and victim-centred response, enhancing safeguarding and complementing the work of state institutions through a collaborative, multi-agency approach.

6. **Integrate Data Systems:** Move away from fragmented data collection. Establish **joint regional databases and information-sharing protocols** to consolidate resources, monitor trends, and ensure consistency and accountability in cross-border coordination. Data obtained from NRM should be integrated in general systems that collect statistics and data on human trafficking, while ensuring adequate data and privacy protection of victims.

To effectively combat trafficking in persons within the dynamic landscape of displacement and mixed migration flows, SEE countries must transition from fragmented, country-specific approaches to integrated, multi-agency, and cross-border systems. Strengthened NRMs—

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[4] The Route-Based Approach is a strategic, holistic, cross-border framework to assist States in responding more effectively and predictably to the challenges of mixed movements of refugees and migrants in line with their international obligations. It engages States to ensure international protection and solutions for refugees, while upholding rights and creating opportunities for migrants, along key routes. https://www.refworld.org/policy/strategy/unhcr/2024/en/148087?_gl=1*p1doy2*_rup_ga*MTUxMDcxODM4LjE3NjQzMzYwMDA.*_rup_ga_EVDQTJ4LMY*czE3NjQzMzU5OTkkbzEkZzEkdDE3NjQzMzYxNTUkajYwJGwwJGgw

anchored in victim-centred principles and supported by coherent regional cooperation—are essential to ensuring that every potential victim is identified, protected, and able to access their rights across borders.