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With this quarterly newsletter, La Strada International wants to inform and update about developments in the field of trafficking in human beings and the activities of La Strada International and the La Strada member organisations. We welcome reactions and contributions. Please [mail us](mailto:mail@lastrada-international.org) by 1 September 2010 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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Launch of COMP.ACT – European Action for Compensation for trafficked persons

The COMP.ACT project, a joint initiative of La Strada International and Anti-Slavery International to promote the right to compensation for trafficked persons on national and international level, will be officially launched after the first coalition meeting in Prague, the Czech Republic, on 2 July 2010.

La Strada International is happy that the Secretary General of the Council of Europe, Mr Thorbjørn Jagland, the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, Mrs Maria Grazia Giammarinaro, the former Minister of Justice of the Czech Republic, Mr Pospisila, the president of the Group of Experts on Trafficking in Human Beings, Ms Baerbel Uhl, as well as representatives of OSCE/ODIHR, have confirmed their participation, next to representatives of the 13 countries where the project takes place.

COMP.ACT was initiated to overcome the problems with the implementation of compensation measures for trafficked persons, to raise awareness and to mainstream the issue of compensation within the international anti-trafficking agenda. Seeing as in most countries a legal framework on compensation for victims of crime is in place, the task at hand, is not to introduce laws or new international instruments, but rather to increase awareness of the existing possibilities, and to remove obstacles in systems and procedures that prevent those trafficked from accessing compensation.

The aim is simple: Compensation must become one of the key elements of programmes of assistance and services to trafficked people in Europe. The COMP.ACT project will take place in 13 European countries. It combines practical

work, such as research, test cases and the development of guidelines for professionals at the national level, with international advocacy and campaigning for access to justice and right to redress for trafficked people. The partner countries include: Austria, Belarus, Bosnia & Herzegovina, Bulgaria, Czech Republic, Germany, Ireland, Italy, Macedonia, Moldova, Poland, Spain and Ukraine. A European coalition has been set up for the project, consisting of NGOs that offer direct assistance to trafficked people, the legal community, labour unions, migrant rights organisations and academics from the countries mentioned. The project is supported by OSCE/ODIHR and the Council of Europe, and receives financial support from the European Commission, the King Baudouin Foundation and the Belgium National Lottery. More information will be available soon on a special website www.compactproject.org Contact [Wiesje Zikkenheiner](mailto:Wiesje.Zikkenheiner@lsisecretariat.org) at the LSI secretariat for more information.

6th Regional Partner Forum Danish Programme

The 6th Regional Partner Forum under the Danish Programme against Human Trafficking in Eastern and South Eastern Europe took place in Copenhagen on 18-19 May 2010. The two-day event was attended by the Programme implementers, IOM, OSCE and La Strada organisations in Belarus, Moldova and Ukraine, as well as by La Strada International and major governmental and non-governmental stakeholders of the Danish National Referral Mechanism (NRM). The Regional Partner Forum under the Programme is held annually to allow partners an opportunity to discuss important issues, learn from each other, invite



guest speakers, assess Programme implementation progress, identify challenges, and plan the next steps.

The Danish Programme against Human Trafficking in Eastern and South Eastern Europe (currently in its second phase) lasts for three years (2009-2011) and is financed by the Neighbourhood Programme of the Danish Ministry of Foreign Affairs. This Programme aims to promote open democratic societies founded on the rule of law, and is based upon stable, political and economic development in countries neighbouring the European Union. Its development goal is to contribute to and/or to improve national and regional responses to human trafficking in Eastern and South-Eastern Europe (target countries – Belarus, Moldova and Ukraine).

The main programme activities are concentrated on the following three areas: advocacy, capacity building, and provision of services. The implementing partners aspire to further facilitate the development of functional and sustainable National Referral Mechanisms in their respective countries, including legal framework, standards, piloting, training, and continued dialogue for increased government funding in the sphere of counter-trafficking.

Frozen membership of La Strada Bosnia and Herzegovina

The General Assembly of La Strada International has decided to freeze the membership of its member organisation, La Strada Bosnia and Herzegovina, for two years, as from 1 May 2010. The organisation is offered a period of two years to improve its organisational structure and network cooperation. This new status means that La Strada Bosnia and Herzegovina is no longer a full member of the network. Neither does it have the right to either participate in the LS General Assembly (meetings), to be officially represented by the LS network/secretariat nor to act on behalf of LSI.

La Strada Bosnia Herzegovina will remain a partner organisation. It will be informed and will continue to cooperate with the network and the members. The organisation will also continue its national work and projects. For any further questions, contact [Suzanne Hoff](mailto:Suzanne.Hoff@lsisecretariat.org) at the LSI secretariat.

Director of La Strada Netherlands becomes alderman for Dutch labour party

Ineke Smidt, director of La Strada Netherlands/CoMensha and Federation of Shelters for many years, has been appointed as alderman for the labour party for the Dutch city of Almere. In her new position, Mrs Smidt will be working on the issues of care and wellbeing, poverty, integration and participation. Over the last ten years, she has fought for the rights and position of trafficked persons in the Netherlands. She has also contributed greatly to the work of La Strada Netherlands, who, from 1995 until 2004 was the organisation coordinating the La Strada Programme.



Dutch election paper published on human trafficking

La Strada Netherlands/CoMensha has, together with the Federation of Shelters, published a special [Election Newspaper](#), in connection with the Dutch elections, held on 9 June 2010. The election paper was intended to focus attention on issues of human trafficking, domestic violence and homelessness.

The paper draws attention to the lack of capacity in support services, in particular about the shortage of safe and suitable shelters for trafficked persons. In general, it can be noted that trafficked persons remain in the now available shelters, for too long, due to a lack of suitable housing. This slow flow has created a bottleneck situation, where too many persons are entering the shelters, or are waiting to enter.

Furthermore, the paper highlighted the need of Dutch police and other stakeholders to report trafficked persons to La Strada Netherlands/CoMensha. Nowadays, only the Dutch police are obliged by the alien act to do so. In order to get a clearer picture of the total amount of trafficked persons currently staying in the Netherlands, it is important that all organisations that come into contact with trafficked persons report the cases to CoMensha. Privacy measures are, of course, to be taken into account.

Ukrainian political situation affects measures on human trafficking

Over the last period, La Strada Ukraine reported on gender discrimination, and other human rights violations, in Ukraine. Particular concern has been raised about the fact that the new Minister of Interior ordered to [liquidate the Human Rights Monitoring Department](#) at the Ministry of the Interior of Ukraine, created in 2008. This department has been working on human rights observation in the system of the Ministry, and was responsible for identifying different types of cases of discrimination. La Strada Ukraine, together with other NGOs protested strongly against the liquidation of the only department that observes human rights in the law enforcement. An appeal signed by *250 Ukrainian human rights organisations* was sent to all the relevant authorities, international organisations and to the media. The statement reached the newly elected President Yanukovich who recommended the minister to keep in mind that *human rights in Ukraine are not an issue on which to save money*. See further 'what is on your mind below'.

Human trafficking definition to be included into the Polish Penal Code

Recently a change has been introduced to the Polish Penal Code, prepared by the Ministry of Justice. The aim of the change is to incorporate a definition of "trafficking in human beings" into the Polish Penal Code, based on the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime. The new article 115 of the Penal Code § 22 defines trafficking in human beings as follows: "Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons by means of: 1) Violence or unlawful threat; 2) abduction; 3) deception; 4) misleading, the exploitation of a person's mistake or their inability to properly comprehend the action being undertaken; 5) the abuse of a relation of dependence, taking advantage of a critical situation or state of helplessness, 6) giving or receiving of payments or

benefits or its promise to achieve the consent of a person having control over another person, for the purpose of exploitation, even with the person's consent. Exploitation shall include, at a minimum, the exploitation of the prostitution of others, pornography, or other forms of sexual exploitation, forced labour or services, beggary, slavery or practices similar to slavery, servitude or the removal of cells, tissues, or organs against the regulations of the article". Should the perpetrator's behaviour concern a minor, it shall be considered "trafficking in persons", even if this does not involve any of the means set forth in points 1-6 of this article.

It took seven years before the definition on human trafficking was entered into the Polish Penal Code. La Strada Poland has been lobbying for it since 2002, as it was identified as one of the main reasons why human trafficking cases are not investigated and combated in an efficient way, in particular by the law enforcement, who frequently referred to the lack of a definition in Polish legislation as a main obstacle. According to Stana Buchowska, Director of La Strada Poland, it was very difficult to convince law enforcement representatives, especially at the regional level, to use the Palermo protocol definition, as Poland has ratified the UN Palermo Convention and Protocols, in 2003. "In the legislative process of including the definition we noticed a reluctant attitude to this issue from law enforcement representatives and from the Ministry of Justice, responsible for drafting the definition, from the beginning". According to Buchowska, Polish legislative procedures are extremely long and bureaucratic. Moreover, the several governmental changes further delayed the process. "At times when the proposal was already discussed in a parliamentary legislation commission, new political parties that came into a power dropped the whole process and it had to start once again". Buchowska states: "The advantage of having the definition in the national legislation is quite obvious. It will be easier to reach a wider group of prosecutors and judges. They will have no excuse, as the new definition covers all forms of human trafficking and it is in line with the Council of Europe Convention. Luckily, that will improve the identification, and prosecution, of the human trafficking. We, NGOs, are happy with the definition because it will also allow us to better monitor and evaluate anti trafficking work and measures of the state institutions in Poland".

La Strada Czech Republic starts project on forced labour and labour exploitation

"Discovering Trafficking for the Purpose of Forced Labour and Labour Exploitation" is a joint project of La Strada Czech Republic, the Czech Ministry of Interior (Security Policy Department) and the Juridical Academy Czech Republic. Funded by the European Community, it aims to increase the accessibility to legal protection and services, guaranteed by the European community to trafficked persons.

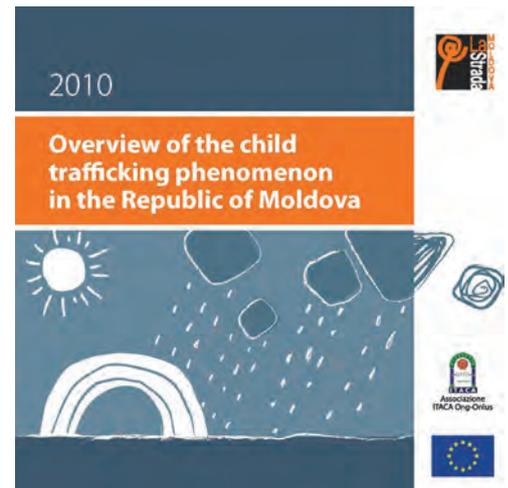
The specific objective is to define what trafficking for forced labour and labour exploitation means, according to the juridical institutions in the Czech Republic and Europe. It equally aims to put existing definitions and indicators, related to trafficking in human beings, into active use by juridical institutions and law enforcement authorities in the Czech Republic. Activities of the project will include implementation of test cases, comparative desk research, training and lectures of professionals in order to improve identification of trafficked persons, as well as information sharing with experts and the general public. For more information contact [La Strada Czech Republic](#).

Research on labour recruitment and employment of Vietnamese Workers in Czech Factories

In the last newsletter, unfortunately an incorrect link was mentioned to the report 'ANALYSIS OF THE AGENCY EMPLOYMENT OF THE VIETNAMESE IN THE CZECH REPUBLIC published by La Strada Czech Republic. The report can be downloaded [here](#).

La Strada Moldova publishes research report on child trafficking

Recently La Strada Moldova published a [research report on child trafficking in Moldova](#) including an overview and analysis of current trends of child trafficking, also in relation to child sex tourism in Moldova. The study analysed statistical data from different organisations addressing the issue of human trafficking in Moldova, including the scale and models of child trafficking. It also looked at push factors, and recruiting methods, and presents a picture of child trafficking cases. In total, 30 experts from 19 organisations were interviewed, and 105 cases of child trafficking, and 25 cases of child sex tourism were identified and documented. The study was conducted in cooperation with the 'Associazione ITACA Ong-Onlus', as part of the Project "Additional measures to fight child trafficking in Moldova". This project was made possible by a grant from the European Union, within the framework of a campaign entitled "Support to actions aimed at preventing harm to children affected by armed conflicts and at fighting against child trafficking and rehabilitating victims".



What's going on ?

UN Principles and Guidelines in practice

'[The Recommended Principles and Guidelines on Human Rights and Human Trafficking](#)', written by the former High Commissioner on Human Rights (HCHR) Mary Robinson in 2002, is an important international standard-setting document. The Office of the HCHR ([OHCHR](#)) adopted it as a framework and reference for its own work, as well as for states and intergovernmental organisations to use in their efforts to prevent human trafficking and to protect the rights of trafficked persons.

A detailed commentary, providing a comprehensive legal and policy analysis of all aspects of the Principles and Guidelines, has been developed as a tool for the development, application and analysis of responses to human trafficking by relevant actors. The commentary utilises the work of international human rights mechanisms, as well as that of States and intergovernmental agencies, related to progresses made in the human rights approach, with respect to governments' legal obligations to prevent and respond to human trafficking and exploitation of persons. At each step of every response, the human rights impact of that step and that of the overall response, must be considered and monitored. On request of the Filipino and German delegations, the OHCHR organised a seminar upon the Principles and Guidelines and the Commentary on 26 and 27 May 2010. The main aims of the seminar were to promote the commentary, the human rights based approach, and to find the key challenges and opportunities for implementing the human rights based approach, as well as to document good practices that demonstrate the application of the principles and guidelines. Key recommendations from the seminar include the following: to build capacities to effectively identify trafficked persons and to provide them with the necessary service and assistance; to promote ratification and adherence to relevant international human rights treaties; to enhance training for government officials and service providers on the various dimensions of human trafficking and primacy of human rights; and to strengthen partnerships with civil society, the media and the private sector. LSI would like to encourage all stakeholders to actively promote the Principles and Guidelines and the Commentary, in their cooperation with others, and to integrate the human rights based approach in the anti-trafficking activities in which they are involved.

Report on regional cooperation of the Special UN Rapporteur on human trafficking

The UN Special Rapporteur on Human Trafficking, Mrs Joy Ezeilo presented her latest report [on regional cooperation and coordination mechanisms](#) at the 14th session of the Human Rights Council (HRC) in early June. The report is merely a description of the several regional initiatives in the fields of prevention, prosecution and protection and less of an analysis, or an evaluation of the implementation and impact of these measures. There are a few points in the report that deserve special attention. The Special Rapporteur (SR) strongly emphasises the need for compensation for trafficked persons, and states that although, the right to redress is mentioned in several treaties, it is lacking in implementation. The SR also draws the attention to the position of trafficked male persons, as they are seldom mentioned in action plans and therefore are not sufficiently recognised as vulnerable to exploitation. This may exclude them from adequate support measures.

In her call for closer cooperation, the SR does mention the civil society, but regrettably puts limited emphasis on the role of NGOs in regional cooperation bodies. Furthermore, the report draws attention to the need for data collection, but does not stress the need for adequate data protection. Lastly, it is remarkable that she refers to the Palermo Protocol in her request for a human rights based approach (implementation) to human trafficking, as, in the opinion of La Strada International, the Palermo Protocol is developed within the criminal justice framework, and is not, in any way, based on international human rights legislation. In order to avoid confusion, when using the phrase human rights approach, La Strada International strongly recommends using the Recommended Principles and Guidelines as reference, see above.

GRETA seeks cooperation with civil society

In December 2009, GRETA, the monitoring body of the Council of Europe Convention on Action Against Trafficking, announced which 10 countries will be evaluated in 2010. These are Moldova, Romania, Austria, Albania, Georgia, Slovakia, Bulgaria, Croatia, Denmark and Cyprus. The GRETA monitoring will be done through a questionnaire, to be completed by the national governments concerned, see [newsletter 16](#). Additionally, GRETA will conduct visits to all the countries under review.

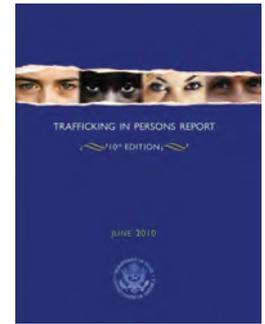
Together with Amnesty International (AI) and Anti-Slavery International (ASI), La Strada International has been advocating a strong NGO involvement in the monitoring process. The three organisations have approached NGOs in the ten countries that are being reviewed this year. A letter with recommendations on how to get actively involved in the evaluation process was sent out. It is of great importance that NGOs have the possibility to inform GRETA directly of their views on how their government is implementing the articles of the European convention, especially those especially on prevention, protection and legal assistance.

At its last meeting in June 2010, GRETA invited LSI, ASI and AI to further discuss the possibilities to facilitate the contribution from civil society to the monitoring process. At this meeting, Marieke van Doorninck, advisor Public Affairs of La Strada International, emphasised the importance of monitoring the actual implementation of national policies and measures and their impact on the protection of the rights of trafficked persons and affected groups, along side the evaluation of the integration of the convention into national legislation. NGOs in the countries that will be reviewed this year that are interested in getting involved in the monitoring process can contact [Marieke van Doorninck](#) at the LSI secretariat for more information.

TIP report 2010

“In the 10 years since the passage of the Palermo Protocol with its “3P” paradigm of prevention, protection and prosecution, a competing, more unfortunate, paradigm seems to persist in impeding greater anti-trafficking progress: the “3D” phenomenon of **detention, deportation and disempowerment.**”

This is not a quote from a critical NGO but comes surprisingly from this year’s [US TIP report](#). For the 10th time, the US Department of State has ranked countries according to their efforts to address human trafficking.



Tier 1 countries seriously punish traffickers, actively protect victims, vigorously investigate potential cases, and meet other minimum standards prescribed by the United States. Governments of Tier 2 countries do not fully comply with the minimum standards set out by the U.S. but are making significant steps toward meeting those standards, while countries on the so-called Tier 2 “watch list” are singled out for special attention due to the sheer number of victims or a failure to provide evidence of increasing efforts to combat severe forms of trafficking in relation to the previous year. At the other end of the spectrum, are Tier 3 countries which do not meet minimum standards and are not seen as making concerted efforts to do so.

The TIP report, seen as a diplomatic tool for the US government to put pressure on states, focuses on governments’ concrete actions to fight human trafficking, especially prosecutions, convictions, and prison sentences for traffickers, as well as victim protection measures and prevention efforts, which result from such vulnerabilities.

Already last year, a shift was noticeable: from a rather strong focus for years on the negative aspects of the sex industry, to an emphasis on the circumstances that make people vulnerable to exploitation. Last year’s focus was put on the effects of the economic crisis on trafficking. The new trafficking ambassador, Luis CdeBaca has completely changed the tone of the research. He was appointed by President Obama in May 2009 to coordinate US government activities in the global fight against contemporary forms of slavery and to direct the State Department’s Office to Monitor and Combat Trafficking in Persons.

Moreover, for the first time this year, the US has evaluated and ranked itself (tier 1) on the set standards. Although not explicitly announced, this year’s edition seems to highlight the risks of collateral damages of anti trafficking measures, calling it “troublesome governmental practices”. In the introduction to the countries’ narratives, the report elaborates on the negative impact of closed shelters on the well-being of trafficked persons, referring to them as ‘jails’. Repressive migration policies in the name of anti-trafficking measures, and the policies of detention and deportation are also criticised. At the same time, emphasis is put on the need for non-punishment clauses for trafficked persons. It further mocks the system of sponsorships for labour for its contribution to labour exploitation, as the migrant worker is completely dependent on one employer. The report also warns for the negative effects of ‘blind’ raids. It further defines what makes good anti-trafficking policies, focussing on protection of rights, immigration relief and compensation for trafficked persons.

Unfortunately, this balanced and multifaceted view on the complex problem of human trafficking is much less reflected in the separate countries reports, which still focus very much on the prosecution part, although reference is made to protection measures and cooperation with civil society. Remarkable changes in ranking for the La Strada countries, in comparison with last year is that Bosnia and Herzegovina has risen to tier 1, while Macedonia has gone down to tier 2. Ukraine moved from tier 2 watch list to tier 2. “This is something that we’ve seen on the part of the Bosnian government - clear progress, especially over the last year: significantly reducing its use of suspended sentences, imposing stronger penalties for convicted traffickers, partnering with non governmental organisations on victim protection, and employing proactive procedures to go out and identify and help victims,” said Ambassador-at-Large Luis CdeBaca, who oversees Washington’s efforts to monitor and combat human trafficking. “It is a sea change [sic] if you look at the trafficking issue over the course of the last decade that Bosnia would be ranked within the first tier,” he added.

Increased protection of unaccompanied minors

On 6 May 2010, the European Commission adopted an [Action plan](#) to increase protection of unaccompanied minors travelling to the EU. The goal of the action plan is to create a common European approach and to ensure that decisions, regarding children's well-being, are always made by competent and relevant authorities. The European action plan further urges countries to search for family members and to monitor reintegration in cases where children are returned to their home country. If it is in the child's best interest, international protection should be provided, meaning that in cases where the child cannot safely be returned to his/her country of origin, the international community has a duty to protect and provide for the child. Though it is difficult to estimate exactly how many unaccompanied children enter the European Union, statistics mentioned show that approximately 960 applications were lodged for asylum in 2009 in comparison to 695 in 2008, showing a 13% increase (source: Eurostat). The action plan proposes a joint EU approach based on three strands for action: prevention of unsafe migration and human trafficking, reception and procedural guarantees in the EU and identification of durable solutions.

New EU Directive on Trafficking

In 2009 the European Commission presented a proposal for a new Framework Decision on human trafficking, to which La Strada International reacted with the publication of a [statement](#). Due to the entry into force of the Lisbon Treaty, which interrupted all ongoing legislative procedures, negotiations at Council level could not lead to the formal adoption of the Framework Decision. The European Commission hence tabled a [new proposal for a Directive on Preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision of 2002](#).

In order to obtain the widest awareness of the phenomenon in view of negotiating the proposed Directive, the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and the Committee on Women's Rights and Gender Equality (FEMM) of the European Parliament organised a Seminar "Combating and preventing trafficking in human beings: the way forward" on Thursday, 10 June 2010. At this seminar, civil society organisations such as Amnesty International, Save the Children, Terre des Hommes, the Churches Commission for Migrants in Europe (CCME) and La Strada International presented a [joint statement](#).

In comparison to the 2002 Framework Decision, the proposal no longer focuses merely on combating trafficking, but explicitly commits to preventing trafficking and protecting the rights of trafficked persons. This is particularly evident with regard to the inclusion of: provisions for mechanisms for early identification; specific protection of the rights of trafficked persons; specific safeguards for trafficked children; and the recognition of the importance of compensation for trafficked persons. These improvements are critical to the development of an effective and rights-based response to trafficking at an EU level.

While thus welcoming the proposed Directive, the NGOs have formulated a number of general recommendations in relation to: further improvement of protection and assistance to all trafficked persons; the issue of non-criminalisation; the early identification; the right to compensation and assistance and support to trafficked children; as well as the need for independent national Rapporteurs. [UNIFEM](#) and [UNHCR](#) have also published separate statements on the Directive, while the UN presented a [joint position paper](#) signed by several UN bodies including ILO, UNODC, UNICEF, UNHCR, UNIFEM and OHCHR. This common paper calls for unconditional support for trafficked persons, inclusion of the non-punishment clause and adequate legal support. It is expected that the Directive will be discussed, and voted on, in September in the European Parliament. The (then) Belgian presidency is hoping for a first reading agreement by the end of the year.

Respect Migrants Rights: Ratify the Migrant Workers Convention

In order to mark the 20th anniversary of the adoption by the United Nations General Assembly of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (also known as 'the migrant workers convention') on 18 December 1990, a [global campaign](#) was launched in Geneva on 12 April 2010. This campaign is an initiative of, both, NGOs such as Human Rights Watch, Migrants Rights International and of intergovernmental organisations, such as the ILO, IOM and OHCHR. It calls on all countries to end abuse and exploitation of migrants, and to draw attention to the fact that migrants suffer from human rights violation worldwide on a daily basis. The campaign calls, among others, governments to ensure proper living conditions for migrants and migrants' families.

According to the UN, approximately 214 million people are currently living outside their country of birth or citizenship, and that nearly half of these migrants are economically active. Both working, and non working migrants, are entitled to humane and decent living (and working) conditions. The Migrant Workers Convention was initially made to provide assistance and legal guidance to countries and governments in the implementation of migration laws. The convention recognises the specific position of migrants as a vulnerable group and promotes legal standards, rooted in human rights laws, to end the abuse and exploitation of migrants. As of today, the convention has only been ratified by 42 states and signed by another 16 states (the signature being the preliminary step to ratification). The campaign urges countries that have not yet signed and/or ratified the convention to use the 20th anniversary as an occasion to do so. A message thereby sent to the international community that migrants' rights must be protected. Amnesty International supports the campaign: via their website citizens can write [postcards](#) to their own governments, urging them to ratify the convention.

FIFA World Cup 2010 and Human Trafficking

Similar to sports events in the past, in the last few months, the media reported on an expected increase in human trafficking, in particular for the sex industry, during the world football championship in South Africa, referring to different figures in argumentation for the increase. Back in 2006, with the football championship in Germany, it was stated that 40,000 young women were expected to be trafficked into the country. This figure of 40,000 is used now again for estimates on the number of trafficked persons in South Africa. Remarkably, the same figure was also used in relation with human trafficking and the Olympic Games in Greece in 2004 and has been used ever since.

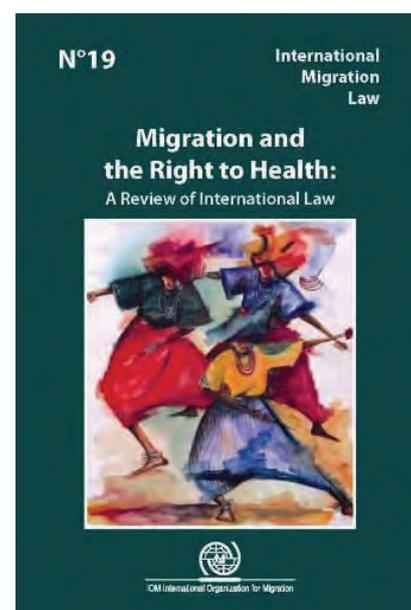
As La Strada International is frequently asked by the media whether we expect an increase of human trafficking in relation with sports events, LSI developed a [Questions and Answers overview](#). LSI believes that there is no evidence that there will be an increase in human trafficking when sports events are organised. Research has shown, that in 2006, there was no evidence for any increase of human trafficking in Germany during the championship. While La Strada supports campaigns to raise awareness about human trafficking, it does, however, call upon campaigners not only to warn about trafficking of persons for the sex industry, but also to provide accurate information about working conditions in different industries, and the rights of migrants. La Strada International is concerned about prevention campaigns that stigmatise and intend rather to prevent persons from other countries from coming to work in the country that organises the event.



What's new ?

IOM report on migration and the right to health

IOM recently published a new report focusing on [migrants' right to health](#) which stressed that the right to health is a human right that should not only apply to a country's native population, but also, to its immigrants. The report explores the general and specific instruments that recognise, and define, the right to health, and describes these mechanisms in depth. Based on the notion that an approach to health should be unbiased and comprehensive, the report stresses the need to ensure that migrants get the same treatment as non-migrants. The report further states that migrants in good health contribute significantly, to the well-being and economical growth of societies. As an example, the UK is mentioned, where, in 2002, migrants contributed more than 31 billion pounds, while costing the society less than 29 billion, meaning they added up to 2 billion pounds to the country's economy. In effect, migrants helped reduce taxes for non-migrants.



ASTRA Manual for Work on SOS Hotline

The Serbian NGO, ASTRA, published a [Manual for Work on SOS Hotline for \(potential\) Victims of Human Trafficking](#), on the basis of ASTRA's eight-year experience in running an SOS hotline, specialised in the issue of human trafficking. Over those years, a valuable methodology has been developed and results achieved. New problems, however, have emerged, and many dilemmas from the past remain without satisfactory solutions. ASTRA hopes that their experience in the area would be useful for all those who are planning to start a similar hotline service. Through five chapters, the manual discusses different aspects of work on specialised anti-trafficking SOS hotlines: the definition of trafficking victims and the socio-demographic characteristics of persons with whom ASTRA has been in contact; types of telephone lines for providing assistance; the principles of work on ASTRA SOS Hotline; the organisation of work; how to conduct a telephone call with an understanding of the psychology of victim and accompanying programmes. Special attention is paid to the position of an SOS hotline in the national referral mechanism, and to the initiative to set up a European SOS hotline for human trafficking. Besides ASTRA's practice, the manual also presents the experiences and reflections of the Incest Trauma Center Belgrade, La Strada Moldova, Open Gate – La Strada Macedonia and La Strada International. This Manual is published in Serbian and English with support of OSCE Mission to Serbia.

CNCDH report outlines action plan on human trafficking for France

In a recent [Opinion on combating the trafficking and exploitation of human beings in France](#) the (French) National Consultative Commission on Human Rights (CNCDH) outlines an action plan for France's combat against trafficking in human beings, partly reflecting on, and criticising, the UN Palermo Protocol. The criticism is focused on the linguistic confusion of the terms "trafficking" and "exploitation". The report points out that the two terms, though related, do not refer to the same actions. The report calls for European partners to agree on a common definition of exploitation, ensuring more clarity. The report is further divided into three sections, one that deals with repression of human trafficking and exploitation, one focusing on victims' rights, and a final one focusing on how France can combat trafficking and exploitation. The main argument in the report is that there is a need for clarification and adjustment in the French penal code, in order to better prosecute traffickers, and to protect, and help, trafficked persons. A general clarification of the concepts stemming from the Palermo protocol is also needed. The report, furthermore, stresses the importance of a multidisciplinary approach and the need to inform the public of risks and consequences in trafficking.

ILO reports on the international migration situation and on domestic workers

In a new publication, the ILO offers an overview of the international labour migration situation. Drawing on their own experience in trying to assist and protect migrant workers, the ILO attempts to answer the question of what makes people search for work outside their country of origin. The report offers an insight into the international norms that have developed to protect and to secure proper work and living conditions for all migrants. Insight is given into trends and developments, both in countries of origin and destination, and into how work conditions and migration have been experienced by migrants themselves. The report's main focus is that, in a time of global economical crisis, more than 200 million migrant workers



contribute positively to the world economy. According to the report, both destination and origin countries, as well as migrants themselves, can benefit from labour migration. However, it is important to remember that there is still a need for protection of migrants' rights, regarding issues such as low wages, non-payment of wages, unsafe working environments, the absence of social protection, denial of freedom of association and workers' rights, discrimination and general xenophobia. See the full report, ["International labour migration. A rights-based approach"](#).

Another report published by the ILO ["Decent work for domestic workers"](#), is primarily written for further discussions on the topic for this year's International Labour Conference and is a second report on the issue, primarily consisting of the responses, and comments, the ILO received after the publication of the first report, in March 2010. The answers have been analysed and lead to the drafting of a preliminary convention, that is to be discussed during the conference. A final decision on a possible adoption will be taken in June 2011.

According to the ILO, domestic work absorbs a significant proportion of the workforce, ranging between 4 and 10 per cent of total employment in developing countries, and up to 2.5 per cent of total employment in industrialised countries. While domestic workers are, for the vast majority, women, an important proportion are men who work as gardeners, as guardians in private homes, or as family chauffeurs. Changes in the organisation and intensification of work, and the marked rise in female labour participation rates, which has reduced women's availability for unpaid care work, are responsible for this increase. Besides, the ageing of societies, intensified national and international migration of women and the decline in state provision of care and social services have made it increasingly difficult for families to reconcile paid work with family responsibilities. As a result, reliance on domestic work has increased everywhere across the world as a private strategy to counter mounting work-family tensions. Many domestic workers are overworked, underpaid and unprotected. Abuse and exploitation are common, especially when children and migrant workers are involved. Because of their youth or nationality, and the fact that they often live in the employer's household, they are particularly vulnerable to verbal and physical violence. There are frequent media reports on such violence, including suicides and homicides in the worst cases. The serious decent work deficits facing domestic workers are a consequence of their legal and social vulnerability. Domestic workers are excluded, either de jure or de facto, from the effective protection of national labour law and social security regimes, both in industrialised, and developing, countries. Another flagrant case, is the exclusion of domestic workers from the scope of occupational safety and health legislation in most countries, as the household is erroneously perceived as safe and non-threatening.

Evaluation report on legislation and trafficking for the purpose of sexual

The ICMPD report "[Evaluation of Member States' legislation and the situation concerning trafficking in human beings for the purpose of sexual exploitation](#)", funded by the European Commission, is now available. The report aims to analyse how EU Member States' legislation and policy on prostitution, as well as other relevant areas, influence the situation of trafficking in human beings for the purpose of sexual exploitation. According to ICMPD, the report provides a critical overview of existing quantitative and qualitative information on trafficking for the purpose of sexual exploitation, including reference to numbers and characteristics of victims and criminal actors involved. It also provides a review and assessment of the existing legislation, directly relevant to trafficking in human beings. It also reviews national legal frameworks applicable to the market of sexual services, including definitions of prostitution, provisions on the legal/illegal character of the selling or buying of sexual services, legislation on various related activities, such as pimping, living from the proceeds of prostitution, etc. Considerations on how national legislations are being implemented in each Member State are also included, as is the identification of possible relations between national legislations on the market of sexual services and other factors, and situations of trafficking for sexual exploitation. The report also presents recommendations on identified deficiencies and improving European and national policies and legal frameworks relevant to trafficking in human beings for sexual exploitation.



What's on your mind ?

Whose business is it to carry out reforms?

The political developments of the last month have identified significant changes in Ukraine. What became clear, is that the new Ukrainian state leaders are not completely aware of International documents on human rights, which Ukraine has ratified and are reflected in national legislation, for example, the Constitution of Ukraine and the Law of Ukraine "About equal rights and opportunities for men and women". With the establishment of a new Ukrainian government, the Ukrainian population observed serious human rights violations, including attacks on democratic reforms, rejections of democratic values, impeding European development in practise. There are examples in various fields: the discharge of leaders of the independent miners' union; the rejection of an external independent evaluation as a basis for combating corruption in the educational field; the closing of the archives of the Security Service of Ukraine; the announcement of the elimination of the monitoring system on human rights activity in the internal affairs.



Among these violations, the total disregard of the principles of gender policy and equal rights and opportunities for men and women, is at the fore. Perhaps, with the backdrop of other constitutional violations, these actions may neither seem important nor essential. But they are very important, and the number of violations increases daily. So far, there is no reaction, from any authorised person. It started with the fact that Viktor Yanukovich, the then still presidential candidate, said that women's place is in the kitchen. With these words he showed his disregard and rejection of international legal documents such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the UN Convention on the Elimination of All Forms of Discrimination against Women, all ratified by Ukraine and part of the national legislation.

Yanukovych also neglected the Constitution, which affirms that “there are no privileges or limitations as to race, colour of skin, political believe, religion, sex, ethnic and social origin, property, place of residence or language”. In an open letter of civil society, he was asked whether he considers “kitchen” a limitation or privilege. He answered neither the question nor the letter. After indignant statements of women’s organisations, he made unconvincing excuses, explaining that he meant “political kitchen”. But we can hardly believe it.

Later, when rewarding women on the eve of the International Women’s Day, he stated that the country is in debt to women. Who prevents the president and his fraction, which is the biggest in the Ukrainian parliament, from paying off this debt? Nobody does. However the process of debt accumulation continues.

His party rejected a law proposal offering a quota of female representation of the party candidate election lists. The Ukrainian and international public were waiting for the adoption of such a law. And what for, if – let’s come back to the first sentence – the president is convinced that the place of women is in the kitchen. The government has been formed; and there are no women in it.

The programme of action of the new government does not even include a mention of reaching equality between men and women as a principal European value. The Ambassadors of the countries of the Group of 8, concerned about the not very legitimate and democratic steps of the first days of the new presidency, very easily believed that “the democracy in Ukraine will be preserved”. They even assured the president, I’m quoting this information from his website, ‘that everything as to the democratization [*sic*] and reforms will get the support of the countries they represent’. In the frame of all said, it is interesting what attitude will be shown to everything which is not concerned with the democratisation and, in fact, contradicts European values, for instance, to the denial of women’s rights and gender equality?

“Carrying out the reforms in Ukraine is not a women’s business” – said the Prime Minister Mykola Azarov, in support of the president on March 19th. “There are some thoughts that our government is a large one, there are other thoughts that there are no women and you have nobody to look at during ministerial sessions. Boring faces only. Having respect to all women I would like to mention that carrying out the reforms is not a women’s business” – declared Azarov. According to his words, the new government consists of people who can work 16 hours a day, without any days off, can take responsibility and are not afraid to say “no” to the administrative authority.

These words of the Prime Minister can be interpreted as a strong offense to all Ukrainian women. It seems that women do not work without days off, that they can’t work day and night. And the main thing, they can’t take responsibility. This is how the leader evaluates women’s skills.

It should be added that these are people who do not know laws, do not know norms of international law, who can’t understand the values of a united Europe. Generally, they do not know human rights. This list of their violations continues. They are closely interrelated. It is a team of professionals and not of “political waiters”, as I am quoting the inaugural speech of the President. The President, I’m quoting, in all his deeds hopes for support of the international community.

How should gender-discriminating deeds and statements of new officials be evaluated? Let us remember that persons’ guilt in violation of the law about providing equal rights and opportunities to women and men, according to article 24 of the Law of Ukraine. There were not yet judicial precedents. So, probably, it’s time to start? Or are we going to remain silent?

Kateryna Levchenko, *International women’s rights centre “La Strada-Ukraine”*

What's happening where ?

- **17-18 June** : Alliance Against Trafficking in Persons Conference: “Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude”, Vienna, Austria
- **24-25 June** : Consultative conference on the project “Human rights impact of anti-trafficking policies”, Prague, Czech Republic
- **25-26 June** : PICUM workshop “Violence and Exploitation of Undocumented Women: Building Strategy to End Impunity” and PICUM annual meeting, Brussels, Belgium
- **29 June-2 July** : LSI/ASI Comp.Act launch, Prague, Czech Republic
- **6-7 July** : GAATW International Conference Beyond Borders: Trafficking In The Context Of Migrant, Labour And Women’s Rights, Bangkok, Thailand
- **November 2010** : The 2010 Global Forum on Migration and Development (GFMD): Partnerships for Migration and Development: shared prosperity, shared responsibility, Puerto Vallarta, Mexico



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