



## La Strada Czech Republic - Research on Trafficking for Forced Labour

In May 2006, La Strada Czech Republic published a report entitled "[Trafficking in Human Beings and Forced Labour or Labour Exploitation in the Czech Republic](#)". It is based on the findings of research carried out in 2005 and describes legislation in the area as well as other mechanisms available in the Czech Republic to be used to suppress and eliminate forced and exploitative labour and human trafficking for these purposes. Furthermore, the findings include information on nationalities of persons living in the Czech Republic in conditions of forced or exploitative labour, on methods of coercion as well as on industries in which forced or exploitative labour seems to appear with highest frequency. The La Strada Czech Republic research has been financially supported by the AGIS Programme of the European Commission and is linked to similar researches conducted by Anti-Slavery International, Migrant Rights Centre, and APAV (Association for Victim Support) in, respectively, the UK, Ireland and Portugal. A common research report containing essential information from all four researches will be available in October 2006.

## New Trafficking Law?

The Czech Ministry of Interior, a leading government agency in terms of anti-trafficking policy and initiatives, has announced an intention to start working on a draft law specifically focusing on human trafficking. Both, governmental and non-governmental organisations involved in the National Action Plan have been asked to provide the Ministry with ideas and input with regard to the contents of such law. A working group is going to review the input and deliberate on the further procedure and contents of the future law in October 2006. La Strada Czech Republic has been and will be actively participating in the above initiatives. However, the question whether the idea to draft a special law on human trafficking is a way of bringing back the legislative regulation of prostitution under a different heading or a serious attempt to comprehensively address the issue of human trafficking remains to be seen.

## What's going on ?

### World Cup and Trafficking?

In the last LSI newsletter (Issue 2), Baerbel Uhl commented on the big campaigns that were launched this year with the aim of preventing the World Cup in Germany to turn into a market for trafficking. Estimates circulating in the news claimed that up to 40.000 potential victims of forced prostitution would be trafficked into Germany to please football fans. After the tournament, there was only one conclusion that anti-trafficking NGOs, the media and the organisers and donors of the campaigns could draw: all data, information and experts' statements that are available to date strongly indicate that an increase in human trafficking, during and after the World Cup, did not occur. Also none of the La Strada member organisations received information on referrals on trafficking cases explicitly related to the World Cup event. This is also the conclusion from the [evaluation research](#) on the effects of the campaign that was done by IOM and Swedish International Development Cooperation Agency (SIDA). They conclude that prevention campaigns and increased law enforcement efforts during the World Cup may have reduced the risk of trafficking, but there are no data to prove this.



German anti-trafficking organisations have reported that although some public awareness to trafficking was raised because of the campaigns, the media hype that resulted also had negative effects: it led to discussions on a possible EU regulation, introducing obligatory visas specific to football events. Moreover, Germany's laws on prostitution were criticised and prostitutes were stigmatised by the conflation of 'Sex and Crime' in the public discourse. Also, more raids on brothels were conducted and several undocumented prostitutes were deported. The highly exaggerated estimates of 40.000 trafficked persons were arguably counterproductive and led to a trivialisation of human trafficking, expressed by the fact that some media representatives and other public figures concluded that 'human trafficking is not an important topic, meaning it doesn't exist' at all.

## Demand Report by the UN Special Rapporteur on Trafficking

In February this year, Sigma Huda, the UN Special Rapporteur on trafficking in persons, especially in women and children, launched her first report entitled: "Integration of the Human Rights of Women and the Gender Perspective". The report focused on sex trafficking and the role of the prostitute-user in stimulating demand and called for the criminalisation of clients. Amongst others, La Strada International wrote a [critical reaction](#) to the report, focussing on the poor and biased research methods, the conflation of trafficking and prostitution and the complete lack of a human rights based approach.

In September this year, during the second session of the UN Human Rights Council, the report was discussed by Member States. La Strada International and the Global Alliance against Trafficking in Women attended the meeting and presented both an oral and a written statement. La Strada was disappointing that only a few Member States expressed some criticism to the report. Whether one agrees or disagrees with the conclusions, it is extremely important that official UN reports are soundly grounded in evidence and objectivity. Biased methodology and assumptions are not a sound basis for making UN policy recommendations.

Overall, GAATW and La Strada felt that it was important that a voice was present in the Commission to raise concerns about the Special Rapporteur's report, especially on the simplistic, empirically unsupported solutions proposed by her and the narrow view of demand presented in the report. We maintain that the issue of demand should be discussed in all its complexity and states should not be led to believe that by criminalising prostitution they can address the demand for trafficked persons' labour or cheap labour or even exploitation within prostitution. States must be held accountable for the model of development they are adopting, which is increasing the vulnerability of many women and men. A full report of the HRC meeting and the reaction of several NGOs to the Sigma Huda report can be found on the website of the [Global Alliance Against Trafficking in Women](#). The next report of the special Rapporteur will be on forced marriages.

## Special day on Trafficking at the Human Dimension Implementation Meeting

The Office for Democratic Institutions and Human Rights (ODIHR) organizes an annual meeting in Warsaw to review the implementation of a broad range of OSCE human dimension commitments, including in the areas of human rights and fundamental freedoms, elections, the promotion of tolerance, use of the death penalty, and the rights of national minorities. The Human Dimension Implementation Meeting (HDIM) lasts 10 working days and is attended by representatives of OSCE participating States, NGOs, and international organisations and institutions.

This year, ODIHR had organized a [special day on trafficking](#) on Tuesday 3 October and invited Terre de Hommes, ECPAT, Anti Slavery International and La Strada International to discuss identification and protection of trafficked persons at the lunch side event. The afternoon plenary focused on the demand side of trafficking with presentations by Julia O'Connell Davidson and Bridget Anderson who are known for their researches on the issue of demand in various sectors where trafficking occurs. On behalf of the Alliance Expert Coordination Team, La Strada International presented the [AECT statement on demand](#), which was welcomed by several delegations.



Professor Julia O'Connell Davidson

## Palermo Protocol implementation

Every year, Member States that have signed and ratified the Palermo Protocol on Trafficking get together in Vienna, Austria, to discuss the implementation at the Conference of State Parties to the Convention Against Transnational Crime and its Protocols. This year, La Strada International, together with the Global Alliance Against Women and Anti Slavery International organised a side event entitled **Protection of Trafficked Persons - A Human Rights Approach**.

At the plenary sessions, country representatives made statements on their accomplishments in the fight against trafficking. At the side event, the panel members, including Helga Konrad, the former OSCE special representative on trafficking, took the opportunity to have a closer look at the implementation and effectiveness of the measures taken by governments, focussing on the Articles 6, 7 and 8, that deal with the protection of trafficked persons. A full report of the side event can be found [here](#).

## Council of Europe: Which stance to take?

On 13 September 2006, the Council of Europe organised a debate on prostitution in Paris to discuss with parliamentarians and experts a comparative study on the legal situation of prostitutes in the organisation's 46 member states. Legal in some countries, illegal and outlawed in most of them, prostitution divides Europeans. According to a motion for a resolution of members of the Parliamentary Assembly of the Council of Europe (PACE), the differing attitudes negatively impact on cooperation in the fight against forced prostitution, the one and only form of prostitution unanimously condemned in Europe.

Earlier this year, Mrs Cliveti, the chairperson of the PACE Committee on Equal Opportunities for Women and Men, and other parliamentarians launched a motion on prostitution and trafficking that acknowledges that the opinions on prostitution are divided in Europe. Some consider prostitution to be "the oldest profession in the world" and thus favour decriminalisation and regulation. Some consider prostitution to be a crime, and thus favour outlawing it and punishing prostitutes, pimps and/or clients. All agree, however, that one form of prostitution is intolerable: forced prostitution. Unfortunately, the differing attitudes to prostitution in Europe negatively impact on cooperation between Council of Europe member states even when it comes to combating forced prostitution and trafficking in women for the purpose of sexual exploitation. Therefore, the motion calls for a common approach on trafficking, even if states have very different approaches to prostitution.



## Eva Biaudet appointed as the OSCE Special Representative on combating Human Trafficking

On October 19 2006, Eva Biaudet, Member of Finnish Parliament, has been appointed as the new [OSCE Special Representative](#) on Combating Trafficking in Human Beings. She will assist the 56 OSCE participating States in implementing the OSCE Action Plan to Combat Trafficking in Human Beings, adopted at the December 2003 Maastricht Ministerial Council.

During her tenure as minister, Ms Biaudet launched a Nordic-Baltic campaign against trafficking and was strongly engaged in raising awareness and fostering public debate on the problem. As a Member of Parliament, she has helped shape Finnish legislation on trafficking. She has also participated for many years in the human rights work of non-governmental organizations, especially in the field of child protection, gender and refugees.

## What's new ?

### UNODC Toolkit

The United Nations Office on Drugs and Crime (UNODC) launched a [toolkit](#) to help governments, policy-makers, law enforcement agencies and non-governmental organisations (NGOs) tackle human trafficking more effectively. It contains practical tools for police and other law enforcement officers such as a checklist to help identify trafficking victims as well guidance on interviewing victims and victim protection.

The toolkit also outlines key aspects of a comprehensive response to human trafficking, such as the need to bring national legislation into line with international standards and strengthen international cooperation in criminal justice, including the extradition of criminals, seizure of assets and confiscation of the proceeds of crime. It presents good practices both in measures and laws and in the implementation and actions taken. For example, Italy is mentioned as a good practice in policy making by granting residence permits and social assistance to trafficked persons regardless of their cooperation with law enforcement.

Needless to say that La Strada is very happy that these kind of good practices are promoted by the UNODC!

## Domestic Workers Abused Worldwide

In July, Human Rights watch launched the report, "[Swept Under the Rug: Abuses Against Domestic Workers Around the World](#)". The report synthesizes research since 2001 on abuses against women and child domestic workers originating from or working in 12 countries in all parts of the world except Europe.



Domestic workers face a wide range of grave abuses and labour exploitation, including physical and sexual abuse, forced confinement, non-payment of wages, denial of food and health care and excessive working hours with no rest days. Governments typically exclude domestic workers from standard labour protections and fail to monitor recruitment practices that impose heavy debt burdens or misinform the workers about their jobs. Human Rights Watch reports that the numbers of women migrants has increased significantly over the last three decades, and they now comprise approximately half of the estimated 200 million migrants worldwide. Human Rights Watch urged governments to extend key labour protections to domestic workers, establish minimum standards of

employment regionally to prevent unhealthy competition, and ensure that employers and labour agents are held accountable for abusive practices. They should also prioritise the elimination of the worst forms of child labour, including child domestic work.

**Out of the Shadows - Organising Domestic Workers, towards a protective regulatory framework for domestic work**, a report of the international conference organised by the ETUC (European Trade Union Confederation), with the collaboration of PICUM and IRENE in Brussels, 14-15 April 2005, is now available on the [ETUC web site](#).

## Migration Processes in Central and Eastern Europe: Unpacking the Diversity

The Multicultural Centre Prague has released a publication that looks into various, previously unexplored aspects of migration processes in the region. It originated from a series of papers presented at the [Workshop](#) on Developments and Patterns of Migration Processes in Central and Eastern Europe, organised at the Faculty of Humanities of Charles University in Prague in August 2005. The institutional and policy developments in the field of migration and asylum have been shaped by the expansion of the European Union, as well as by the dynamics of migration and refugee flows, including their perceptions, in respective nation-states. Diverse strategies and practices both on the part of migrants and local populations have emerged in response to the efforts to control and organise migration in the region.



The topics of articles range from the Duldung trauma of Bosnian refugees in Berlin (the 'toleration' status keeps asylum seekers in constant fear of losing residency rights and being deported), the impact of EU enlargement on Moldova's 'three and a half' borders, mobility of German retirees to Hungary and exploitation of Ukrainian labour migrants in the Czech Republic to comparisons of internal and international migration of Bulgarian Muslims. The fourteen articles, accompanied by interviews with representatives of non-governmental organisations, are organised in the four following sections: Construction of Borders and Practices of Labour Migration, Migration through Gender, Age and Class Perspectives, Refugees in Central and Eastern Europe, Normative and Methodological Discussion of Migration and Integration. The publication is available online at a [specialised website on migration in Central and Eastern Europe](#).

## Stolen Smiles

In order to provide fact-based information on the range of health consequences of trafficking the London School of Hygiene and Tropical Medicine conducted a research on the Physical and Psychological Health Consequences of Women and Adolescents Trafficked in Europe. The report is meant to lead to better, more holistic care for women who have been trafficked. La Strada Czech Republic and Animus Foundation (La Strada Bulgaria), together with five other service organisations providing assistance to trafficked women, participated in the research. The research brings thorough information on physical, mental, sexual and reproductive health symptoms of trafficked women and provides clear arguments in favour of appropriate assistance and support to be available to trafficked women to minimise the negative effects of trafficking and enable them to take control over their lives and regain independence. [The summary report](#) on the research in English is already available; the full report will be published in November 2006.



## Human Rights Assessment Online

[The Human Rights Impact Resource Centre](#) (HRIRC) is an online database which brings together a wide range of information and documentation on the subject *Human Rights Impact Assessment* (HRIA). Measuring human rights has become an issue of growing interest to policy makers, non-governmental organisations (NGOs) and academics. There is a growing amount of information and documentation available on the subject, which is often dispersed and difficult to find. The HRIRC aims to fill this gap by providing a platform to bring together, share and disseminate all sorts of information on HRIA.

## Violence Against Women is a Human Rights Violation



### Secretary-General's in-depth study on violence against women

The office of Secretary-General Kofi Annan's issued a report, entitled "[In-depth study on all forms of violence against women,](#)" that confirms that violence against women by spouses, family

members and employers is a human rights violation, settling any outstanding debate on this issue. By squarely stating that it is, the report says that governments have an obligation to protect women whether the perpetrators are state or non-state actors. The report describes promising practices in the fight against violence against women, but dismisses state efforts so far as mostly ineffective. Even with a sophisticated analysis of the problem and, in certain cases, strong laws related to this violence, most national-level responses have been inadequate, and have not eradicated the impunity perpetrators too often enjoy.

The study highlights the need for additional attention to violence suffered by women from marginalized groups (such as indigenous peoples or ethnic minorities). The report also draws attention to the problem of under-documentation of violence and control of women's bodies and sexuality as an insidious component of gender inequality. In addition, the study addresses violence in conflict situations, pertinent issues related to criminal justice systems, service provision for survivors, the need to work with men to address violence, and needs of women who are facing multiple forms of discrimination. The report's recommendations are directed at member states and at various entities within the UN system, and include a call to document and register all forms of violence against women and to provide leadership at all levels in the condemnation and prevention of violence against women.

## What's happening where ?



### **Council of Europe Action against Trafficking in Human Beings: Prevention, Protection and Prosecution, Oslo, 1-2 November 2006**

The fourth information and awareness raising seminar in the framework of the [Council of Europe Campaign against Trafficking in Human Beings](#) is organised in Oslo on 1-2 November 2006 by the Equality Division of the Directorate General of Human Rights of the Council of Europe in cooperation with the Norwegian Ministries of Foreign Affairs and Justice and the Police. It will bring together Council of Europe keynote speakers and national officials with expertise in human rights and with expertise in criminal and prosecution matters, as well as representatives of relevant national NGOs, from Belgium, Denmark, Ireland, Moldova, the Netherlands, Norway, the Russian Federation and the United Kingdom.

### **OSCE - ATAU Conference of Trafficking in Human beings for Forced/Bonded Labour – Prosecution of Offenders, Justice for Victims, Vienna, 16 -17 November**

This conference will address issues of practical implementation in the field of international instruments, national legislation and prosecution of cases of trafficking for labour exploitation. Subsequent to the ratification of the UNOTC, the challenge for the OSCE participating States is the implementation of their commitments and obligations, in particular the need to have a clear and operative legislation and systems in place which can contribute towards successful prosecutions. With this in mind, the conference will provide a venue for exchanging information and networking among practitioners from the participating States, including NGOs and international organizations working in this field. The agenda will include presentations of national examples throughout the OSCE region, the state of prosecution in the European Union, as well as access to justice for trafficked persons.

### **IRENE International Seminar on Domestic Workers, Amsterdam 8-10 November 2006**

Domestic workers are not normally considered as employees, their work is undervalued, and their working conditions remain, in essence, unregulated. In some countries they are denied the right to organise in trade unions. This of course leaves them vulnerable to abuse, especially considering the fact that most of these workers are migrant women or even children. Within the trade unions there is a growing attention for this group. This international seminar aims at better cooperation between NGOs, labour unions and the ILO on this matter. [www.irene-network.nl/oncoming.htm](http://www.irene-network.nl/oncoming.htm)

### **Council of Europe Seminar on the protection of the victims of trafficking in human beings and co-operation aspects to combat trafficking in human beings, Greece, 5-6 December**

Organised in cooperation with the relevant Greek ministries, in particular the Ministry of the Interior, Public Administration and Decentralisation. The seminar will bring together experts from up to 15 countries (CIS, South-eastern Europe).

**Directorate General for Human Rights and the CoE Commissioner for Human Rights. "Protecting and Supporting Human Rights Defenders in Europe" 13-14 November 2006 , Strasbourg.** The meeting will bring together human rights defenders from different European countries as well as some government representatives of COE member states to discuss the situation of human rights defenders and to identify measures to be taken for their protection within the Council of Europe.

### **La Strada Bosnia and Herzegovina Regional Conference in memory of Olena Popik, Ukrainian victim of trafficking who died in Mostar, BiH back in 2 November, 2004.**

The topic of the Conference will be "Harmonizing the work of GO and NGO sector of BiH in the field of Anti-trafficking:-lessons learnt". The Conference will take place in Sarajevo/BiH on 2-4 November, 2006.

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