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With this quarterly newsletter, La Strada International wishes to inform and update you on developments in the field of trafficking in human beings and the activities of La Strada International and the La Strada member organisations. We welcome your feedback and input. Please [mail us](#) by 1 March 2012 if you have news, information about your organisation, a new report or documentary or an outspoken opinion on (inter)national developments.

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La Strada News !

Google supports La Strada International

La Strada International is happy to announce that it was awarded a grant of USD 250 000 by [Google.org](#). The grant will be used by La Strada International and its eight members to monitor the impact of legislation and measures on human trafficking and related lobby and advocacy activities. The grant also supports activities pertaining to public relations, information collection, dissemination and research, all of which aim to further inform a broader audience about the risk of human trafficking. La Strada International is one of many [organisations to receive grants from Google.org](#)

La Strada cooperates in prevention campaigns around the UEFA EURO 2012



For next year's UEFA EURO 2012, both La Strada Ukraine and La Strada Poland will be actively involved in national coalitions to raise awareness on prevention of violence and sexual exploitation, human trafficking and racial discrimination. On 15 May 2011, the Ukrainian National Euro 2012 outreach project "[Let's Do It Together](#)" was launched in Kiev. For the first time, the Government of Ukraine, various public services, UN agencies, and international and national non-

governmental organisations have united for a joint social initiative. Following the example of South Africa, the project envisages a public information outreach campaign "Red Card", targeting the general public, next to several other activities targeting children and volunteers. The campaign will run in all regions of Ukraine from May 2011 until the final match of the European Football Championship 2012. National Ukrainian celebrities have assisted the campaign using their faces and names on all campaign materials. Campaign advocates will spread the messages through billboards, city lights and metro lights. The materials not only target the general public, but also specific risks

groups. La Strada Ukraine uses the campaign to advertise their hotline number, which will be mentioned on all campaign materials. In Poland cooperation will take place with the organisation Nobody's Children Foundation, also here the prevention will focus on the issue of human trafficking. La Strada International does not believe that large-scale international sport events lead to an increase of human trafficking, as is often claimed. There are a number of reports to support this stance (see below for further information). Nevertheless raising awareness for the issue of human trafficking is important when so many foreigners are visiting your country.

Client of La Strada Bulgaria is promised EUR 30 000 compensation

Thanks to the good cooperation between the Austrian and Bulgarian law enforcement authorities seven members of a Bulgarian organised crime group were arrested. This particular organised crime group forced Bulgarian women and girls into sex work and men and boys into forced begging in Vienna, Austria. In November 2011, the Bulgarian and Austrian authorities conducted parallel police operations under the management of the Bulgarian Supreme Prosecutor's Office of Cassation and the Prosecutor's Office in Vienna. On 16 November one of the members of the group was sentenced to ten years imprisonment and forced to pay EUR 30 000 compensation to a trafficked Bulgarian woman who was a client of Animus/ La Strada Bulgaria. The Austrian NGO LEFÖ and Animus/La Strada Bulgaria, offered psychosocial and legal support, and LEFÖ initiated the claim for compensation. So far, one trafficked woman testified and was a key witness during the criminal proceedings, which are still continuing. For the first time a Bulgarian trafficker has been issued such a severe sentence. The NGOs mentioned are still researching how this money can be claimed and in fact be paid to her.

GRETA's report on Bulgaria published

On 14 December, GRETA published its [report on Bulgaria](#). The report notes that the Bulgarian authorities have taken a number of important steps to prevent and combat trafficking in human beings, including the adoption of specific legislation and the creation of an institutional framework at national and local level to coordinate the efforts of all relevant actors, including non-governmental organisations. In this report, the establishment of a national mechanism in 2010 for referral and support of trafficked persons, initiated by La Strada Bulgaria/ Animus Association, is highlighted. GRETA acknowledges the considerable work done on the awareness-raising side and in the area of training. However, GRETA stresses the need to strengthen the aspect of prevention through social and economic empowerment measures for groups vulnerable to human trafficking. In regards to assistance for victims of trafficking, GRETA urges the Bulgarian authorities to ensure that all the legal measures are guaranteed in practice, including access to secure accommodation and medical assistance. GRETA further stresses the need to facilitate the reintegration of victims into society by providing them with vocational training and access to the labour market. Despite the existence of legal possibilities for compensation of victims of trafficking, this aspect remains largely unexplored. During the country visit, GRETA held consultations with the relevant authorities and non-governmental and international organisations, including La Strada Bulgaria/ Animus Association, active in the field of combating trafficking in human beings in Bulgaria. The Committee of the Parties to the Convention will consider the adoption of recommendations addressed to the Government of Bulgaria at its next meeting in January 2011.

La Strada Netherlands launches awareness campaign: Don't close your eyes

CoMensha, the Dutch La Strada partner, launched a new awareness campaign on 18 October 2011, to mark European anti-trafficking day. The campaign, Think about exploitation, [Don't close your eyes to human trafficking](#), targets the public directly to increase awareness of human trafficking as a global, yet often hidden phenomenon. The campaign encourages people to talk about the issue with friends and family and to spread the message through social media.



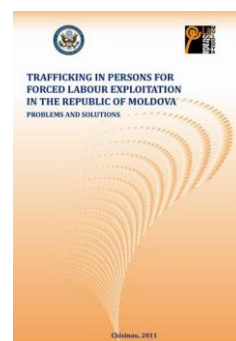
La Strada Macedonia's prevention film "You are alive" used as preventive tool in schools

The Open Gate/La Strada Macedonia prevention film "You Are Alive" which is based on a real story of two Macedonian girls, was selected by the Bureau for Development of Education to be used as an

educational tool in elementary and high schools. Open Gate, on the request of the Bureau, has adapted the film and made more than 500 copies which will be distributed to educational institutions. They will show the film and initiate discussions in order to raise awareness among students and pupils about the issue of human trafficking and the risks involved.

Report on trafficking in persons for forced labour in Moldova

La Strada Moldova published a report "[Trafficking in Persons for Forced Labour Exploitation in the Republic of Moldova. Problems and Solutions](#)". The report is based on a research study of all forms of trafficking in persons for forced labour, as well as on existing bottlenecks in the criminal prosecution and legal proceedings related to trafficking for forced labour. The report, although focusing on Moldova, contains recommendations for state authorities and civil society organisations on how to address the identified gaps.



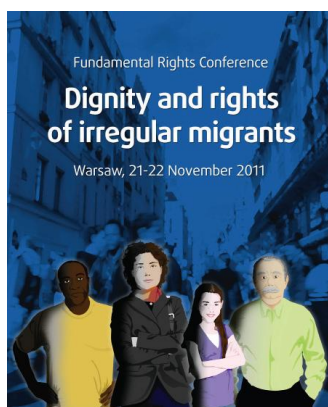
Anti-trafficking week in Macedonia

A National campaign for raising awareness about human trafficking among the general public, decision makers and risk groups was implemented in Macedonia during a special Anti-trafficking Week from 2 to 9 December 2011. For this occasion, Open Gate/La Strada Macedonia implemented different local activities, including debates, forum theatres at schools and open events on popular public places (squares, parks, shopping centres, cafés, etc). Activities were carried out in 10 selected communities all around the country. Together with the National Commission for combating human trafficking, Open Gate/La Strada Macedonia organised the central event of the campaign - a public debate named "Main challenges in addressing human trafficking" on 5 December in Skopje. The debate addressed the major challenges that both institutions and NGOs face, especially with regard to identification and providing protection to trafficked persons. The debate was attended by representatives from institutions, international and national organisations, labour unions, the media etc. The key issue that arose from the debate was the difficult implementation of the appropriate legal system, procedures and programs.

Advocacy of La Strada results in change of Czech penal code

On 1 December, the Czech Criminal Code was amended with a new Act that removes the duty to report a crime. This duty had a negative impact on prevention policies within the fight against human trafficking. See earlier information on this issue in the [La Strada newsletter issue no. 15](#) (December 2009). The duty to report immediately any presumed case of human trafficking would negatively affect the work of the volunteers and outreach workers in social services, as people in need might refuse support and assistance if that would mean their case was immediately brought to the police. This also raised conflictual ethical aspects of social services. The mentioned provision has been removed from the Act, thanks to the proposal of La Strada Czech Republic, other NGOs, the Ministry of Interior and Ministry of Justice. However, the amendment itself, despite the effort, does not cover the issue of crime impediment and concerns only persons providing assistance to victims.

What's going on ?



Fundamental Rights Conference on Dignity and Rights of Irregular Migrants

On 21-22 November 2011, around 300 policy makers, practitioners and civil society representatives attended the Fundamental Rights Agency's (FRA) 4th annual Fundamental Rights Conference (FRC) titled "[Dignity and Rights of Irregular Migrants](#)".

The two-day conference consisted of keynote addresses from high-level policy makers from the EU and the United Nations (UN), panel debates with policy makers and practitioners, and working groups on [four themes](#): rights of accompanied children in an irregular situation, labour exploitation, detention of irregular migrants, and solutions for protracted irregularity. La Strada International attended the conference



as a member of PICUM and intends to intensify its collaboration with FRA, especially on the issues of labour exploitation and migrant workers' rights.

During the conference it became clear that the human rights approach to migration, which is clearly adopted by the UN and to a lesser extent by the EU, is still difficult to implement for member states, who struggle with the idea of interference with their national migration policies. However, the [conclusions](#) made by the conference were positive toward working together in the process of implementing the human rights approach to migration and upholding migrants' rights. "While recognising the sovereign right of every EU Member State to manage its borders and combat irregular migration, the FRC highlighted that once a person is within a state's jurisdiction, this state has to guarantee his or her human rights. As highlighted by the FRA research, further efforts are needed to eliminate existing legal and practical barriers that prevent migrants in an irregular situation from accessing their most basic rights. The conference discussions underlined the importance of applying a fundamental rights approach to migration management and offered a number of practical suggestions to: facilitate access to justice; respect the right to education and health; preserve the best interests of the child; combat labour exploitation; reduce the use of immigration detention; end situations of legal limbo for persons who are not removed."

It is also encouraging that the FRA has declared to take the issue of the dignity and rights of irregular migrants further by initiating a research project in 2013 on extreme forms of labour exploitation, which will also explore access to justice in cases of abuse or exploitation and look into the application of Art.6 of the Employer Sanctions' Directive.

EU Communication on the Global Approach to Migration and Mobility

The EU's Global Approach to Migration was adopted in 2005. It was designed to address all relevant aspects of migration in a balanced and comprehensive way, in partnership with non-EU countries. This year, the Global Approach was evaluated through an online public consultation and several dedicated consultative meetings. The consultations indicated a need for stronger policy coherence with other policy areas and a better thematic and geographical balance.

Therefore the Commission's Communication puts forward a [renewed Global Approach to Migration and Mobility](#). Among the priorities of the renewed Global Approach is one devoted to the prevention and reduction of irregular migration and trafficking in human beings by:

- transferring skills, capacity and resources to partners to prevent and reduce trafficking, smuggling and irregular migration and to strengthen integrated border management;
- enhancing the cooperation on document security, paving the way for visa facilitation for frequent travellers from priority partner countries;
- fostering initiatives to provide better protection for and empowering victims of trafficking in human beings.

Although La Strada International agrees with the need for a stronger coherence between migration and other policy areas, La Strada believes that the commission in its approach still confuses irregular migration, human trafficking and human smuggling and keeps the focus on border management, which does not contribute to the current debate on preventing human trafficking through more realistic labour migration policies.

Sports events and human trafficking

In the past 10 years reoccurring stories relating sporting events to human trafficking have emerged in the media. These stories arise from the simplistic equation that the presence of large groups of men (coming to watch football games) results in an increased demand for paid sexual services, and that this demand will supposedly be met through the trafficking of women. Subsequently media campaigns are launched to raise awareness toward human trafficking and sexual exploitation. Although awareness of these issues is always welcomed, several researches (for example, see [this one](#) and related documents) have shown that there is no empirical evidence that trafficking for prostitution increases around large sporting events. There is also no



empirical evidence that the demand for paid sexual services increases dramatically during international sporting events. The hype around large-scale sporting events and increases in human trafficking for prostitution is often based on misinformation, poor data, and a tendency to sensationalise. Despite the lack of evidence, this idea continues to hold great appeal for prostitution abolitionist groups, anti-immigration groups, and a number of politicians, scholars and journalists.

There are a number of reasons why an increase in human trafficking for prostitution during large sporting events is unlikely: short-term events are not likely to be profitable for traffickers or sex workers, large sporting events are attended not only by men and paid sexual services may not be affordable for most sports visitors.

In order to rebuke the myths about trafficking and sporting events, GAATW has published [What's the Cost of a Rumour? A guide to sorting out the myths and the facts about sporting events and human trafficking](#). The guide takes a closer look at why this unsubstantiated idea still captures the imagination of politicians and some media, and offers stakeholders a more constructive approach to address human trafficking beyond short-term events. The guide intends to help stakeholders to correct misinformation about human trafficking, develop evidence-based anti-trafficking responses, and learn from previous campaigns.



In the run up to the 2012 European Football Championship in Ukraine and Poland, UEFA has commissioned [an academic study](#) of discourse and campaigns as the basis to advise decision-makers. The report intends to ensure that media coverage is as objective as possible and that, as far as the themes of prostitution and human trafficking are concerned, facts are published rather than sexualised stereotypes. This hope is based on the conviction that factual awareness can improve both the working and living conditions of sex workers, and represents an important building block for the prevention of human trafficking.

On the basis of media analysis and interviews with experts, recommendations will be given in four main areas. These will be used to develop a joint concept in cooperation with as many of the different stakeholders as possible. The NGOs working on the ground have expert knowledge of the situation in their respective specialist areas and countries. Without their collaboration, knowledge and experience, meaningful public relations work is impossible.

Migrants Rights Centre Ireland celebrates 10th anniversary



La Strada International's COMP.ACT partner [Migrants Rights Centre Ireland \(MRCI\)](#) celebrated its 10th Anniversary on 12 October 2011 with an event that included migrant activists, supporters from trade unions and community organisations, as well as the President of Ireland, Ms Mary McAleese. MRCI has led a number of successful workplace campaigns for migrants, and some of their achievements include: €2.5 million in legal awards for exploited migrant workers, many of whom are undocumented; improved conditions for workers in the mushroom industry; protections for

domestic workers; reforms to the work permits system; a 'Bridging Visa' to regularise undocumented migrant workers who fell out of the work permits system through no fault of their own. Central to MRCI's work has been a community work approach that brings migrants together to take collective action on issues affecting them. For the anniversary, they created [a series of short videos](#) which highlight their work over the years in exposing injustice, building their voice, standing up for rights and shaping the future.

A Call for Regularisation at the Global Forum on Development and Migration

The [5th Global Forum on Development and Migration](#) was organised this year by Switzerland in Geneva and was attended by 162 countries. Parallel to this governmental meeting, the [PGA event](#) (Peoples Global Action on Migration, Development and



Human Rights) took place. In collaboration with the GFMD's [Civil Society Days \(CSD\)](#), the PGA brings together migrant associations, migrant rights organisations, trade unions, faith groups, academia and others from around the world to share information, strengthen analyses and develop joint positions on current and emerging issues related to migration. The PGA provides space to enable civil society to critically engage the governments' GFMD process and to challenge states to undertake migration and development policy-making from a human rights framework, as well as hold governments accountable to their international human rights and development commitments.

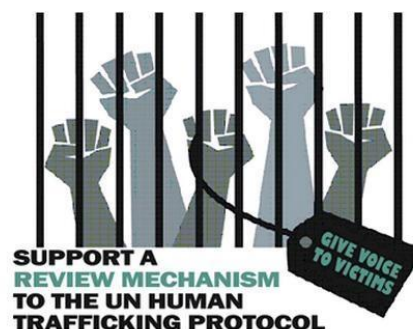
The theme for the 2011 PGA was **"Undocumented Migrants: A Call for Regularisation"**. The programme highlighted the ongoing struggle against racism and xenophobia around the world against migrants, and called for equal rights and protections of all migrants, regardless of their status. Particular attention was paid to ongoing campaigns for regularisation around Europe. The [civil society statement](#) was presented at the opening session of the GFMD. In 2012, Mauritius will be the host of the GFMD and the Pan-African Network in Defense of Migrants Rights will coordinate the PGA.

UNTOC Working Group to explore review mechanism for the Palermo Protocol

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, decided to establish an open-ended intergovernmental working group. The tasks of this working group are to consider and explore options and make proposals for the establishment of a mechanism or mechanisms to assist the Conference of the Parties in the review of the implementation of the Convention and the Protocols. Hereto, the working group shall prepare terms of reference for such proposed review mechanism or mechanisms, guidelines for governmental experts and a blueprint for the country review reports, for consideration and possible adoption by the Conference at its sixth session.

Unlike other international conventions, such as the Council of Europe Convention on Action against Trafficking in Human Beings, but also the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the Palermo Protocol does not have a monitoring mechanism which makes it impossible to measure member states' implementation of the protocol.

In the past years the Global Alliance against Traffic in Women (GAATW) has been actively advocating for such a review mechanism, with the campaign [Stop, Look and Listen](#). GAATW has identified the following five features as key to any monitoring mechanism:



1. *An Independent Expert Monitoring Body*

Comprised of non-governmental experts, selected for their expertise on the areas covered by UNTOC.

2. *Integration of a Broad Evidence Base*

Evidence provided by current and former victims of crimes covered by UNTOC, their service providers and advocates have valuable knowledge about Convention implementation and impact, making them essential contributors to any monitoring process.

3. *Thematic Review including a Wide Range of Data Sources*

Data must be collected both on the extent to which states are implementing UNTOC and how effectively implementation is meeting the overall aims of the Convention.

4. *Comprehensive and Transparent Reporting and Follow-Up Mechanisms*

An effective follow-up mechanism must be developed to ensure that recommendations are met in a timely fashion.

5. *Assured Funding*

All aspects of the mechanism, including country visits, must be funded through the UN regular budget.

La Strada International congratulates GAATW with this first step to success, but realises that much more advocacy work needs to be done, in order to achieve the goal of having a truly independent and

victim centred review mechanism. GAATW has developed a [timeline for further advocacy actions](#) and urges civil society to join the campaign and address national governments.

Lobby for European Year on combating and preventing violence against women



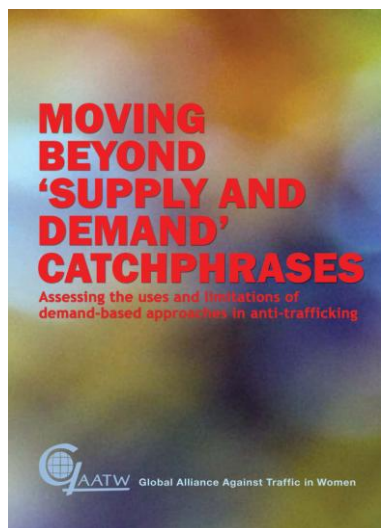
The European Women's Lobby (EWL) has initiated a [broad European advocacy movement](#), gathering NGOs and decision-makers to lobby for comprehensive EU action on violence against women and for a European Year on combating and preventing violence against women. "Such a year would draw attention to the phenomenon of violence against women and its impacts on society. It provides the opportunity to propose concrete measures together with awareness activities and a media campaign. By coupling the EU Year and an EU comprehensive policy framework to end violence against women, the EU would demonstrate a genuine commitment to take the lead towards a Europe free from all forms of violence against women."

To date, the EU has no binding legislation in place to deal with this violation of human rights, but recent years have shown a growing political willingness to change this, with multiple calls from the European Parliament for action. The Europeans Women's Lobby therefore concludes that the time is appropriate for a comprehensive approach to ending violence against women within the EU's borders and for a European Commission commitment to elaborate an EU policy framework on combating violence against women by 2012.

GAATW contribution to debate on demand

The Global Alliance against Traffic in Women, of which La Strada International is member, has joined the international debate on the hot political topic of demand.

Reducing demand for human trafficking has become an important element in the international anti-trafficking discourse as well as in international legislation, for example the Council of Europe Convention and the new EU Directive. Although the discussion has been on-going for more than 10 years, still there is no common understanding of what is meant by *demand*. In general it is understood as demand for sexual services and in this debate often all clients of sex workers are portrayed as abusers. To explore the issue of demand, without falling into this trap, GAATW synthesised the available literature on 'demand' and anti-trafficking and published the report "[Moving beyond 'supply and demand' catchphrases: Assessing the uses and limitations of demand-based approaches in anti-trafficking](#)".



The publication advocates for a discussion on reducing the demand for exploitative labour practices, in whatever sector human trafficking occurs (including, but not limited to, sex work). This includes calling on states to fulfil their human rights responsibilities, changing employer expectations by strengthening workers' rights, relying on voluntary codes of conduct in the private sector, consumer awareness initiatives, and encouraging investors to demand sound labour management. [The e-bulletin](#) highlights several initiatives from GAATW members on these issues and reviews a numbers of recent (academic) articles and publications on the issue of demand. An example of such an initiative is the [letter](#) that 15 researchers and advocates sent to the U.S. Office to Monitor

and Combat Trafficking in Persons' Ambassador CdeBaca, to request evidence for a number of statements made in a public document about "fighting sex trafficking by curbing demand for prostitution." The letter expresses concerns about a number of assumptions contained in the document.

La Strada International welcomes this broadening of scope of the demand discussion and encourages civil society to be more involved in it. La Strada International recognises the role that demand for cheap goods and services plays in the process of human trafficking, but is concerned about the focus on the demand for sexual services in the international debate. There is a great risk that anti- trafficking measures will be associated with anti-prostitution or anti-sex worker measures.

To tackle the demand side of human trafficking La Strada International recommends that:

- informal and unregulated work activities should be brought within the protection of labour laws to ensure that all workers enjoy the same labour rights;
- public awareness regarding products and services that are produced by exploitative and forced labour should be enhanced to assist consumers in identifying goods or services that have not been produced through methods of exploitation;
- more research is necessary to understand consumer behaviour and social acceptance of exploitation.

Worldwide petition against child trafficking



A [petition](#) containing over 7 million signatures from all over the world, urging governments across the globe to take urgent action to stop the trafficking of children and young people for sexual exploitation was presented to the UN Human Rights Council. The petition is part of a campaign by international cosmetic brand The Body Shop and child rights organisations ECPAT to urge governments to do more to protect the 1.2 million children and young people

trafficked every year for sexual exploitation. La Strada Ukraine joined the campaign in 2010 and collected over 55 000 signatures.

ICMPD Capacity building project for combating trafficking for labour exploitation

At the beginning of this month, ICMPD started a new capacity building project for combating trafficking for labour exploitation, to support relevant national institutions of several European target countries to combat trafficking in human beings for labour exploitation.

This project aims to set up a programme encompassing the development of curricula and a series of training sessions, which will focus on trafficking for labour exploitation, taking into consideration related matters such as, among others, cross-border judicial cooperation, transnational police investigation, and the legal framework of combating labour exploitation. In addition to strengthening the capacity of relevant officials to handle cases of trafficking for labour exploitation, the proposed sequence of trainings would ideally lay the ground for improved transnational and intra-European cooperation on this issue. The project would be implemented in cooperation with the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings. Fourteen countries will participate in the project; Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Kosovo, Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia. The kick off of the project will be in Bucharest, Romania on 27-29 February 2012. For more information, see www.icmpd.org

What's new ?

LEFÖ publishes guide on quality standards

The Austrian NGO LEFÖ, that works to assist trafficked women, published a [comprehensive guide](#) for risk assessment and the safe return and reintegration of trafficked persons.



The purpose of quality standards is the prevention of future violations of human rights in cases of voluntary and safe return of a trafficked person to his/her country of origin.

It is generally accepted that identification of trafficked persons is a prerequisite for the voluntarily and safe return and reintegration so that people are not endangered during the deportation processes. Identification has to follow internationally accepted definitions. Practical indicators of abuse must therefore be based on these definitions. Once there is official identification, the person concerned is entitled to stay in the destination country. This is to be seen as a major prerequisite for the voluntarily and safe return. On this basis return counselling and applicable measures for reintegration can commence. Central element of the return counselling is to conduct a risk analysis so that the highest possible degree of safety for a return can be guaranteed. Therefore the quality standards are outlined in three chapters within LEFÖ's guide, on Identification, on Return counselling and measures for reintegration and on Risk assessment.

Fundamental rights of irregular migrants



At the Fundamental Rights Conference on the Dignity and Rights of irregular migrants the report [Fundamental rights of migrants in an irregular situation in the European Union](#) was launched. This report, based on comparative research on the fundamental rights situation of irregular migrants in Europe, advises how fundamental rights should be incorporated in policies, laws and administrative practices affecting migrants in irregular situations.

Securing the fundamental rights of migrants in an irregular situation - those who do not fulfil conditions for entry, stay or residence in a European Union (EU) Member State - remains a challenge. Such migrants are at high risk of exploitation in the labour market; often they fill market gaps by working at dangerous, dirty or degrading jobs. Additionally, their housing and medical conditions can be precarious. Their right to healthcare is unevenly protected and their children's right to education remains unclear. While EU Member States have a right to control immigration, non-compliance with migration regulations cannot deprive migrants in an irregular situation of certain basic rights to which they are entitled as human beings. The European Union Agency for Fundamental Rights (FRA) report examines the legal and practical challenges facing EU Member States as they strive to guarantee such migrants' fundamental rights and proposes ways to incorporate those rights into the policies, laws and administrative practices that affect migrants in irregular situations.

A rights-based approach to international labour migration

The International Labour Office (ILO) published a book '[International labour migration - A rights-based approach](#)', which offers a comprehensive and accessible overview of international labour migration and the ILO's efforts to protect migrant workers through a rights-based approach. It gives new insights into the factors that motivate people to seek work outside their country of origin and the significant development effects on both origin and destination countries. Exposing the often limited access of migrant workers to their fundamental rights at work, it describes in detail the international norms that have evolved to protect migrant workers and ensure decent work for all. It reflects on existing and potential international governance structures, addressing the linkages between migration and development, and reviews the role of the ILO's Multilateral Framework on Labour Migration in improving policy-making and international cooperation in the area of labour migration.



Strengthening labour market regulation essential to tackle human trafficking



The [2010 year report](#) of the Belgium Centre for Equal Opportunities (Centre), which acts as a National Rapporteur on Human Trafficking, highlights the growing trend of the abuse of migrant workers (from within EU as well as from third countries) through fraudulent secondment schemes (in EU terms "posted workers") and bogus self-employment. The report argues that addressing social fraud would advance the fight against human trafficking. The

Centre builds its recommendations around three pillars: 1. Increase (trans-) national cooperation to disrupt trafficking chains; 2. Raise the awareness of employers, labour inspectors and local authorities and 3. Increase political support. The report acknowledges the reality of complex employment relationships that are often obscured through layers of subcontractors, recruitment agencies and bogus self-employment set up by end-use employers to avoid social responsibilities. Cases in sectors including construction, cleaning and textiles indicate that the main contractor or end-use employer often inevitably had to be aware of the exploitative working conditions e.g. by accepting unrealistically low offers or ignoring clear manifestations of exploitation on worksites. Good practices are highlighted in sectors where social partners have not awaited the legislative changes to undertake action. The Belgian meat processing industry is, for example, increasingly confronted with the phenomenon of bogus self-employment. Therefore unions and employers in the sector have signed a protocol establishing joint liability of employers and middlemen.

Study on domestic workers in diplomats' households

The study, "Domestic Workers in Diplomats' Households - Rights Violations and Access to Justice in the Context of Diplomatic Immunity" by Angelika Kartusch, addresses rights violations experienced by private migrant domestic workers working for diplomats and the barriers they face in seeking justice against their employers, given the latter's diplomatic immunity. Based on interviews with representatives of Foreign Ministries, NGOs, lawyers and one specialised mediation mechanism, the study analyses legal and institutional responses on the part of host states to prevent and respond to rights violations, and the practical application of these measures vis-à-vis bearers of diplomatic immunity. It reviews the potential and barriers inherent to legal proceedings and out-of court negotiations as channels for domestic workers to claim their rights. The paper also showcases NGO efforts to use the international and European human rights system to support domestic workers in accessing justice, at both the individual and the policy level. By providing an overview of recent developments in Europe and identifying examples of promising practice and concluding with a number of recommendations, the paper seeks to offer a basis for discussion and to support the efforts of governments and NGOs to improve the access to justice for domestic workers employed by diplomats.



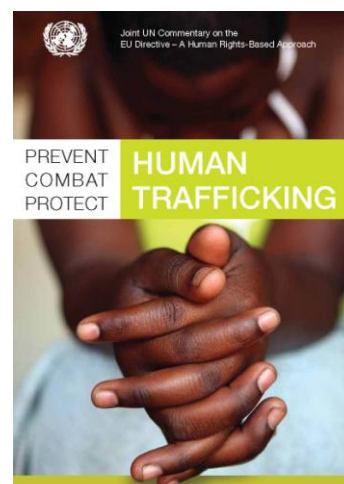
IOM World Migration Report 2011 calls for raising migrants' voices for an open and constructive debate on migration

Migrants' voices must be heard in today's all too often biased, polarised and negative debate on migration, is one of the conclusions of IOM's [World Migration Report 2011: Communicating Effectively about Migration](#). The report states that although we live in an era of the greatest human mobility in recorded history, with greater acknowledgement that migration is one of the defining features of our contemporary world, it remains one of the most misunderstood issues of our time.

The report presents available evidence on public perceptions and attitudes regarding migration globally. It analyses the way in which they are shaped and how they can influence and be influenced by policy as well as the media. Furthermore, the media's role in communicating opinions, reporting trends and framing migration discourse is analysed. Examples of good practice in communicating a positive and balanced image of migrants among government, civil society and the media are also included. Finally, the report suggests several ways to improve communication about migration in order to promote a better understanding and recognition of the benefits of migration, more evidence-based policymaking and effective engagement with migrants themselves. These include: building an open, balanced and de-politicised migration discourse; promoting a new proactive debate rather than one reactive to the dominant discourse; directly addressing the public's issues of concern to avoid migrant scapegoating; collaborating with the media to support balanced and accurate media reporting based on available evidence; and acknowledging migrants as active communication agents who participate directly in the public debate about migration.

UN commentary on directive

Six United Nations agencies have compiled [a report](#) on the EU Directive on Trafficking in Human Beings – the UN Office on Drugs and Crime (UNODC), the UN Office of the High Commissioner for Human Rights (OHCHR), the UN High Commissioner for Refugees (UNHCR), the UN Children’s Fund (UNICEF), the International Labour Organisation (ILO), and the UN Entity for Gender Equality and the Empowerment of Women (UN Women). This joint UN Commentary on selected provisions of the Directive aims to support Member States in the transposition process by providing guidance from a human rights-based perspective in a manner consistent with State obligations under regional and international law. The Commentary has also been developed to recommend a reflection of a fuller scope taking into account human rights considerations for the implementation of the Directive and provides recommendations with background explanations and existing good practices to support such an endeavour.



The Commentary discusses key articles of the Directive focusing on human rights and gender perspective including the non-application of penalties to victims (Article 8), the protection of and assistance to victims, examining the concept of due diligence and the principles of *non-refoulement* and non-revictimisation, and the role of national referral mechanisms (Articles 11), the protection of victims in criminal proceedings (Article 12), the concepts of remedy and redress (Article 17), prevention (Article 18), and the establishment of a monitoring mechanism (Article 19).

OSCE Office of the SR annual report: An agenda for prevention



The [2011 year report](#) of the office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings focuses on prevention, builds upon the ILO Agenda on Decent Work and Social Justice as the main conceptual framework for the prevention of human trafficking for labour exploitation. Human trafficking is increasingly linked with economic trends, especially in certain sectors such as agriculture and construction, where

exploitation of migrant workers is becoming endemic. Therefore, human trafficking tends to become a crucial social and political problem, although it is not yet recognised as such. For this reason, to prevent and fight against human trafficking means to build a society which does not tolerate exploitation, and is inspired by the idea of social justice. Every government or social actor, every private individual has a role to play in this struggle. In the first part of the report, three experts, Roger Plant, Mike Dottridge and Isabella Orfano explore in three short essays a conceptual framework and concrete measures to develop an agenda for prevention. The second part is an overview of the main OSCE anti-trafficking activities in 2011.

What's new on the web ?

La Strada International in the social media

LSI set up Facebook and Twitter accounts, with the aim of increasing its online presence and promoting the work of the secretariat and the members. Via the social networks LSI informs about news, developments and activities in the field of trafficking in Europe, which could be of interest to professionals or the general public. If you would like to stay informed, you can like us on [Facebook](#) or follow us on [Twitter](#).

EU immigration portal

Europa.eu, the official website of the European Union has developed a [webpage](#) that provides specific information for people from outside the European Union who wish to migrate to a country inside the European Union. Citizens from the EU who want to move to another EU country can find the information they need on [Your Europe Portal](#). For any other question on the EU consult [Europe Direct](#).

ENPATES platform



On 18 October 2011, EU Anti-trafficking Day, the [website of the ENPATES project](#) was launched. This European Platform against trafficking, exploitation and slavery, of which LSI is a member of the steering group, is established with the aim to improve coordination amongst relevant NGOs in Europe and, in the framework of a shared comprehensive strategy, set up a system for the functional exchange and development of analysis, knowledge, good practices, advocacy initiatives and operational coordination in the field of prevention, assistance, protection and social inclusion of trafficked persons. The ENPATES Platform strongly emphasises the adoption of a human rights approach as paramount to all anti-trafficking efforts.

What is your slavery footprint?

[This website](#) offers you to take a test to find out how many slaves in the world work for you or, in other words, how many workers (may) have been exploited to produce the things you own – clothes, electronics, household goods, food and drinks, etc. This is determined by information regarding the processes used to create these products as well as investigations of the countries in which these stages of production take place for known slave labour (within these specific processes). The result of the test, i.e. your number of slaves, is compiled from multiple individual product scores. In order to create individual scores, the website investigates slave labour usage in the supply chains of more than 400 of the most popular consumer products. The results of the test can be shared via social networks.



The website provides also an application for smart phones. With the [Made in a Free World app](#), you can check in at stores, asking brands about slavery in their supply chain as you shop

Undocumentary



PICUM, the Platform for International Cooperation on Undocumented Migrants, developed 'Undocumentary' – a [web documentary](#) on the daily realities faced by undocumented migrants living in Europe. The documentary is divided into four chapters to mirror PICUM's main areas of work/expertise: Access to Health Care, Fair Working Conditions, Access to Justice for Undocumented Women and Access to Education and Housing for Undocumented Children and Their Families. The web documentary offers a wide range of multimedia tools –video, audio, photographic, info graphic – to give the viewer the possibility to interact with the story, for example by choosing to watch a part of the video instead of another or by accessing different extra resources integrated to them.

What's happening where ?

26 January 2012 – The Role of the National Rapporteur in Combating Human Trafficking – Good Practice Exchange by Parliamentarians Against Human Trafficking ECPAT UK, The Hague, The Netherlands

27-29 February 2012 – ICMPD final conference TRM project and kick-off of ICMPD capacity building project for labour exploitation, Bucharest, Romania

8 March 2012 – Launch of PICUM's report on undocumented women in Europe, strategies for support and empowerment, Brussels, Belgium

19-22 April 2012 - The 12th AWID International Forum - Transforming Economic Power to Advance Women's Rights and Justice, Istanbul, Turkey

What's on your mind ?

GRETA - a commentary on involvement in a Country Evaluation

Evelyn Probst is Certified Trainer and Coordinator of LEFÖ-IBF Intervention Centre for Trafficked Women, Austria

In 2006, Austria ratified the Convention on Action against Trafficking in Human Beings adopted by the Council of Europe in 2005. This is the first convention in the anti-trafficking field focussing on the protection of the human rights of trafficked persons. When the convention was negotiated, LEFÖ-IBF actively involved itself by lobbying for an independent residence status for trafficked persons.

The process of ratification was unexpectedly fast and uncomplicated – Austria was the first of the old member states of the European Union to ratify the CoE Convention.

In 2008, the Convention entered into force in 18 countries, including Austria. At the same time the Group of Experts on Action against Trafficking in Human Beings (GRETA), responsible for monitoring the implementation of the Convention, was established. GRETA is assigned to regularly publish reports evaluating the measures taken by the Parties and those Parties which do not fully respect the measures contained in the Convention are required to step up their action. After the establishment of GRETA in 2008, we learned that Austria will take part in the first round of the evaluation. Since such an evaluation was new in the anti-trafficking field, we did not know how it would work in practice and what would be the impact of the evaluation. Will GRETA thoroughly go into analysing the implementation of the convention? Will our expertise as a migrants rights and victims support organisation be taken into consideration? Hence, LEFÖ-IBF had to decide whether we should write a shadow report.

We did not know anything about the procedure of the evaluation and the involvement of the civil society. We asked the Council of Europe if GRETA would accept shadow reports. We got a very late answer. Anyhow, we selected articles of the convention which we considered important for enforcing victims' rights and argued how the implementation of these articles into Austrian law and practice was insufficient.

According to Article 10 of the Convention, the identification of victims is highly important. Yet, measures to identify victims are not implemented systematically – rather victims are identified by accident. This problem especially concerns identification in detention centres. We recommended access of experts to detention centres. Our concerns about this were included in the GRETA country report, which was published in September 2011. We will be able to make use of this recommendation since the access to detention centres is very limited.

The second article we focussed on in our shadow report was Article 13, which concerns a Recovery and Reflection Period for victims. We pointed out that there is still no legal provision. Our recommendation to establish a legal basis for a Recovery and Reflection Period as well as our recommendation to establish awareness raising measures for officials was included in the GRETA report.

In our shadow report, we also successfully lobbied for recommendations on compensation. The GRETA country report stresses that all trafficked persons have the right to compensation, irrespective



of their residence status. We also successfully lobbied for recommendations on the inclusion of recognised victims in the labour market and on better access to vocational training. Due to our lobbying, GRETA in its country report also focuses on the Non-punishment Provision, which is not implemented in a satisfactory manner.

Yet, one of the most important issues for LEFÖ-IBF as an NGO was not considered in the GRETA report. Article 14 of the Convention describes the two possibilities for trafficked persons to get a residence permit: a) the right to get a residence permit, if the trafficked person is acting as a witness in a criminal proceeding, or b) the right to get a residence permit due to the need of personal protection and security. During the negotiations of the Convention, LEFÖ-IBF and other NGOs argued for the obligation of both – without success. When the GRETA delegation visited Austria, we again stressed the importance of the right to residence irrespective of any kind of legal proceeding, but it was not taken into consideration. Although we understand that GRETA cannot give recommendations that are not according to the Convention itself, we cannot help but wonder: How come even a Human Rights based intergovernmental organisation gives more importance to the state's interest in criminal prosecution than to this right of trafficked persons? Or is there still no awareness of the vicious circle: no right to residence and lack of empowerment leading to insufficient criminal proceedings leading to no convictions of perpetrators – and the big business of trafficking in human beings continues ...



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We greatly appreciate financial support from private donors for our work. For more information on how you can contribute to La Strada's work [see our website](#).