



Newsletter

Issue 1, February 2006

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Through this quarterly newsletter La Strada International wants to inform and update on the developments in the field of trafficking in human beings and on the activities of La Strada International and the La Strada offices. We welcome reactions to this initiative and contributions for next issues. The next deadline is **Monday May 15, 2006**. So if you have news, information about your organisation, a new report or documentary, or an outspoken opinion on (inter) national developments please contact us at info@lastradainternational.org

LA STRADA NEWS

New office LSI

La Strada International is an independent association since October 2004, but till late 2005 the international secretariat was still located at the Dutch Foundation against Trafficking (STV). End of last year La Strada International moved to its own new office in Amsterdam. On Friday 13th 2006 we celebrated the last day of the orthodox year and the 'official' opening of the La Strada International office together with several Dutch key partners. Unfortunately we could not invite all our international partners, but if you are in Amsterdam please do not hesitate to drop by at:



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Marieke van Doorninck (LSI) Anna Korvinus, (Dutch National Rapporteur) and Marcia Albrecht (consultant) at the opening of the new la Strada International office

What's going on ?

INTERNATIONAL DEVELOPMENTS

European Action Plan signed

In the Justice and Home Affairs Council meeting on the 1st of December 2006 the [European Action Plan on best practises, standards and procedures for combating and preventing trafficking in human beings](#) was adopted. The plan aims at further strengthening the commitment of the EU and Member States to prevent and fight

against trafficking in people. It calls for a co-ordinated policy response in the areas of freedom, security, justice, external relations, development co-operation, employment, gender equality and non-discrimination.

Although the Action Plan mentions several times that the respect and protection of human rights should be the basis of an integrated approach to trafficking, these principles are not translated in the operational measures. Several organisations, such as Amnesty International and the Expert coordination team of the OSCE Alliance against Trafficking have urged the Council to ensure a balanced and integrated approach to all components of prevention, protection and prosecution. Unfortunately, in the adopted plan the components of assistance and protection as well as of return and reintegration are very weak compared to prosecution. The organisations regret the absence of rights based measures to ensure trafficked persons' access to justice and to effective remedies. Together with the OSCE ATAU expert coordination team and other Human Rights NGO's La Strada International will closely follow further developments and stimulate the international discussion on the implementation of the action plan.

In January 2006, **the European Parliament** has unanimously adopted the own-initiative report, [*Strategies to prevent trafficking in women and children who are vulnerable to sexual exploitation*](#)", drafted by Christa Prets, member from the Socialist Group in the European Parliament. By adopting this report the Members of European Parliament urge the EU member states to put more effort in combating trafficking and to grant more rights to trafficked persons. Christa Prets would like all member states to adopt the policies that are current in Italy and Belgium where trafficked persons can be granted a right of residence after the traffickers have been tried. The report also puts emphasis on the demand side and the roots causes of trafficking. A remarkable plea was made to regard legal migration channels as a mechanism to prevent trafficking. Although La Strada International does not fully agree with all the points of view reflected in the resolution, we are pleased that again a European Union body takes trafficking seriously and acknowledges the importance of a human rights based approach. As the resolution was first drafted by FEMM, the Committee on Women's rights and equal opportunities in the European Parliament, the resolution focuses on women and children, trafficking for the sex industry. In our opinion it is a pity that, when the international debate on trafficking is broadened to all forms of forced labour and slavery like practises, the resolution still focuses only on trafficking for prostitution. This leaves women trafficked for domestic work, sweat shops and other forms of exploitative labour once again empty handed.

PES, the Socialist Group in the European parliament organised a seminar on trafficking on the 7th and 8th of November. The PES Group holds the opinion that trafficking in human beings is a serious crime and human rights violation, which needs to be addressed separately from other forms of illegal activities, in particular irregular migration. If the Member States of the European Union want to establish a common immigration policy, it is appropriate to examine the existing interactions between the imperative of protecting fundamental rights and the fight against illegal immigration. These interactions raise sensitive European questions that ought to be addressed. They demonstrate the difficulty of drawing up policies for the future which integrate the human rights approach as a normative framework, and at the same time regulate the migratory flows. It was unfortunate that the good intentions of the seminar did not result in a discussion on the human rights approach towards trafficking, in a fierce debate about prostitution and the criminalisation of clients. Lyudmyla Kovalchuk, the prevention and education coordinator from La Strada Ukraine presented the work of La Strada at the conference.

Council of Europe Convention

On December 19th 2005 at the 115th meeting of the Council of Europe Committee of Ministers at the Council of Europe's headquarters in Strasbourg, seven new countries have [signed](#) the Convention on action against Trafficking in Human Beings. The total of signatures is now 23, 6 out of the 9 La Strada countries have signed (Czech Republic, Moldova, Macedonia, the Netherlands, Poland and Ukraine).

Germany signed the convention after being addressed by hundreds of people who took action in an email campaign. For the Convention to enter into force 10 member state countries must have ratified it. Anti Slavery now focuses their campaign on the United Kingdom and France. You can [take action](#) and join their email campaign.

[The UN Committee on Migrant Workers](#) organised on December 15th 2005 a General day of discussion to *Protecting the rights of all migrant workers as a tool to enhance development* with government representatives, international organisations and non governmental organisations.

In 2006 the General Assembly of the United Nations has planned to hold a High Level Dialogue on the relationship between international migration and development. The Committee organised this general day of discussion prior to the High level Dialogue in order to emphasize the positive contribution that the protection of

the human rights of migrant workers and members of their families can make to development, for the migrant worker and the economic and social order of the country of origin as well as the country of employment. The Convention of the rights of Migrant Workers and their family members was adopted in 1993 and came into force in 2003. It is remarkable that up till now, no countries of employment (country where migrant workers are employed) have signed the convention, only countries of origin.

All speakers and contributors stressed that the Human Rights aspect should be mainstreamed in the discussion on (labour) migration. At this moment the international discussion is too much dominated by market forces and the social, cultural and rights aspects are oppressed. In the international labour market, the countries of development fail to recognise the demand for labour migration. Due to this failure both states and companies deny all responsibilities regarding migrant workers (documented and undocumented) rights. The recognition of the need of labour migration could stop or at least decrease the anti-migration ideologies.

Although the issue of trafficking was not on the agenda, several speakers emphasised that the lack of rights of migrant workers (both documented and undocumented) is one of the root causes of trafficking. Since the broadening of the trafficking definition, the issue of migrant workers rights became even more important in the anti trafficking debate and in the development of counter trafficking measures and policies. La Strada International intends to follow closely the UN High Level Dialogue on the relationship between international migration and development in order to see how to incorporate the discussion on the rights of migrant workers into the trafficking debate.

OSCE Conference on trafficking for forced labour

On 7th and 8th November 2005 the Alliance against Trafficking organised a high level conference on *Human Trafficking for Labour Exploitation and Forced & Bonded Labour, Identification – Prevention – Prosecution*. Although the definition of trafficking was broadened five years ago, till now most international conferences, debates and research on trafficking have focussed on exploitation in the sex industry. This conference was one of the first where governmental, intergovernmental and non governmental organisations representatives came together to discuss how to approach, deal with and tackle trafficking for forced labour.

Helga Konrad the OSCE Special Representative on Combating Trafficking in Human Beings opened the conference with the following statement: “Movement of labour is a very sensitive political issue. More countries recognise the need for migrant labour. More people will migrate for labour due to poverty and social injustice. There is a demand for cheap labour, a supply of vulnerable people and strict immigration policies. Traffickers fill the gap and take advantage.”

The conference did not bring solutions, but made very clear what issues need to be discussed, researched or developed:

- There is still no clear definition, do we speak of trafficking for forced labour or is forced labour trafficking in itself? Everybody agreed that trafficking should not be confused with bad working conditions for (undocumented) migrant workers. But where do we draw the line?
- The need to include the labour sector in the trafficking debate, both employers and employee organisations.
- The need to include migrant workers organisations in the debate
- Need to address the very limited formal labour migration possibilities as one of the factors that contribute to exploitation and trafficking. Not only because it creates an informal, illegal market but also because these labour migration regulations do give all the power to the employers.

The Alliance against Trafficking has committed itself to work further on the issues such as definition, victim identification and assistance and identifying new allies. In this work, the Alliance will take best but also the bad practises from the trafficking for sexual exploitation policies and actions into account and the potential pitfalls will be identified

NATIONAL DEVELOPMENTS

UK Home Office consultation on action plan for trafficking

In January 2006 the UK Home office and the Scottish Executive released [Tackling Human Trafficking – Consultation on Proposals for a UK Action Plan](#). This paper sets out the progress the UK has made so far in their fight against people trafficking and proposes future plans for building on their existing work in the area. In particular, the consultation paper suggests some key areas of work which is considered to form the basis of a UK action plan on this issue, to be published and take effect in 2006. The plan should address all forms of trafficking and cover the following broad areas; Prevention, Investigation, law enforcement and prosecution and Providing protection and assistance to victims. The [Home Office](#) invites stakeholders to send in their contributions to the action plan before April 5th 2006.

What's new ?



Migrant Domestic Workers in the Netherlands

Migrant Domestic Workers, women and men work in the Netherlands in conditions where their human rights are unprotected and violated. This was revealed in '[Migrant Domestic Workers Visible & Making a Difference](#)' - a Research Report on the living and working conditions of Migrant Domestic Workers (MDWs) by the Commission for Filipino Migrant Workers in Amsterdam. The Report documents a situation where no contracts are available to workers and when they are undocumented, MDWs are additionally vulnerable to abuse and denial of their rights. The Research involved interviews with a 182 MDWs – 116 Filipinos, 28 Ghanaians, 29 Nigerians and 9 from other nationalities working in the private household in Amsterdam, The Hague and Utrecht. Among those interviewed, 144 were women and 38 were men. The Report calls on the Dutch government and Dutch policy makers to give urgent attention to the vulnerable situation of MDWs and to:

- Recognise work in the private household as proper work
- Ensure the protection of the rights of MDWs as workers
- To put in place an immigration status related to their work as migrant domestic workers

For more information contact the [Commission for Filipino Migrant Workers](#) in Amsterdam



Data and research on human trafficking

In recent years the amount of research on trafficking has grown significantly and it is difficult to find regions of the world that have not been included in a trafficking study. In 2004 IOM organised a conference to take stock of current research in order to indicate strengths and weaknesses of the research on trafficking and how research and data can be improved. The report [Data and research on human trafficking: A global survey](#) shows that despite the growing literature on trafficking around the world, relatively few studies are based on extensive or empirical research, and information on the actual numbers of people trafficked remains very sketchy. The book, which includes 9 regional chapters, and 3 chapters dealing with methodological issues, suggests a number of ways in which to enhance research and data on human trafficking. In order to improve the understanding of trafficking ways need to be found to generate much better data and indicators of the problem. The existing data are most often either general estimates created on the basis of unclear methodologies, or administrative data kept by the various involved authorities or organizations on the victims they assist. Even without investing substantial new resources, much more could be done to fully exploit the existing information and make it more widely available. In addition, agencies combating trafficking should be encouraged to collect data systematically. Furthermore, in order to make national data comparable, common guidelines for the collection of data should be developed, both with regard to the type of data and to the methods used

PICUM **Ten ways to protect undocumented migrant workers**

PICUM is the Platform for International Cooperation on Undocumented Migrants aims at promoting respect for the human rights of undocumented migrants within Europe. On the 19th of October PICUM presented its new report “Ten Ways to Protect Undocumented Migrant Workers” at the European Parliament. The report presents detailed information obtained from nearly 50 NGOs, trade unions and other actors working with and advocating for undocumented workers, both in Europe and in the United States. Grouped in ten actions, a range of methods are presented that contribute to the aim of respecting the dignity of undocumented migrants as humans and as workers. All those concerned with rights and justice will find the pragmatic approach taken by this report useful, be they policy makers, unionists, activists, migrant workers and employers. This report provides expert insight on all issues that should be considered to reach just and pragmatic policies in the fields of migration, economic growth and social inclusion.

The report can be downloaded from the [PICUM](#) website



Protocol for Identification and Assistance to Trafficked Persons and Training Kit

Ant Slavery, together with the Dutch La Strada partner the Foundation against Trafficking (STV) and the Italian NGO On the Road and the Dutch police composed a practical tool for identifying trafficked people. It provides basic and practical information to those most likely to encounter people who have been trafficked and aims to help make the difficult task of identification easier. The manual includes lists of indicators, checklists and recommends questions for interviewing trafficked people. The training kit is designed for training front-line workers. The publication can be [downloaded](#) or ordered at [Anti Slavery International](#)



Human Trafficking Assessment Tool

The American Bar Association Central European and Eurasian Law Initiative (ABA/CEELI) published *Human Trafficking Assessment Tool*. This Tool is based on the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (“Trafficking Protocol”), and the relevant provisions of its host convention, the UN Convention Against Transnational Organized Crime.

ABA/CEELI’s *Human Trafficking Assessment Tool* measures a country’s de jure and de facto compliance with the Trafficking Protocol by analyzing relevant domestic legislation and government efforts to implement existing laws and policies. It identifies priority areas for reform, provides examples of successful anti-trafficking initiatives and explains the obligations set forth in the Trafficking Protocol. ABA/CEELI recently implemented the Human Trafficking Assessment Tool in Moldova. The report is available [online](#). For more information contact [Andreea Vesa](#).

What’s happening where ?

ICMPD - Awareness Training on Trafficking in Human Beings for Police, Border Guards and Customs Officials in EU Member States, Accession and Candidate Countries – Development of a European Curriculum 15 – 17 February, Vienna

European Foundation for Street Children Worldwide and the Representation of the European Commission in Italy - “Child Inclusion as a Challenge to the Mediterranean Partnership of the EU – the consequences of migration on children at risk in Southern European Member States: Analyses, Concepts and Strategies”, 16-17 February, Rome

The Human Rights Defense Centre (KEPAD) organizes a parallel event in the framework of the 50th conference of the Commission on the Status of Women (27/02-10/03/2006) which will be held at the UN Headquarters in New York. The event, in the form of panel, will be held on the 2nd March 2006 and will focus on *the Regional Cooperation for Countering Trafficking in Women and Girls in SE and E. Europe*

The IOM (International Organization for Migration) and the Belgian government, currently chair of the OSCE, organized a two-day Pan-European conference in Brussels on 24-25 January under the auspices of the

Austrian EU Presidency. The conference, the first of two to take place in 2006 and part of a two-year dialogue, aimed at shaping coherent and transparent migration-related policies aimed at improving security, migrant rights and promoting greater economic development and prosperity within the region.

The next related conference will lead to the adoption of a declaration expected to give new operational impetus to the EU external strategy on migration and security issues.

4-5 May 2006 Vienna

La Strada NGO platform meeting September 2006

La Strada International together with LEFÖ will organise the second European La Strada NGO platform meeting. The platform meeting will take place together with the Assembly meeting of La Strada in Kiev, Ukraine in September 2006. More information on the NGO platform will be in the next issue of the La Strada International Newsletter due in June 2006

What's on your mind ?

In the La Strada newsletter we want to share our thoughts on specific issues/topics with you. We welcome you to react on our opinions. The reactions will be discussed in the coming newsletter. We also welcome your opinions on specific issues.

Helga Konrad, OSCE Special Representative On Combating Trafficking in Human Beings and Member of the Advisory Board of La Strada International opens the discussion



A strong legal status for trafficked persons

The problem of human trafficking is by no means a new one, but in the past few years it has taken on added dimensions in this era of globalisation. Apart from certain of its disruptive effects, such as weak economies, high unemployment rates combined with few job opportunities and more precarious jobs, restricted access to education etc., globalisation serves – if I may say so - the “practical” needs of traffickers and their criminal associates very well by improved international transportation infrastructures, relaxed border controls, electronic money transfer, instant communication, etc. – which facilitate human trafficking directly or indirectly.

In contrast to free movement of goods and capital, free movement of persons has remained a sensitive political and social issue, even though more and more countries are coming to realise that they will need foreign labour, if they wish to maintain their growth rates and in response to demographic developments. Recent intergovernmental cooperation in the field of anti-trafficking management has focused primarily on stepping up border controls and preventing irregular migration and illegal immigration by concluding and implementing readmission and repatriation agreements and by other restrictive measures. But concentration on border controls, deterrence and immediate repatriation of trafficked persons often is the beginning of a vicious circle. Studies confirm that a large number of those immediately expelled are re-introduced into the criminal cycle or ‘recycled’ as we call it.

Human trafficking is first and foremost a horrendous violation of human rights. Therefore, the status and protection of the victims deserve particular attention and states have to assume responsibility and to guarantee them. In this area in particular, governments should make use of the experience and capabilities of non-governmental and international organisations, which are often more than other bodies the advocates of the weak and weakest in our societies. For victims to be able to free themselves from relationships of violence and life contexts in which they are permanently threatened by violence, they need comprehensive social and economic support, but also legal assistance. Effective empowerment starts with the granting of a strong legal status. The total lack of such status is taken advantage of by the traffickers. The legalisation of the status of a trafficked

person is a crucial element of any effective victim and witness protection strategy and will help to assist a much greater number of trafficked persons, who would normally not dare to seek refuge for fear of deportation. Offering an extended stay in the country to trafficked people, to assist and protect them - as it would anyway be the duty of states and governments under the international human-rights norms - is not only called for from the human-rights perspective, but would also be a major contribution to national security. However, when we look into the practice of many destination countries around the world it becomes quite obvious that the protection of the fundamental rights of victims of trafficking takes second place to the promotion of state interests.

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