LSI beneficiary of Freedom to Walk
La Strada International is pleased to announce a new partnership with Freedom to Walk, a Bangkok-based campaign to support efforts to end human trafficking. On 3 November 2012, a group of volunteers from around the world will depart on a 16-day, 500-kilometre walk from Bangkok to Myanmar to raise awareness for five organisations who are working to combat human trafficking across industries and continents. La Strada International is one of the five beneficiaries.

The Freedom to Walk initiative grew out of a friendship between two women - one Thai and one American. “We grew up across the world from one another and met while volunteering in the aftermath of the 2011 floods in Thailand. We share a vision for a future where human rights are respected and a determination to work towards it. Almost exactly a year after we first met, we will depart for the Walk.” Ali is a Yale graduate and currently a volunteer with GAATW and used to teach English to sex workers in Bangkok; Tanny is a member of the Faculty of Law of the Chulalongkorn University in Bangkok and used to write for the Bangkok Post. They aim to raise at least 100 000 USD for their beneficiaries, and to use the duration of the 16 day Walk to educate a corps of participants about human trafficking and rights-based anti-trafficking efforts.

Freedom to Walk is soliciting walkers, sponsors, donors, and individuals who are able to help suggest and publicise educational material about human trafficking for the benefit of the participants. If you are interested in getting involved in any capacity, visit www.freedomtowalk.org or contact Ali Weiner at freedomtowalkthailand@gmail.com for more information.
Festival of CoMensha and FairWork

On 3 May 2012, FairWork and CoMensha/La Strada Netherlands organised a festival for trafficked persons. The main goal of the festival was the provision of information and exchange of experience among the participants in an informal and friendly atmosphere.

With 120 participants from the target group and 50 children, the festival, which has been an annual event since 2001, was a big success. It included different activities, such as yoga, trying world cuisine and dancing but the main goal was education. The participants could choose from a large number of workshops. The biggest interest was for the workshop “My rights in the Netherlands”, where a lawyer explained the rights and obligations trafficked persons have and the services they are entitled to in the Netherlands. Other workshops included communication with the police, intercultural communication, service provision in the Netherlands and child care.

Figures on human trafficking in the Netherlands 2011

The total number of (potential) victims of human trafficking registered by CoMensha/La Strada Netherlands, increased by 23% from 993 in 2010 to 1,222 in 2011. There was also an increase in the number of clients who needed shelter during the year. In 2011 CoMensha sought shelter for 280 people; which is an increase of 24% from 2010. Because of this increase, CoMensha had to work with a waiting list. On average there were 13 people on the waiting list, but at times this number was even 30. The main reason for this was the lack of available accommodation.

In 2011 most registered victims maintained the common pattern of being trafficked into the sex industry. The total number of (potential) victims of trafficking for forced prostitution was 782. The number of (potential) victims of economic exploitation increased to 106, which is more than double compared to figures in 2010. The most common nationalities of registered victims in 2011 were Dutch, Nigerian and Hungarian.

CoMensha/La Strada Netherlands is the Dutch national registration and coordination point for human trafficking. Each year CoMensha notices an increase in the number of registrations – 10% in 2010 and 23% in 2011. However, the real number of identified victims remains unknown because not all institutions are obliged to report (potential) victims to CoMensha.

La Strada Ukraine under attack

Representatives of a group called the Orthodox Parents’ Committee have filed complaints at the State Registration Service of Ukraine about the activities of NGOs, including the International Women’s Rights Centre La Strada Ukraine, the All-Ukrainian NGO Women’s Consortium of Ukraine and the International NGO International Helsinki Association for Human Rights. The orthodox parents are attacking these human rights organisations because their activities “aim to systematically destroy the family as an institution in Ukraine by promoting amoral, anti-Ukrainian and anti-constitutional ideas”. The appeal also notes that the organisations promote “perverted lifestyles, gender and homosexuality”, and attempt to turn children against their parents and teachers and to destroy moral and traditional values.

The organisations are worried that not only will the attacks undermine their reputation, but they threaten to harm the basic values of any healthy society, such as human rights, democracy, freedom of speech, non-discrimination etc.

La Strada Ukraine attempted to get governmental support to put an end to this hate campaign. Unfortunately, the State’s refusal to respond both encourages and tacitly supports the groundless complaints made against them and against other human rights organisations. La Strada Ukraine and their partners feel supported by international democratic institutions, organisations and individuals who value human rights and who realise that such rights are not the internal affair of any one country but that they are universal and transcend borders.
Research on trafficking for forced labour in Moldova

La Strada Moldova published a research on trafficking in persons for forced labour exploitation in Moldova and the existing practices and obstacles in the criminal prosecution and legal proceedings related to this crime. The research focuses on:

- An analysis of the concepts of trafficking in persons and forced labour as used in international law and academic articles on the topic;
- An overview and analysis of existing obstacles in the prosecution of the crime of trafficking for forced labour and establishment of a relation and impact of the concepts of “trafficking in persons” and “forced labour” between international and national law;
- Data collection, processing and analysis of the law enforcement practice in criminal matters related to the crime of trafficking in persons for labour exploitation, focusing on the issues of practical application of the relevant articles of the Criminal Code and their connection with the legal construction of crimes.

The report contains recommendations for state authorities and non-government organisations working on the issue to overcome the existing obstacles in the criminal prosecution and legal proceedings related to the crime of trafficking in persons for forced labour.

La Strada Moldova campaign against commercial sexual exploitation of children

La Strada Moldova launched a new campaign “Travel with care. Care for children”. The campaign aims to unify the efforts of agencies working in the tourism, transport and hospitality industry to sensitize travellers, tourist agencies, hotels and transporters on aspects related to the protection of children from abuse and exploitation. A special website was created for this purpose which provides more details on the issue.

In this way, the campaign seeks to amplify the role of employers from the tourist, hotel and passengers’ transportation agencies in securing a safe environment for children. Chisinau International Airport, Air Moldova and several tourist agencies and hotels have already joined the campaign and organised training sessions for their staff to discuss different aspects of child sexual abuse and what they can do to prevent it.

The campaign has also produced posters, brochures and leaflets with the definition and forms of CSEC, vulnerability of children, profile of the child sex abusers, signs of a suspected child abuse, the legal framework against CSEC in Moldova and the assistance that can be provided. The informational materials, available in Romanian, Russian and English, are currently being distributed at airports, tourist and travel agencies and hotels.

Awareness for labour exploitation

La Strada Czech Republic is launching a new awareness-raising campaign to promote its services to people who have been trafficked into the Czech Republic for labour exploitation. The campaign comes as a response to the increased number of identified male victims in the Czech Republic, coming from different, mostly East European, countries and being exploited in various industries. The educational material, using only images, was chosen because comics transcend culture and language and appeal to a wider reader-base.

With this campaign, La Strada also hopes to attract the attention of graphic designers, illustrators, film makers, etc. in Prague with the aim of future cooperation on socially important initiatives.

First conviction of human trafficking for labour exploitation in the Czech Republic

Until recently, trafficking in human beings in the Czech Republic was only recognised in cases of sexual exploitation. “Despite the 2004 Amendment to the Penal Code which was extended to include the crime of trafficking in human beings for purposes such as forced labour and other forms of exploitation, it took more than eight years for the first conviction for this crime,” says Lucie Otáhalová, a lawyer at La Strada Czech Republic.

For several years now, La Strada has been pointing out the issues of trafficking for forced labour and other forms of exploitation and the fact that the victims of these crimes experience difficulties in
claiming their rights. “Human trafficking is often referred to as a high-profit low-risk crime. We see this first final conviction as a precedent that could determine the direction in other cases we encounter in our everyday work” says Irena Konečná, director of La Strada. Despite this first judgment, such cases in the Czech Republic rarely reach court; at present there is only one other court case that addresses labour exploitation.

La Strada Macedonia cooperates with the private sector
Open Gate/La Strada Macedonia established cooperation with a Macedonian supermarket chain TEDIKO and with a meat factory MIS Globus. In May, the two companies started providing products (food items, hygiene supplies and others) for the trafficked women and children accommodated in the shelter. This is a result of the Open Gate/La Strada Macedonia activities aimed at service sustainability through mobilisation of local resources such as the business sector. In the future, Open Gate/La Strada Macedonia plans to extend this cooperation to the areas of awareness-raising, campaigning and lobbying.

11 years Open Gate/La Strada Macedonia
On the occasion of 11 years of functioning of the organisation, Open Gate/La Strada Macedonia created and published a bilingual report “Accomplishment and challenges in combating trafficking in human beings”. The report elaborates on the complexity and sensitivity of the problems Open Gate/La Strada Macedonia tackles on daily basis. The aim of the publication is to inform the public, as well as partners and donors, about the achievements and the experience gained in the past 11 years.

What’s going on?

EU Strategy on trafficking in human beings
On 19 June 2012, the European Commission adopted the “EU Strategy towards the eradication of trafficking in Human Beings (2012-2016)”. The strategy is a set of concrete and practical measures that will support and complement the implementation of EU legislation on human trafficking (Directive 2011/36/EU) - the deadline for the transposition is April 2013. Concrete actions include the funding of research studies and projects, the establishment of platforms, coalitions and partnerships, the development of guidelines and best practices, awareness-raising campaigns and trainings, etc.

It is based on five key priorities:
1. Identifying, protecting and assisting victims of trafficking;
2. Stepping up the prevention of trafficking in human beings;
3. Increased prosecution of traffickers;
4. Enhanced coordination and cooperation among key actors and policy coherence;
5. Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings.

La Strada International is pleased that the Strategy focuses on the implementation of the Directive and recommends that effective processes are also established to ensure that action in other EU policy areas reinforces the protection and assistance of trafficked persons as required by the Directive rather than undercutting it because priority is afforded to other policy concerns, such as migration control or labour laws. In its first reaction to the Strategy, LSI comments on the actions aimed to improve identification methods, financial investigation and asset recovery in relation to compensation for trafficked persons and data protection. The Strategy also recognises the important role of civil society and the need for cooperation. It intends to establish an EU Platform of civil society organisations and service providers working on victim protection and assistance in Member States and selected third countries. La Strada International however encourages the Commission not to aim at one umbrella structure, but to give support to the activities of NGOs and...
the networking between different civil society actors and between different sectors (including unions and migrant rights organisations).

In the coming months, La Strada International will share its opinion and detailed feedback on the several different aspects of the Strategy.

Civil society critical about the proposal for EU Rights and Citizenship Programme 2014-2020

The proposed programme succeeds three pre-existing programmes: Fundamental Rights and Citizenship (FR&C), Daphne III and PROGRESS. According to several groups in civil society there are, however, substantial differences between the objectives and areas of action to be undertaken under the existing three funds. The proposed regulation directs funding towards alternative (and narrower) objectives than those of the existing programmes. For example, violence against women and trafficking in human beings are no longer mentioned as focus areas but will be dealt with through funding for addressing human rights issues. In contrast to the three existing programmes, providing support for and assistance to civil society organisations is no longer an objective, nor an area of action. Many civil society organisations would have serious problems remaining in existence without the EU’s financial support.

The European Women’s Lobby has successfully addressed this problem at the European Parliament; it has adopted a resolution in which it requires the Rights and Citizenship Programme to allocate sufficient funding for combating violence against women, and that DAPHNE’s profile within it must remain high. Parliament also demands that the new programme allows funding for national projects involving small NGOs. In addition, there are indications that European Council intends to make some changes to the proposal, which is expected to be adopted toward the end of 2012 or early 2013.

Violence against undocumented women discussed in European Parliament

On 27 June, PICUM the platform for international cooperation for undocumented migrants, launched the report “Violence Against Undocumented Women in Europe - Protecting Rights and Ensuring Justice” at the European Parliament.

Undocumented women who have experienced domestic violence lack access to support, shelter and justice. Victims often face deportation if they report abuse and are therefore denied their basic rights. Members of the European Parliament June took up this issue. “When looking at access to justice, the focus should be on the crime and not the status of the victim” said MEP Jean Lambert.

The report highlights both the importance in informing women about their rights as well as explicit measures on how to protect undocumented women migrant’s rights. Undocumented women who are survivors of domestic violence lack access to support, shelter and justice. Further, MEP Jean Lambert highlighted the importance of research on how to improve current procedures concerning women migrants. Small changes in processes can make a major difference for these women; e.g. not having the husbands in the room during an interview. Participants of the event supported the need for more research and an exchange of successful practices between member states regarding the rights of undocumented women migrants.

Staff wanted

Anti-Slavery International and the Institute for Human Rights and Businesses have launched The Staff Wanted Initiative. This project seeks to raise awareness within the UK hospitality industry of the steps needed to combat trafficking, forced labour and the exploitation of vulnerable workers.
The aim is to improve the recruitment and employment of staff in the UK hospitality industry by working with business partners and other stakeholders to help identify practices that may encourage the exploitation of workers in this specific sector, and as a consequence, has a negative effect on the reputation of business. The initiative will advocate for improved practice and risk mitigation. This multi-stakeholder engagement includes individual hotels and larger chains, trade bodies, recruitment agencies, service agencies, trade unions, The Metropolitan Police, and wider civil society.

The initiative works according to the SEE formula, which is a set of simple guidelines for addressing the challenges confronting the hospitality sector:

1. Raises awareness of key issues of worker exploitation within the sector.
2. Offers a lens to view the activities and pricing structures of those agencies providing labour and other services to the hospitality industry.
3. Provides simple checks for hotel managers and supervisors to prevent exploitative practices. The project’s focus will initially concentrate on the London hotel industry in accordance with the 2012 Olympics, but will provide guidelines and tools for all businesses that can be taken to scale.

ILO Global estimate of forced labour 2012

According to the latest ILO estimates, around three out of every 1000 persons worldwide are in forced labour at any given point in time. Using a new and improved statistical methodology, the ILO estimates that 20.9 million people are victims of forced labour globally; trapped in jobs which they were coerced or deceived into and which they cannot leave. The majority of forced labourers, (68%) are exploited in economic activities, such as agriculture, construction, domestic work or manufacturing. A bit less then a quarter are victims of sexual exploitation. The remaining 10% are in state-imposed forms of forced labour, for example in prisons, or in work imposed by the state military or by rebel armed forces. Turning to the regional distribution, the Asia-Pacific region accounts for by far the largest number of forced labourers. There is a relatively high prevalence of forced labour in Central and South Eastern Europe and Former Soviet States which can be explained by the fact that the population is much lower than for example the population of Asia. while reports of trafficking for labour and sexual exploitation and of state-imposed forced labour in the region are numerous.

In the absence of solid national data, the ILO has produced a new estimate of forced labour at the global and regional levels using mostly secondary sources of information, supplemented by the results of four national surveys conducted by the ILO in collaboration with local partners. The method relies on the collection of “reported cases” of forced labour, over the 10 year period 2002-2011, from all countries in the world.

Two new databases on case law

The lack of reliable and detailed information on (successful) criminal cases against traffickers has for a long time been a major shortcoming in the international fight against human trafficking. As the prosecution of traffickers have proven to be a difficult and often long process, it is of utmost importance that good practices are shared and prosecutors, lawyers and judges can learn from international experiences. Lately, two databases on human trafficking case law have been launched.

UNODC has developed a human trafficking case law database that provides immediate, public access to officially documented court cases on human trafficking of this crime. The database contains details on victims’ and perpetrators’ nationalities, trafficking routes, verdicts and other information related to prosecuted cases from across the world. The database aims to assist judges, prosecutors,
policy-makers, media researchers and other interested parties by making available details of real cases with examples of how the respective national laws in place can be used to prosecute human trafficking.

The German Institute for Human Rights launched a case law database within the framework of the Project “Forced Labour Today”, which contains relevant cases from German and international case law with regard to trafficking in persons (for labour and for sexual exploitation). Beside criminal court decisions, the database quotes court decisions from other fields of law concerning the rights of affected persons, e.g. compensation for material and immaterial damages, wage claims, state compensation or right of residence. Both data base collection make the details of real cases with examples of how the respective national laws in place can be used to prosecute human trafficking. They can be used as a source for examples of legal lines of argument by legal practitioners representing trafficked persons. Target groups are lawyers, judges, prosecutors, counsellors of trafficked persons and persons affected by labour exploitation, but also a wider public as policy-makers, media researchers and other interested parties.

What’s new?

Annual Report of the UN Special Rapporteur on human trafficking

In the report, the Special Rapporteur, Joy Ezeilo provides an overview of her activities from 1 March 2011 to 29 February 2012. The report comprises of a thematic analysis of a human rights-based approach to the administration of criminal justice in cases of trafficking in persons. The Special Rapporteur outlines the international legal framework and reviews key components. Also for the prosecution of the traffickers, proper identification of trafficked persons is key; the Special Rapporteur calls for capacity building for all front line officials that come into contact with trafficked persons. The Special Rapporteur calls on States to provide for adequate safeguards in legislation to prevent the prosecution of trafficked persons who have committed offences because they were trafficked (such as illegal border crossing, pick pocketing or prostitution) and underlines the importance of protection and assistance not only during the trial, but preceding and following it also. She further urges States to engage in proactive investigation, employing new technologies and methods that focus on gathering evidence to prove culpability for trafficking crimes without the strong or sole reliance on the testimony of victims. Trafficked persons should not be used as instruments for criminal investigations. The Rapporteur emphasises the importance of asset seizure, both for the punishment of the perpetrator and for the redress of the trafficked persons. Lastly, Ms Ezeilo reminds States of their commitment to take on the human rights approach which means that they should be aware of the fact that certain laws and policies may have unintended negative consequences for victims of trafficking. Laws or policies that infringe the right to movement for victims or that impose mandatory detention or rehabilitation in the name of protection- are in violation of human rights laws and can deny victims the right to a proper remedy.

Freedom is the Rule. Detention is the Exception!

The new Special Rapporteur on the human rights of migrants, Mr François Crépeau presented his first annual report at the 20th session of the Human Rights Council in June in Geneva. The report focuses on the issue of detention of undocumented migrants and provides an overview of the current international and regional human rights legal framework. “The issue of migration detention is of paramount concern, given the growing tendency of states to detain migrants in an irregular situation, and in light of the wide range of human rights issues that such detention potentially has on those persons,” Mr. Crépeau said. The Special Rapporteur put emphasis on access to justice for undocumented migrants in detention and calls for: strong
procedural safeguards; attention to the special needs of vulnerable migrants; denunciation of detention as a punitive measure; and the authoritative declaration that detention of migrants should be the last resort.

In his report, Mr. Crépeau shares a range of successful non-custodial alternatives to detention, which are also considerably less expensive that detention measures. However, he warned, the success of those alternatives depends on the adoption of a human rights approach.

Migrants Rights International reacted in a statement that the Special Rapporteur’s recognition of the urgency of this issue is an encouragement. MRI will continue its efforts to document rights violations that migrants suffer under existing detention regimes, and to encourage states to see freedom as the rule, and detention as the exception for migrants.

**US TIP report 2012**

For a long time the annual Trafficking In Persons report from the US State Department was the only tool used to measure states’ compliance with international anti-trafficking legislation. The tier ranking of the report is still for many governments an important ‘mark’ for their efforts to combat trafficking. Especially because placement in Tier 3 means economical sanctions. For three years now the US also evaluates itself. Although monitoring and evaluation of the implementation of international legislation on trafficking in human beings is very important to be able to evaluate states’ efforts, La Strada International believes that this should be done by independent monitoring bodies using specific methodologies. Therefore LSI is supporting the campaign of the Global Alliance against Traffic in Women for a victim-centred review mechanism to the Palermo Protocol.

Although LSI may critique the concept of one country reviewing others, the 2012 US TIP Report gives an interesting overview of the world efforts to combat trafficking in human beings and provides much information on new insights in the anti-trafficking discourse. This year’s TIP report focuses on how to make victim protection most effective for helping trafficked persons get their lives back on track. In these pages are specific guidelines and examples of what victim protection looks like when it succeeds, as well as when it fails. The report also highlights some myths and misconceptions on trafficking in human beings. Prevailing concerns about illegal immigration continue to guide governments’ initial responses to potential trafficking victims. Trafficking indicators are missed and victims are wrongly classified as illegal migrants and criminals. The TIP report also underlines the importance of temporary residence permits, both for the recovery of trafficked persons and for the prosecution of the traffickers and debunks the fear of massive fraud. The reports calls on governments to implement the laws that they have enacted broadly and effectively in cooperation with civil society and businesses.

**Slavery on the high street**

A new research from Anti-Slavery International, Slavery on the high street, exposes how top UK high street brands are selling clothing made by girls in slavery in southern India. The research is based on interviews with over 200 former workers of spinning mills and factories of five Indian clothing manufacturers: SP Apparel, Bannari Amman, SCM, Eastman and Prem Group. Export data from two Indian ports confirms dozens of major western brands purchasing garments from these companies. The girls and young women interviewed as part of the research describe being forced to work 12-16 hours a day in prison-like conditions- many for well below the minimum wage, in poor conditions of health and safety, confined to the factory or mill even on rest days. The workers are rarely allowed visitors and even their calls home are monitored.

The research shows that subcontracting (a common, near universal business practice) combined with poverty, discrimination, insufficient and in some cases corrupt law enforcement facilitates slavery in garment supply chains. The international brands implicated are proving disinterested in
identifying slavery practices or ensuring that subcontracted suppliers are compliant with companies’ stated codes of conduct and international minimum labour standards. An article which includes interviews with young women who experienced forced labour is published as well as the list with the international brands that are linked to the Indian suppliers found to be using forced labour.

The Anti-Trafficking Review
The Anti-Trafficking Review is a new online journal published by the Global Alliance Against Traffic in Women (GAATW) that promotes a human rights-based approach to human trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights. The focus of the Review is global, exploring micro and macro levels of anti-trafficking responses and the commonalities, differences and disconnects in between.
The 1st issue of the Review explores how the ‘accountability vacuum’ affects the ability of migrants to realise their rights and entitlements; what this means for rights-based approaches to human trafficking; and the role that anti-trafficking organisations could play in promoting greater accountability.

GAATW Working Paper on human smuggling
The Global Alliance Against Traffic in Women (GAATW) has for many years expressed their concern with immigration measures that criminalise migrants and negatively affect trafficked people and affected groups. Many of these policies are framed as ‘anti-smuggling’ measures. The newly published paper: Smuggling and trafficking: Rights and Intersections focuses on smuggling partly because the Smuggling Protocol sits in the same UN convention as the Trafficking Protocol and receives much less attention, especially in terms of human rights.
GAATW members also struggle with smuggling in terms of misidentification. When authorities detain migrants, they do not always screen whether they might have been trafficked, but detain them as criminals, as ‘smuggled’, or as ‘irregular’ and then deport them before they have a chance to seek or receive entitled rights. If people labelled as ‘smuggled’ are not receiving their rights, it follows that some non-identified trafficked people are not either.
This paper examines the human rights that migrants have in smuggling situations, the intersections between human smuggling and human trafficking, and the language that different stakeholders use to talk about human smuggling.

The need for evidence-based theory and legislation on sex trafficking
In his paper “Sex trafficking and the sex industry: the need for evidence-based theory and legislation”, Ronald Weitzer describes the oppression paradigm that is responsible for much of the mythology of trafficking into the sex industry. This oppression paradigm depicts all types of sexual commerce as institutionalised subordination of women, regardless of the conditions under which it occurs. The perspective does not present domination and exploitation as variables but instead considers them core ontological features of sexual commerce. The paper contrasts this monolithic paradigm with an alternative – one that is evidence-based and recognises the existence of substantial variation in sex work. This polymorphous paradigm holds that there is a broad constellation of work arrangements, power relations, and personal experiences among participants in sexual commerce. A growing number of researchers have challenged the oppression model’s claims, yet their criticisms have yet to gain serious attention from American lawmakers. This paper analyses the claims made by those who embrace the oppression model, identifies some legal and policy implications of this paradigm, and offers an evidence-based alternative.

Critical evaluation of the Swedish Law that Criminalises Clients
In the fourth issue paper of Rights Work, the Swedish law to criminalize clients: a failed experiment in social engineering, Ann Jordan from the US Center for Human Rights & Humanitarian Law, evaluates the Swedish law to criminalise clients of prostitutes as an instrument in the fight against trafficking in human beings. In 1999, the Swedish government embarked on an experiment in social
engineering to end the practice of purchasing commercial sexual services. The government enacted a new law criminalising the purchase (but not the sale) of sex (Swedish Penal Code). It hoped that the fear of arrest and increased public stigma would convince men to change their sexual behaviour. The government also hoped that the law would force the estimated 1,850 to 3,000 women who sold sex in Sweden at that time to find another line of work. Lastly, the government hoped that the law would eliminate trafficking into forced prostitution and the presence of migrant sex workers.

In this paper, Jordan concluded that the experiment has failed. In the thirteen years since the law was enacted, the Swedish government has been unable to prove that the law has reduced the number of sex buyers or sellers or stopped human trafficking. All it has to show for its efforts is (contested) public support for the law and more danger for street-based sex workers. Despite this failure, the government has chosen to ignore the evidence and proclaim the law to be a success; it also continues to advocate that other countries should adopt a similar law.

**Forced labour in the UK: the business angle**

This new [paper](#) from the Joseph Rowntree Foundation examines the business structures, processes and pressures that may drive or facilitate the use of forced labour in the UK. The paper makes recommendations to the business community, governments, trade unions and migrant community organisations, to help reduce exploitation. Findings indicate that forced labour is found in a number of sectors of the UK economy; intensification and pressure to reduce labour costs increases the risk of using forced labour; migrant workers are particularly vulnerable to exploitation and high concentrations of migrant workers are found in the industries in the report; and that the use of subcontracted and agency labour in long supply chains can lead to less formal and more exploitative labour conditions with labour providers or agencies acting illegally.

**Fundamental principles and rights at work: From commitment to action**

This is the [first Global Report](#) discussing fundamental principles and rights at work in an integrated manner. It will inform the discussion of ILO constituents at the forthcoming International Labour Conference in June 2012. The report analyses the use of fundamental principles and rights (including elimination of forced labour) in trade agreements, the impact of ILO’s standard-related work as well as promotional activities, the challenge of enforcement and gaps in the realisation of fundamental rights at work.

**Effective Protection for Domestic Workers: A guide to designing labour laws**

The ILO has developed a [practical tool](#) for those involved in national legislative processes and in the design of labour laws, including government officials and representatives of workers’ and employers’ organisations. This guide discusses alternative approaches to regulating domestic work, the nature and characteristics of domestic work, the forms of employment relationships that may exist, and their implications for regulation.

**US Visas system leads to exploitation and abuse**

The US-based organisation Global Workers Justice Alliance has published the report [Visas Inc: Corporate Control and Policy Incoherence in the U.S. temporary Foreign Labor System](#) in cooperation with international labour rights expert, Ashwini Sukthankar. The report delves into the changing landscape of United States employment by an expanding system of guest worker visas that are issued to hundreds of thousands of foreign workers. It provides the first comprehensive analysis of the many visas that employers use and misuse to bring foreign workers into the U.S. The report identifies patterns of abuse affecting both foreign workers as well as the U.S. workers who may be displaced. It also includes research in some of the countries that send
workers to different U.S. industries: Mexico, China, India, Philippines, Jamaica and Guatemala. The system is vulnerable to misuse by employers who use foreign labour to undermine established wages and working conditions in the U.S. For nearly every relevant visa category, internal governmental reviews have documented exploitation of foreign workers, and displacement of American workers. The result is that U.S. workers are losing out on opportunities, and foreign workers have almost no protection from exploitation, unpaid wages, unsafe conditions and even trafficking and other abuses. Visas Inc. highlights nine categories of visas where American workers have been undermined or replaced with lower-paid foreign workers and where foreign workers have been subject to abusive treatment.

**Global Workers Justice Alliance** (Global Workers) combats worker exploitation by promoting portable justice for transnational migrants through a cross-border network of advocates and resources. Global Workers believes that portable justice, the right and ability of transnational migrants to access justice in the country of employment even after they have departed, is a key, underestimated element to achieving justice for today’s global migrants.

**The role of migration**

The intergovernmental Organisation for Economic Co-operation and Development (OECD) analyses in its annual report the recent developments in migration movements and policies in its countries. Each edition provides the latest statistical information on immigrant stocks and flows, immigrants in the labour market, and migration policies. This 2012 edition covers all OECD countries, as well as the Russian Federation, Bulgaria, Romania and Lithuania. Two special chapters complement the information on movements and policies: “Renewing the skills of ageing workforces: The role of migration” and “The Changing Role of Asia in International Migration”. The publication also features country profiles and a statistical annex.

**What’s new on the web?**

**New Website on the Optional Protocol to CEDAW**

A new website was launched recently on the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The website aims to encourage greater engagement with the Optional Protocol by providing a central hub of material for women, advocates, academics, lawyers, students, NGOs and others. The website brings together (in an accessible format) all of the Optional Protocol decisions and inquiry findings. It lists them by country, subject matter, decision type and year.

**ILO Normlex**

Normlex is a new information system, developed by the International Labour Organisation, which brings together information on International Labour Standards (such as ratification information, reporting requirements, comments of the ILO's supervisory bodies, etc.) as well as national labour and social security laws. Normlex has been designed to provide comprehensive and user friendly information on these topics and includes the NATLEX database as well as the information which was previously contained in the former APPLIS, ILOLEX and Libsynd databases.

**Frontex Observatory**

Statewatch, a UK based organisation that monitors the state and civil liberties in Europe, has launched a Frontex Observatory to provide information on the work and function of Frontex, the European Agency for the Management of Operational Coordination at the External Frontiers of the Member States of the European Union. The purpose of this observatory is to analyse and document the role and activities of Frontex, covering the legislative basis of the agency, analysis and opinion news articles and other EU policy areas involving Frontex. This initiative is aimed particularly at researchers, civil society organisations, academics, students, journalists, lawyers and parliamentarians.
The Freedom Registry launches in the US

The Freedom Registry is a database of organisations, agencies and institutions working to address exploitation, human trafficking and modern day slavery within the United States. The database includes a wide range of organisations against trafficking- from faith based organisations and feminists to workers’ rights organisations. The public-facing database serves to inform the media, students, academics and donors about the state of the movement, as well as to help potential volunteers find opportunities for placement. The project is currently being replicated in Canada (to be launched in late 2012).

What’s happening where?

- 4-5 July, EWLA international conference on human trafficking, Bristol, United Kingdom
- 7 July, GIFT BOX Unwrapped!, London, United Kingdom
- 10 July, Launch of the EU-27 figures on forced labour and human trafficking, Brussels, Belgium
- 11 October, Special event on Compensation to the Alliance against Trafficking in Persons seminar, Vienna, Austria
- 11-12 October, OSCE Alliance against Trafficking in Persons High Level Seminar on discrimination and human trafficking, Vienna, Austria
- 18 October, EU Anti-trafficking Day, Brussels, Belgium

What’s on your mind?

Businesses and the question of demand

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The question of ‘demand’ has not dissipated. However, some of the debates about what it means and what needs to be done to reduce ‘demand’ have metamorphosed and moved away from a narrow focus on men and boys who pay for sex with trafficked women or children. The legal obligation of governments to take action in response to demand in relation to human trafficking started with the UN Trafficking Protocol (2000). This requires States to “take or strengthen measures, such as legislative, educational, social or cultural measures, including bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking”.

The Council of Europe Convention on Action against Trafficking in Human Beings (2005) repeats much of the same requirement. It is a little more specific in Article 6 about what is required, referring to “research” (on best practices, methods and strategies), “raising awareness” (about demand as one of the root causes of human trafficking, “information campaigns” and “preventive measures” to integrate issues such as “the importance of gender equality” in the school curriculum). At this point a lawyer seeking to understand precisely what is sought by the Convention might reasonably be baffled. The official commentary on the Convention offers some help. It points out that action is required to discourage demand in respect of all forms of exploitation (so, not just in the sex industry).

The past five years have seen a stronger focus on men, women and children trafficked for the purpose of forced labour, which has raised further questions about what governments or others are
required to do by anti-trafficking conventions and protocols to discourage demand. For campaigners on some issues, such as child labour and blood diamonds, this is a familiar field: it was back in the 1980s that a campaign aimed at consumers was launched in Germany about carpets which were made by bonded child workers in India and other parts of South Asia. Efforts to influence consumers eventually resulted in the establishment of a ‘Rugmark’ in India (now known as GoodWeave), which was intended to guarantee that particular carpets were not made by children who were considered too young to be working.

Within the Organisation for Security and Co-operation in Europe (OSCE), various papers have been commissioned on the measures that businesses and others can take to ensure that they do not purchase (directly or indirectly) the services of or products made by people who have been trafficked. I presented a paper on this topic at an OSCE conference in June 2011. This referred to new international standards concerning business and human rights (known as the Guiding Principles for the Implementation of the United Nations ‘Protect, Respect and Remedy’ Framework, prepared by Professor John Ruggie- the UN Secretary-General’s Special Representative on the issue of human rights and transnational corporations and other business enterprises,) and suggested that the OSCE could help educate governments about their duties to ensure that businesses respected human rights in general and could potentially help the business world focus on the measures that would be most effective in protecting human rights both in their own workplaces and those of their suppliers.

Businesses can potentially use their purchasing power to affect a wide range of abuse: not just trafficking, but other violations of human rights in and outside the workplace and also commercial activities which harm the environment. Once our focus on ‘demand’ is not restricted to the narrow confines of the sex industry, the scope of efforts to discourage demand becomes much broader, affecting all sorts of consumer decisions about buying food, clothing and electrical goods. However, influencing the purchasing decisions of individual consumers is much harder than influencing decisions made by businesses, raising the question whether efforts to discourage demand should focus specifically on businesses or should be wider. Ultimately, consumer power is needed to push businesses to be more responsible and it is the behaviour of retailers that is crucial.

Outside Europe, several countries have gone further. In 2005 Brazil, where the term ‘slave labour’ is used to refer to forced labour, established a National Pact to Eradicate Slave Labour. Businesses signing the Pact guaranteed that they will not use forced labour themselves, or tolerate the use of slave labour in their supply chain, or do business with companies which do. As there is a likelihood that some businesses might join the Pact without intending to meet its requirements, one of the organisations on the Pact’s steering committee, an NGO composed of journalists (Repórter Brasil), investigated the ‘supply chains’ and ‘product chains’ of businesses to check whether they are buying from or selling to other businesses which profit from forced labour. Elsewhere, in the United States, a new law came into force in January 2012 in the State of California, the Supply Chain Transparency Act, requiring companies operating there that do business worth more than US $100 million a year to disclose information upon request about their efforts to ensure that their supply chains are free from slavery and human trafficking.

The message is that consumers have a role to play, but it is decisions made by businesses that need influencing.

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