

LA STRADA HUMAN RIGHTS APPROACH TO TRAFFICKING

La Strada integrates a human rights approach into its work, based on the recognition that trafficking in persons is both a cause and a consequence of human rights violations. A human rights based approach allows the root causes of trafficking, such as gender and ethnic discrimination to be addressed by empowering potential victims. This is more effective than purely repressive strategies, as it makes high risk groups less vulnerable to trafficking. It addresses the consequences of trafficking by promoting respect for and protection of the human rights of trafficked persons and by opposing the use of trafficked persons solely as instruments for the prosecution. Assistance and support of trafficked persons allows them to regain control over their lives and reduces the risk of re-trafficking. It also contributes to an effective prosecution of traffickers. The absence of adequate assistance and support may prevent trafficked persons from reporting to the authorities and may subject them to further trauma and re-victimisation. Both recognition and protection of the rights of trafficked persons, on the other hand, act as an important incentive to report to the authorities and give testimony. Finally, a human rights-based approach opposes anti-trafficking measures which adversely affect or infringe upon the human rights of trafficked persons or other affected groups. This approach requires that human rights are at the core of any anti trafficking strategy. It integrates the norms, standards and principles of the international human rights system into legislation, policies, programs and processes.

ELEMENTS OF A HUMAN RIGHTS-BASED APPROACH FOR NGOS

- Respect for individual decisions
- The rights, interests and needs of trafficked persons are central
- Empowerment and participation
- Education in human rights and women's rights
- Confidentiality, safety, non-victimization and non-discrimination
- Lobby for the implementation of human rights standards for treatment of trafficked persons
- Direct contact with trafficked persons is the basis for all campaigns and advocacy work

La Strada commitment

La Strada is aware that due to the enormous complexity of the phenomenon of trafficking, sometimes well intentioned anti- trafficking initiatives do not benefit or even harm or violate the human rights of trafficked persons or vulnerable groups, such as female migrant workers. La Strada is therefore committed to critically assess its own way of working to ensure that the elements of the human rights based approach are always at the core of the programs. La Strada is committed to develop strategies and methods to further anchor these elements in our work. La Strada will continuously discuss and promote the human rights based approach with its partners in the field of NGO's, IGO and governments. La Strada will also critically assess the policies, legislation and programs of governmental organisations, states and NGO's to investigate whether these in one way or another undermine or adversely affect the human rights of trafficked persons or other affected groups. La Strada will continue to urge governments to address the roots causes in order as the most just and effective way to prevent trafficking in persons. La Strada advocates the development of an instrument to assess the human rights impact of anti-trafficking measures.

ELEMENTS OF A HUMAN RIGHTS BASED APPROACH FOR STATES

- The obligation to investigate and punish trafficking
- The obligation to provide assistance, protection and redress to victims of trafficking.
- The obligation to ensure that anti trafficking measures comply with the legal norms and standards enshrined in human rights instruments
- The obligation to address the root causes of trafficking
- The obligation to ensure that measures do not undermine or adversely affect the human rights of the groups concerned