



Newsletter

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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.nl) by 1 March 2011 if you have news, information about your organisation, a new report or documentary or an outspoken opinion on (inter)national developments.

Inside this issue

La Strada News 1

LA STRADA
MOLDOVA TRAINS
LAW ENFORCEMENT
OFFICIALS

NRM ADOPTED IN
BULGARIA

LAUNCH OF ENPATES

What's going on? 4

EC APPOINTS NEW
ANTI-TRAFFICKING
COORDINATOR

RIGHT GUIDE
LAUNCHED

EU EXPERT GROUP
MEETING

What's new? 8

REPORT WOMEN'S
LABOUR MIGRATION

UN.GIFT VITA TOOL

OHCHR PRINCIPLES
AND GUIDELINES

What's on your mind? 10

ANNE T. GALLAGHER:
THE INTERNATIONAL
LAW OF HUMAN
TRAFFICKING

La Strada News !

Bene Merito distinction for Stana Buchowska

On 16 November, on the Polish Foreign Service day, Stana Buchowska, executive board member of the La Strada Foundation against Trafficking in Persons and Slavery (La Strada Poland), was honoured with the Bene Merito Decoration of Honour, at the Presidential Palace in Warsaw, Poland. This distinction, awarded by Radoslaw Sikorski, the Minister of Foreign Affairs, was established by a decree of the Council of Ministers on 5 November 2009 for Polish and foreign citizens, whose activities strengthen Poland's position in the international arena. Stana Buchowska was awarded the price, for her active role in the international anti trafficking field and for representing the Polish state internationally. "I feel honoured to have been awarded and to be recognised for the work I and my colleagues do, and I hope it will help to get more support for our work, also financially. Our organisation still faces difficulties in getting sufficient funding for our anti trafficking programmes", stated Stana Buchowska.



Launch of ENPATES

In September 2010, ENPATES, European NGO Platform against Trafficking, Exploitation and Slavery, was launched by several European NGOs, among which La Strada International. The main goal of the ENPATES project is to set up an NGO Platform which meets the relevant needs of anti-trafficking NGOs in Europe, with regard to better and easier transnational cooperation in their anti-trafficking work. The main objectives of ENPATES are to enhance the information exchange among European NGOs, to facilitate contacts and coordination of actions among organisations providing assistance to trafficked persons and to facilitate networking between NGOs for different purposes. In order to create a structure that in practice meets NGOs' needs, a feedback questionnaire was developed for NGOs that would like to join. The outcomes will be used to shape the Platform further, at a first platform meeting in April 2011 in Rome, Italy. NGOs interested to learn more about ENPATES and the questionnaire can contact [Wiesje Zikkenheiner](mailto:Wiesje.Zikkenheiner@lastrada.nl).



Bulgarian National Mechanism for referral and support of trafficked persons adopted

In 2008, Animus/La Strada Bulgaria in cooperation with La Strada International launched a project for the development of a [National Mechanism for Referral and Support of Trafficked Persons in Bulgaria](#). The initiative received the complete support of the Bulgarian National Commission for Combating Trafficking in Human Beings. The project was financed by the MATRA program of the Ministry of Foreign Affairs of The Netherlands. The mechanism was officially adopted on 23 November, at a session of the Bulgarian National Commission for

Combating Trafficking in Human Beings. At a conference on 25 November, the mechanism was presented to the general public.

"The project is a great achievement for all of us since it clearly demonstrates that civil society and state institutions' efforts yield excellent results when there is a common goal and shared understanding of the relevance of an issue. The National Referral Mechanism reflects the long-standing experience of Bulgarian NGOs in provision of services to trafficked persons; all the provisions within the Mechanism have already been tested in practice and are in line with Bulgarian legislation. On the other hand, the Mechanism would hardly have been feasible, if it hadn't been for the support of all state structures involved in counteracting trafficking and responsible for protection of trafficked persons" stated Nadia Kozhouharova of the Animus Association.

The Mechanism ensures partnership among all stakeholders and has been made possible by a workgroup which was established among experts from all state departments and representatives of international and local NGOs who are involved in the process of victim support. Ms. Baerbel Uhl, chair of the Expert Group for Trafficking in Human Beings of the European Commission, supervised its activity. The adopted mechanism (document) describes the procedures and roles of all stakeholders, including the referral system of trafficked persons to services and programmes. It is an open and dynamic document and should change in accordance to any new developments in national legislation, in the forms and methods of exploitation, new risk groups and regions, the current needs of the victims and other changing tendencies in the phenomenon of trafficking in persons. Nadia Kozhouharova: *"Bulgaria is still high on the list of countries of origin of trafficking victims for the purposes of sexual and labour exploitation. In addition, the number of children victims of trafficking is significant. An increase in the number of victims from countries for which Bulgaria is a country of destination or transit of trafficking is also expected. In these circumstances, it is imperative for an effective victim support system to function properly. The Mechanism can be seen as a tool which supports and monitors the Bulgarian government's actions to fulfil its commitments as an EU member in the fields of counteraction of trafficking in human beings and victim support"*.

La Strada Macedonia signs Memorandum for cooperation with Ministry of Education

On 2 December 2010, Open Gate/La Strada Macedonia signed a Memorandum for cooperation with the Macedonian Ministry of Education and science for the implementation of public awareness and prevention activities on the issue of human trafficking. These activities are in line with the Macedonian National Strategy and Programme for combating trafficking in human beings and illegal migration (2009-2012) adopted by the Macedonian government. The planned prevention and information activities have a special focus on protection and enhancement of human rights and freedom and will target specific vulnerable groups of young people in all educational institutions in the country.

New Ukrainian draft laws on child protection from violence and exploitation

Two draft laws on child protection from violence and different forms of exploitation are proposed to the Verkhovna Rada (Ukrainian Parliament), the main legislative body of Ukraine. Both documents are amendments to the administrative and criminal responsibility laws in cases of child trafficking, prostitution and exploitation. The new draft laws, 7390 and 7391, were developed by a working group consisting of experts in child rights' law improvement. The group was established in 2009, initiated by La Strada Ukraine with support of UNICEF. The amendments include implementation of child-friendly procedures during trials or investigations and elimination of the responsibility for children aged 16-18 involved in prostitution, replaced by responsibility for persons who obtain sex services from children. For the development of the draft laws, a fundamental law research was conducted by La Strada Ukraine.

La Strada Moldova trains law enforcement on interviewing trafficked children

More than 170 representatives from law enforcement bodies were trained on the principles, methodology and tactics to be applied when interviewing child victims or witnesses of commercial sexual exploitation, during a first round of thematic seminars, provided by La Strada Moldova. These took place in the period May – November 2010. The seminars targeted police inspectors on child issues, criminal investigators as well as prosecutors from the country regions, where the National Referral Mechanism for the identification and assistance of (potential) trafficked persons, is already in place and functioning. The seminars were initiated after an analysis on the issue was conducted in 2008-2009, resulting in a thematic [Rapid Assessment Report](#). The assessment report indicated that currently investigative interviews with children are limited to a series of questions addressed by a criminal prosecution officer, prosecutor, social worker or psychologist, who expects certain answers. In the majority of cases children do not understand what, or which crime, happened to them and correspondingly do not report these to law enforcement or social services, preferring to share their experience with friends or relatives only. The analysis and cooperation with law enforcement has made clear that mediation of contacts between police officers and child victims will shorten the criminal proceedings, while improving the quality of evidence, which contributes considerably to prevention of secondary traumatising of the child.

A need has been identified to change the preparation, organising and conducting of investigative interviews, ensuring respect for the best interest of the child and improvement of the quality of evidence collected by criminal prosecution officers. One of the methods recommended - and now implemented - is the use of a child (friendly) interviewing room, specially equipped with video devices supported by trained staff and a specially trained team to conduct legal interviews with child victims (of sexual crimes in particular), launched since this autumn within the La Strada Moldova centre. This initiative is expected also to reduce secondary victimisation and additional trauma. The next phase of seminars on the same topic will target social workers and psychologists and is planned for the beginning of 2011.

Free anti-trafficking hotline launched in the Czech Republic

On 18 October 2010, EU anti-trafficking day, La Strada Czech Republic launched a free hotline for trafficked persons. La Strada's hotline has been operational in the Czech Republic since 1998, but until now callers had to pay a normal tariff. „*This is an important progress for us*” says Irena Konečná, director of

Hours of operation of La Strada Czech Republic's hotline: **(+420) 222 71 7171**

Monday: 10.00 – 14.00 (Czech and Russian)

Tuesday: 10.00 – 16.00 (Czech and English)

Thursday: 10.00 – 16.00 (Czech)

800 07 77 77 (free calls inside the Czech Republic)

Wednesday: 12.00 – 20.00 (Czech, Russian, Romanian)

La Strada Czech Republic. „Currently only Wednesday calls are for free, but we hope that soon we will have enough resources to ensure the hotline can run for free for the whole week long.“



Workshop on social standards in Ukraine

On 7-8 October 2010 an international workshop was held at the International Women's Rights Centre La Strada-Ukraine, focusing on social standards and action against trafficking. The event was hosted with the support of the Danish Ministry of Foreign Affairs. Representatives from the La Strada International network, Ukrainian NGOs, state officials and project specialists of the International Centre for Migration Policy Development gathered to discuss the concept of standards in social work, especially related to cases of human trafficking and to

analyse and compare general and special laws in different countries, as well as interaction of state bodies and other institutions responsible for the implementation of social standards.

The participants concluded that one of the main drawbacks, which prevent the quality development of social services, is the absence of a common (universal) definition and understanding of the components of social standards. It was acknowledged that this will ensure an improvement of citizens' rights, including the rights of trafficked persons and will determine the minimum of services, trafficked persons need to get from state authorities.

What's going on ?

New Directive endorsed by European Parliament

On 14 December 2010, nearly at the end of the Belgian Presidency of the European Union, the European Parliament endorsed the new Directive on preventing and combating trafficking in human beings and protecting victims. Now it only needs to be formally adopted by the Council, before it can enter into force. This new Directive replaces the 2002 Framework Decision on human trafficking. The content of the proposal for the Directive was reviewed in previous LSI newsletters. La Strada International also issued a [statement](#) on the proposal for a Directive, made by the Commission, and pleaded for stronger measures on the protection of the rights of trafficked persons and for a non-punishment clause. In this statement LSI also warned of the negative impact the criminalisation of users of the services of trafficked persons can have, especially on the position of trafficked persons and other affected groups.

The European Parliament amended the proposal on several issues; it formulated stronger protection mechanisms for the rights of trafficked persons, but unfortunately also included the obligation for member states to criminalise the use of services provided by trafficked persons. After the discussion in Parliament, the proposal with amendments was discussed in a trilogue between Commission, Parliament and Council. As expected, Member States, represented by the Council, negotiated hard on the issues where it suspected that the Directive could intervene too much with national criminal justice systems. For example, Article 7, in the latest version of the Directive, makes it possible for states not to prosecute trafficked persons for criminal acts which they were forced to commit by their traffickers, but they are not encouraged to do so. On the other hand, the obligation for states to criminalise the users of the services of trafficked persons is 'brought back to' that states shall consider criminalising them. In the last EP session of 2010, the ALDE and Green Groups in Parliament tried to delete the article on criminalisation altogether, but they were not successful.

The new Directive includes more protective measures for trafficked persons than the 2002 Framework Decision, but unfortunately has lost some of its strong points during the process. In two years time, Member States of the European Union, except for Denmark and the UK who opted out, will have to comply with the new Directive.

The European Commission appoints the first EU Anti-Trafficking Coordinator



The European Commission appointed Ms. Myria Vassiliadou for the new position of European Anti-Trafficking Coordinator. Myria Vassiliadou from Cyprus is currently Secretary General of the European Women's Lobby (EWL) based in Brussels. She holds a PhD in Sociology and has extensive experience in the areas of fundamental rights, human trafficking, migration and women's rights through her work for European institutions, NGOs and academia.

The Anti-Trafficking Coordinator will have the task to improve coordination and coherence between EU institutions, EU agencies, Member States, third countries and international actors. She will help elaborate existing and new EU policies relevant to the fight against trafficking and provide overall strategic policy orientation for the EU's external policy in this field. The coordinator will report directly to the Director-General of DG Home Affairs. An effective EU policy on the fight against trafficking will need to draw from many different policy fields, such as police and judicial cooperation, protection of human rights, external relations, migration policies and social and labour law. It will be the task of the anti-trafficking coordinator to ensure coherence between all these policy fields.

La Strada International congratulates Ms. Vassiliadou with her appointment and expects her to start her work with an open mind and a focus on the protection of the rights of all trafficked persons.

Report on application of Directive on residence permit for victims of trafficking

On 29 April 2004 the European Council adopted Directive 2004/81/EC on residence permits issued to third-country nationals who have been trafficked or who have been the subject of an action to facilitate illegal immigration, who cooperate with the authorities. It applies to all Member States except for Denmark, Ireland and the UK. In the past one year the implementation of the Directive in the Member States was evaluated; the [report](#) notes that while the number of identified trafficked persons in some Member States ranges from several hundred to as many as two thousand per year, the number of residence permits based on the Directive is rarely higher than twenty per year. "*We cannot accept that, while several hundred thousand victims are estimated to be trafficked every year within and into the EU, only a few thousand victims are assisted*" said Cecilia Malmström, EU Commissioner for Home Affairs.

The Commission will examine all cases where problems of application of this Directive have arisen, and if needed the Directive can be amended. This includes the possibility to obtain a temporary residence permit based on the vulnerable situation of the person and not necessarily in exchange for cooperation with competent authorities. Other amendments might include having a specified length of reflection period for identified trafficked persons, strengthening the framework of treatment, in particular for minors, and reinforcement of the obligation to inform victims of their rights.

La Strada International would welcome these possible amendments to the Directive. It would mean that the conditionality to cooperate with the authorities will no longer always be implemented. This is something that La Strada International, together with many other NGOs, has been advocating for. Also the other proposed amendments would be an improvement of the Directive and are all in line with the recommendations the EU Expert Group formulated in its [opinion on the Directive](#).

In the coming months the European Commission will be working on a strategy to fight trafficking in human beings and on different measures to protect and assist victims and the amendments to the 2004 Directive will be part of the discussions. NGOs have been invited to a special discussion meeting on this strategy on 16 December 2010, focusing on a range of topics from prevention and demand reduction, better identification of human trafficking and assistance and protection of victims as well as investigation and prosecution.

Right Guide launched



On 9 December, the [Right Guide, a tool to assess the human rights impact of anti-trafficking policies](#) was launched at a conference on the need for a Human Rights Assessment in Amsterdam. The Right Guide is a practical tool for NGOs to use when they want to assess the impact of their government's anti-trafficking policies on the human rights of affected groups (such as trafficked persons themselves, sex workers, and migrant workers). Marjan Wijers, the author of the Right Guide, presented the first copy to Mr. Cees Flinterman, member of the CEDAW committee.

It is known that several anti-trafficking measures fail to protect the rights of the people involved, but until now there were no means to really assess the impact. It happens, for example, when trafficked persons are repatriated without adequate protection against their traffickers and without the wages for the work they have done. Many of the measures have a negative effect on the rights of other people. This is particularly the case for sex workers who are severely restricted in their possibilities to earn a living, but also for other groups such as migrant domestic workers and young women wanting to travel abroad. For an effective lobby to improve these measures, organisations need to clearly demonstrate where and how rights are violated.

La Strada International, La Strada Czech Republic and the Scottish Prostitutes Education Project (SCOTPEP), were involved in this two-year project to develop an impact assessment tool on human rights with regard to anti-trafficking policies, coordinated by the Dutch NGO AIM for Human Rights.

The development of the tool was set up as a participatory process, involving the potential users of the instrument as well as key intermediary organisations. The latter play an important role in distributing the tool, as well as in supporting its application and using its outcomes for lobby and advocacy.

The draft tool has been tested by sex workers organisations, anti-trafficking projects and migrant rights groups in both Europe and Asia. The UK-based sex workers rights group [x: talk project](#) was one of the organisations that tested the tool and has published the results in the report: [Human rights, sex work and the challenge of trafficking](#) (see [What's new?](#)). On the occasion of 10 December, International Human Rights Day, several NGOs present at the launch formulated a [statement on the human rights approach towards human trafficking](#).



EU expert group meeting

On 29 and 30 of November 2010 a new meeting was held of the independent Group of Experts on Trafficking in Human Beings, established by the European Commission (2008/604/EC) in Brussels.

At the meeting, the Expert Group discussed the new Directive and the Council Directive 2004/81/EC of 29 April 2004 on short term residence permits (both discussed above). In addition, the Commission will take further steps to elaborate the EU strategy that will be adopted in 2011. It is based on the Group of Experts' Opinion nr. 7 ['Proposal for a European Strategy and Priority Actions on combating and preventing trafficking in human beings \(THB\) and protecting the rights of trafficked and exploited persons'](#). In December and January 2011, the Commission will also ask contribution from the National Rapporteurs, NGOs and Member States. The Group's Opinion provides the corner stones to the upcoming drafts and discussions. The Opinion was presented during the 4. Anti-trafficking day 2010 in Brussels. The Expert Group also evaluated this year's EU anti Trafficking Day (18 October 2010).

The mandate of the Experts will expire in July 2011. There is no decision yet on a follow-up.

GRETA: country visits and new members

A delegation of the *Group of Experts on Action against Trafficking in Human Beings* (GRETA) carried out country visits to Cyprus, Slovenia and Austria in October and November 2010, in order to prepare its first monitoring report on the fight against human trafficking in the three countries. These visits are carried out

in the context of the first round of evaluation of implementation of the *Council of Europe Convention on Action against Trafficking in Human Beings*. This round was launched in February 2010 when GRETA addressed a [questionnaire](#) to the first 10 Parties to the Convention: Albania, Austria, Bulgaria, Croatia, Cyprus, Denmark, Georgia, Moldova, Romania and Slovakia. The Austrian women's rights organisation Lefö had published a shadow report for GRETA.



During the visit, the GRETA delegation held meetings in Vienna with representatives of relevant ministries and other public bodies. It also held meetings with members of non-governmental organisations active in combating trafficking in human beings and human rights protection, as well as with other members of civil society dealing with issues of concern to GRETA. The visit

was carried out by Ms Hanne Sophie Greve, President of GRETA and Mr Vladimir Gilca, member of GRETA, who were accompanied by Ms Claudia Lam from the Anti-Trafficking Secretariat.

On the basis of the information gathered during the visit and the reply to the questionnaire by the Austrian Government, GRETA will prepare a draft report containing its analysis of the implementation of the Convention by Austria, as well as suggestions concerning the way in which Austria may deal with the problems which have been identified. The other seven countries will be visited in the first months of 2011. La Strada International is encouraging national NGOs to organise meetings with the members of GRETA during these visits in order to make the voices of civil society heard.

At its 5th meeting on 6 December, the Committee of the Parties elected two members for the remaining seats on the *Group of Experts on Action against Trafficking in Human Beings* (GRETA): Mr Helmut Sax (Austrian) and Mr Jan van Dijk (Dutch). Their term of office will begin on 1 January 2011 for a duration of four years. GRETA has now reached its maximum number of members (15).

20th Anniversary of the International Convention on the Rights of All Migrant Workers and Members of their Families (ICRMW)

On 29 November 2010, the Committee on Migrant Workers (CMW), in cooperation with the Steering Committee, held a day event in Palais des Nations to commemorate the 20th anniversary of the ICRMW. This initiative was in line with other events taking place around the world to commemorate the 20th anniversary of the Convention, such as the recent side event that took place on 8 November, during the Global Forum on Migration and Development in Mexico. Some 20 States participated in the event, of which one-third were non-States parties. The theme chosen for the day event was "Protecting Rights, Building Cooperation". States and other partners made statements and shared their experiences and views of how the Convention has made a difference with regard to migration policies and practices.

In the context of its 13th session on 2 December, the CMW adopted its first General Comment, focusing on the rights of migrant domestic workers. The General Comment No.1 on Migrant Domestic Workers is the result of a long process, including a Day of General Discussion on this issue, in which UN agencies and civil society participated. This General Comment is in line with the ILO Convention on Domestic Workers for which OHCHR task-force on migration sent consolidated comments. Its adoption was largely welcomed by many human rights actors working in the field of migrants' rights.

Combating Trafficking as Modern-Day Slavery: A Matter of Rights, Freedoms and Security

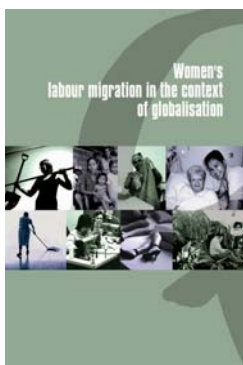
[The 2010 Annual Report of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings](#) illustrates the current reality of human trafficking and its multiple forms. It also describes progress, policies and actions of the OSCE in 2010, and recommends a strategic approach for future work. When launching the report, the OSCE Special Representative and Co-ordinator for Combating



Trafficking in Human Beings, Maria Grazia Giammarinaro, called on countries to change their perception considering human trafficking as a marginal phenomenon and instead encouraged them to recognise it as "a massive-scale modern-day slavery".

"Trafficking in human beings must be seen at the same time as a human rights violation and a transnational threat to security as it is mostly a business of organised crime which fuels corruption and money laundering, and therefore hampers economic and democratic development," said Giammarinaro in a speech to present her first Annual Report to the OSCE Permanent Council. "The ever-evolving *modus operandi* of traffickers poses a real challenge for law enforcement, prosecutors and judges, in both cultural and legal terms", Giammarinaro states. She outlined that while physical violence continues to be regularly used against some groups of trafficked persons, more subtle methods of coercion and abuse of a position of vulnerability have appeared. Trafficking in human beings is a violation of human dignity, and therefore a human rights-centred approach is needed in all anti-trafficking action across the three dimensions of security, she said. "We should do a better job of helping trafficked persons to take their life in their hands, and have access to justice and remedies including compensation and labour law remedies," she added, calling on participating States to identify and assist trafficked persons on a much larger scale.

What's new ?

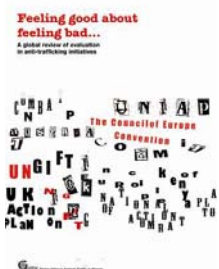


WIDE

The report [Women's labour migration in the context of globalisation](#) offers an introduction to important contemporary political analysis on the influence of globalisation on women's work, mobility and empowerment. Authors of the report Anja K. Franck and Andrea Spehar explain how globalisation shapes women's labour migration. The executive summary of this study is available in [English](#), [French](#), [Spanish](#) and [Russian](#).

Beyond Borders: Trafficking in context of Migrant, Labour and Women's Rights

The Global Alliance against Traffic in Women (GAATW) has released its [report](#) on the 2010 International Members Congress and Conference with the same title. The four-day event focused on the practical and conceptual linkages between trafficking and migration, gender, labour and globalisation and on GAATW's future strategic directions. A series of working papers on these linkages and how they intersect with global security was also showcased, together with the findings of Feminist Participatory Action Research (FPAR) conducted in collaboration with GAATW member and ally organisations from all regions.



Feeling good about feeling bad

A Global Review of Evaluation in Anti-Trafficking Initiatives

[This research](#) from GAATW explores the evaluation of anti-trafficking policies and programmes worldwide, including three international, two regional and nine national anti-trafficking initiatives. It highlights common themes and emerging patterns between a range of approaches to evaluation in this sector and finds overwhelmingly that anti-trafficking initiatives are not being sufficiently evaluated, impeding their effectiveness and limiting progress in combating trafficking.

Human rights, sex work and the challenge of trafficking

A human rights impact assessment of anti-trafficking laws in the UK



[This report](#) was produced by the [x:talk project](#) and is the first study of anti-trafficking policies that reflects the experiences and views of people working in the sex industry in London. The report examines the anti-trafficking agenda in the UK and finds that it has been used by abolitionists who have used anti-trafficking law and policies as a justification for increasing the surveillance and criminalisation of the legal indoor sex industry on an unprecedented scale. The existing focus of anti-trafficking policy on irregular migration, law enforcement and on the sex industry does not address the needs, choices and agency of trafficked people, whether they work in the sex industry or elsewhere, and prevents migrants and non-migrants working in the sex industry from asserting fundamental rights.

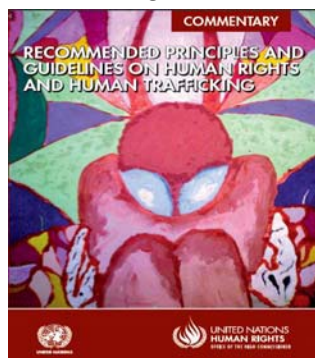
VITA Tool: Assistance to victims of human trafficking in 40 languages

[The VITA \(Victim Assistance Translation\) Tool](#) is a new tool using audio messages that allows law enforcement officials to provide a basic level of assistance to victims of human trafficking. UN.GIFT launched the VITA tool during the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in Vienna. Trafficked persons contributed to the development of these messages, which were also supported by experts in human trafficking focused on victims' needs.



Commentary on the OHCHR principles and guidelines

The Recommended Principles and Guidelines on Human Rights and Human Trafficking (2002), is an important international standard setting document. Since then, there have been repeated calls for additional guidance on the Principles and Guidelines to be made available to intergovernmental organisations, governments, civil society organisations and others involved in anti-trafficking initiatives. The result is this [commentary](#) which has the purpose to provide a comprehensive legal and policy analysis of all aspects of the Principles and Guidelines, thereby assisting in their use as a tool for the development and application of responses to trafficking that are fully informed by international law and policy. The commentary utilises the work of the international human rights mechanisms as well as of States and intergovernmental agencies, in taking forward the human rights approach. At each step of every response, the human rights impact of that step and of the overall response must be considered and monitored.



Who needs Migrant Workers? Labour Shortages, Immigration and Public Policy

[This book](#) by Martin Ruhs and Bridget Anderson provides a comprehensive framework for analysing the demand for migrant workers in high-income countries. It demonstrates how a wide range of government policies contribute to creating a growing demand for migrant labour. The book includes quantitative and qualitative analyses of the changing role of migrants in the UK economy.



Clean Clothes Full Package Approach To Labour Codes of Conduct

Four major steps that companies can take to ensure their products are made under humane conditions. Sweatshop abuse is a systemic problem - there are no companies that are totally clean or totally dirty. Every company that sources globally faces problems that need to be addressed. While there are many steps companies can and should take (and to a certain extent have already taken) to improve workers' rights, there are no quick-fix solutions. In [this guide](#) the Clean Clothes Campaign offers guidelines on what companies can do to better assess, implement, and verify compliance with labour standards in their supply chains, and eliminate abuses where and when they arise.

Strong Women

Voices of Human Trafficking - a film by Eveline van Dijck. These women want to state that they are not voiceless victims, but survivors of a horrendous crime who are capable and willing to put their experiences to use. They want to make clear that in order to have effective anti-trafficking strategies victims need be involved in designing and reviewing policy in an integrated and ongoing way.

New publication „The narrow gateway to human rights“

Identification of persons trafficked into sectors other than the sex industry is the issue of a new publication of La Strada Czech Republic, called ‘The narrow gateway to human rights’, which was written as a result of a research project aimed at testing the Human rights impact assessment tool (RighT guide). The study confirms that the Czech Republic follows the international standards of criminalisation of human trafficking on paper, but not in reality. The study analyses obstacles which have to be passed during the process of identification. Not only analyses of documents and other available sources were used, but also consultations with a working group of experts and consultations with trafficked persons. As a result, several recommendations are proposed to overcome the obstacles in the identification of trafficked persons. The publication is available for download from La Strada’s website (in Czech).

New on the Web

Slavery and what we buy

Anti Slavery recently launched [a new interactive web page](#) to help consumers understand and see the magnitude and scope of slavery and trafficking in the world today. The web page is build up around a map that shows which commodities from which part of the world that could be produced through slavery. The web page is part of anti slavery’s awareness rising campaign “slavery and what we buy”.

Rights Work

Rights Work is a collaborative platform to engage in evidence- and rights-based research, policy analysis and debate for the purpose of investigating, critiquing and reframing anti-trafficking discourses, policies and programs. Rights Work is a joint project of the Program on Human Trafficking and Forced Labor at the American University Washington College of Law and the German NGO KOK.

[The website](#) will be devoted to fostering and promoting an open dialogue among experts for the purpose of bringing forth for new insights, approaches and discourses that challenge harmful or problematic anti-trafficking discourses and offer innovative reality- and rights-based approaches.

What’s happening where ?

February 2011 – GAATW European members meeting, Berlin, Germany

5-6 April 2011 – ENPATES Platform, Rome, Italy

6-7 April 2011 - La Strada International NGO Platform, Rome, Italy

What’s on your mind ?

Anne Gallagher’s recent book, The International Law on Human Trafficking, was published by Cambridge University Press in October 2010. It is available from Cambridge and Amazon. In this column, Dr. Gallagher shares a few thoughts on the place of human rights and international law in the fight against trafficking.



It is understandably difficult for those who are working on the front line to be terribly enthusiastic about international law. The image of government officials negotiating arcane texts in huge conference rooms seems to be far removed from the day-to-day struggle against discrimination, exploitation and injustice. I have been very fortunate in experiencing two very different sides of anti-trafficking work. As adviser to the UN High Commissioner for Human Rights I was involved in the drafting of the Trafficking and Migrant Smuggling Protocols as well as other international and regional legal texts and policy documents. For

the past seven years I have continued to help develop legal standards while also working directly with police, prosecutors and judges as they struggle to apply international laws to real situations involving real people. It has been a humbling but illuminating experience. A few of the most important lessons I have learned are briefly summarized below.

We need international law to hold governments accountable

Trafficking usually takes place in the private sphere: in most cases, those involved in trafficking and related exploitation are private persons. This fact has been used by States to argue that they are not responsible for trafficking-related harm: that trafficking is a crime like any other. International law provides the rules that ensure States cannot evade responsibility for trafficking by arguing that they are not involved. These rules are complicated but they make clear that a State will be held responsible for trafficking-related harm if it was in a position to influence an alternative, less harmful outcome. This basic principle in turn provides the foundation for legal obligations to prevent trafficking, prosecute perpetrators and to ensure justice for victims.

Increased clarity about international obligations is important because uncertainty can be used as an excuse for inaction. As long as the law remains unclear, States can continue to argue about it. As long as the law remains unclear, they will, almost certainly, not be brought to task for failing to apply it. It is only over the past decade that the obligations of States in relation both to ending impunity for traffickers and providing support, protection, and justice for those who have been exploited have become clear. The new certainty comes from treaties such as the Trafficking Protocol and the European Trafficking Convention and instruments such as the UN Recommended Principles on Human Rights and Human Trafficking. It also comes from the work of international and regional courts and other mechanisms, and from state practice. We are in a better position today than ever before to know what is required of States, and to hold them accountable if they fail to deliver.

The dichotomy between a rights-based and a security response to trafficking is often a false one

It is common to hear that anti-trafficking advocacy must focus on ensuring that a rights-based approach trumps the 'security' or 'law enforcement' approach presumably desired by most States. My work in the field has led me to question this dichotomy and to largely reject it.

It is true that a decade ago, there was a clear and urgent need to ensure that new laws and policies were not based on misinformation or held hostage to misplaced fears. It is also true that a rights-based approach is the core of any credible anti-trafficking response. Human rights do indeed "put words in the mouths of the powerless". Making human rights the centre of thinking about trafficking, stops us from being sidetracked, by the slick arguments of those who would prefer it be approached as a straightforward issue of migration, of public order, or of organised crime. It prevents an uncritical acceptance of the strange legal fiction that "trafficking" and "migrant smuggling" are two completely different crimes involving helpless, virtuous victims on the one side, and foolish or greedy adventurers, complicit in their own misfortune, on the other. Perhaps most importantly, a human rights approach makes clear that trafficking is woven deeply and inextricably into the fabric of an inequitable, unjust, and hypocritical world. While human rights must remain at the core of our thinking about trafficking, this does not preclude a strong, even aggressive criminal justice response aimed squarely at those who profit from the exploitation of others. Trafficking is not just a social welfare issue. It is a serious crime. We do a grave injustice to its victims by failing to support genuine efforts to investigate and prosecute exploiters. Of course, human rights have a central role to play in this part of the trafficking response as well. Criminal justice officials have come to understand that protecting and supporting victims is essential to ensuring they can play a meaningful role in the prosecution of their exploiters. A human rights approach also helps to bring to light abuses within the criminal justice process including wrongful prosecutions and inappropriate penalties.

We haven't done enough

While the advances of the past decade are truly remarkable, they are nevertheless fundamentally constrained in terms of both vision and effect. The new rules around trafficking are important but in the end, they do not require terribly much of States. They request but do not compel States to take positive action to address the root causes of trafficking, not least what Emma Goldman famously called, more than a century ago, “the merciless Moloch of capitalism that fattens on underpaid labour.” They acknowledge the link between trafficking and the massive labour migration that greases the wheels of the global economy, without requiring States to provide individuals with safe and legal avenues through which to move. They affirm the principle of non-discrimination, without insisting that the rules, attitudes and practices that render women, children and migrants most vulnerable to trafficking-related exploitation be immediately and comprehensively dismantled. Like a commitment to halt anthropogenic climate change by imposing emission reductions that have, in truth, no hope of meeting that goal, there is a fatal gap between what is legally required of States and what is actually needed to reach the stated objective. It is only through acknowledging this fact that we can turn our imaginations and our efforts to a future in which human exploitation is no longer hidden, tolerated or ignored.



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