

Kadri Soova, Advocacy Officer of PICUM, and Yonus Muhammadi of the Greek Forum of Refugees were elected as new civil society representatives to the Bureau of the Forum.

Life of undocumented migrant workers in the Netherlands

The Indonesian Migrant Workers Union in the Netherlands (IMWU NL) launched in March a documentary about the lives of Indonesian migrant workers in the country. The documentary, with the title [‘Dispereert niet’](#), which in Old Dutch means ‘Do not Despair’, aims to show migrants’ daily lives, their concerns and sacrifices, their unfulfilled dreams as well as their collective struggle to voice their rights in the Netherlands. The launch was accompanied by a discussion on the issue and a photo exhibition.

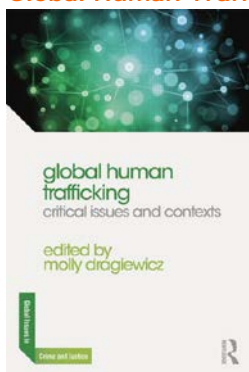
What’s new ?

Support for victims of crime in the EU

The European Union Agency for Fundamental Rights (FRA) published their [research](#) ‘Support for victims of crime in the EU’. The report examines support service provision for victims of crime across the 28 EU Member States, in line with the 2012 EU Victims’ Directive. It focuses not on abstract fundamental rights standards, but on the final practical results.

The research identified promising practices that Member States looking to improve their victim support structures might turn to for inspiration. It also found several areas where Member States currently fall short of meeting the directive’s requirements. They will need to take further legislative and policy steps to ensure that they comply with the directive by 16 November 2015.

Global Human Trafficking: Critical Issues and Contexts



The [collection](#) ‘Global Human Trafficking: Critical issues and contexts’ foregrounds recent empirical work on human trafficking from an interdisciplinary, critical perspective. The book shows how trafficking can be much more complex and variegated than the monolithic and sensationalized image so common in the media and in policymaking throughout the world. It challenges common assumptions about the problem by showcasing rich empirical studies from the global North and South and by providing critical insights into key debates about what is to be done about trafficking.

includes classroom-friendly features, such as introductory chapters that provide essential background for understanding the trafficking literature, textboxes explaining key concepts, discussion questions for each chapter, and lists of additional resources, including films, websites, and additional readings for each chapter.

chapter.

The authors include both eminent and emerging scholars from around the world, drawn from law, anthropology, criminology, sociology, cultural studies, and political science and the book will be useful for undergraduate and graduate courses in these areas, as well as for scholars interested in trafficking.

Talking with the client - a study of clients of sex workers and their role in combating abuse

In January the Amsterdam Public Health service (GGD) published the [results of research](#) (English summary from page 11) among sex workers and their clients to study the profiles of clients and their potential role as whistle-blowers for abuse and exploitation in the sex industry. The research was conducted in 2013 and 2014 with a questionnaire among 986 clients and 195 sex workers and includes direct interviews with 11 individuals from each group.

The study found that most clients disapprove of coercion and exploitation in the sex industry and feel responsible for the abuses that take place in it. Over 40% of clients are willing to report abuse in the prostitution sector but only around 20% are able to recognise the signs. At the same time, sex workers themselves have little trust in clients as whistle-blowers of abuse. Nevertheless, in general, sex workers describe the majority of their clients as pleasant.

The study concludes that clients can play an important role in combating abuse in the Amsterdam prostitution sector; however they distrust the authorities and feel largely stigmatised by those who



oppose the sex industry. The study makes several recommendations to the Municipality of Amsterdam as to how it can increase the role of clients in combating abuse in the sex industry.

Forced and compulsory labour in international human rights law

The prohibition of slavery, forced labour, institutions and practices similar to slavery and trafficking in persons is addressed by international legislation; however debates about the relationship between these concepts and how they should be translated into domestic law have led to confusion about how best to tackle the enormous challenges posed by contemporary forms of forced labour or what is often called 'modern forms of slavery'.

Focusing in particular on the supervisory and monitoring mechanisms of the ILO and the UN, respectively, Lee Swepston shows in [his paper](#) 'Forced and compulsory labour in international human rights law' how the legal concepts of slavery and forced and compulsory labour have converged over time. He concludes that at the national level, legal imprecision should be avoided to ensure that national legal prohibitions are clear and effective, and that action against compelled labour takes into account its different forms.

Human Rights in 2014



In January and February, Human Rights Watch published its [World Human Rights Report 2015](#) and Amnesty International released their report entitled, [The State of the World's Human Rights](#). Both organisations review human rights situations around the world, as well as by region and country. The main concerns that both organisations express in their reports regarding human rights in Europe concern the situation in Ukraine. In addition to discrimination, violence and hate speech towards LGBTIQ people, Roma, Muslims and migrants, violence against women, and the failure of the EU to adequately protect migrants and asylum seekers. The precarious journey of migrants across the Mediterranean as well as the more than 3000 deaths of migrants at sea were highlighted, as well as the EU's refusal to accept more Syrian refugees and the grave conditions in refugee camps and poor treatment of refugees in Bulgaria, Greece and Spain. Regarding violence against women and girls, Amnesty International points to the survey of the EU

Fundamental Rights Agency on violence against women, which showed that one in three women in the EU has experienced violence in her lifetime. Amnesty International also points to the lack of shelters for victims of domestic violence and the poor response of the criminal justice system.

Study on the health of trafficked persons

In the observational cross-sectional '[Study](#) on the health of men, women, and children in post-trafficking services in Cambodia, Thailand, and Vietnam', researchers interviewed more than 1100 men, women and children in Southeast Asia who had been trafficked into at least 15 sectors - including factory work, domestic labour, sex work and fishing. The research was carried out by the London School of Hygiene & Tropical Medicine and IOM.

The study found that women trafficked for other forms of labour, including factory work, domestic work and as brides, suffered worse mental health problems than those trafficked into sex work. They were more likely to suffer from post-traumatic stress disorder and high levels of anxiety, according to Cathy Zimmerman, one of the lead researchers. Men trafficked as fishermen worked for the longest periods, about 19 hours a day seven days a week, spending on average 16 months at sea with no means of escape. One man reported being at sea for about 10 years. Domestic workers were some of the worst affected, because they were extremely isolated, often did not speak the language of the family, and were kept indoors working long hours for months or years at a time, she said. The worst violence was reported by women trafficked as brides.

Documenting the health-related harms associated with human trafficking is crucial for the development of strategies to protect and promote the health of individuals who experience this serious human rights violation.

Sex Workers Transforming Economic Power To Advance Women's Rights And Justice

This [report](#) shares highlights from the four recipients of AWID's 'Innovation Seed Grants' whose projects focused on advancing the rights of sex workers: the Association of Hungarian Sex Workers, Red Umbrella Project (USA), Debolina Dutta in collaboration with sex worker collectives DMSC and VAMP in India, and Aids Myanmar Association National Network of Sex Work Projects (AMA).

Their stories offer rich insights into how sex workers are transforming economic power to advance women's rights and justice. They also offer useful lessons for collaborative organizing and engagement between sex workers and other women's rights and feminist activists, as well as for funders seeking to support sex worker organising.

Strengthening Protections against Trafficking in Persons in Federal and Corporate Supply Chains

Verité, a US-based organisation promoting fair work, released a [report](#) about the risk of trafficking in persons in federal and corporate supply chains. Providing a comprehensive framework for evaluating the trafficking risk, this report identifies 11 key sectors at heightened risk for human trafficking and maps federal spending in each key at-risk sector. The report aims to be an essential resource for government officials and federal contractors concerned about compliance with Executive Order 13627 (on strengthening protections against trafficking related to Federal contracts), as well as for any businesses concerned about human trafficking in their supply chains.



Perspectives on Human Trafficking and Modern Forms of Slavery

Social Inclusion, a peer-reviewed open access journal that provides academics and policymakers with a forum to discuss and promote a more socially-inclusive society, issued an edition on human trafficking and modern slavery. This edition, [Perspective on Human Trafficking and Modern Forms of Slavery](#), includes a collection of scholarship from around the world. Professor Stewart informs our understanding of contemporary slavery with a comparative look to slavery in the past. Kay and Hastie, along with Craig, analyse crucial legal challenges relating to human trafficking in Canada and the UK respectively. Acharya presents health consequences of sex trafficking in Mexico, and Reisen and Rijken outline new forms of trafficking in the Sinai Peninsula. LGBTIQ issues are interrogated, along with the roles of corruption and issues of gender in human trafficking shelters.

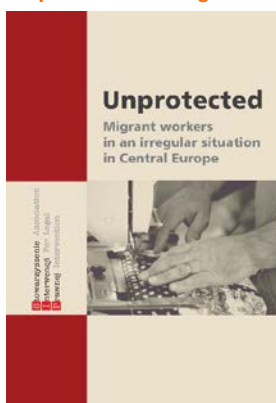
OSCE publishes human trafficking report on Uzbekistan

The Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings issued an official [country visit report](#) on the Republic of Uzbekistan, following an official country visit carried out by her Office.

The report highlights several areas where the government has been most effective in its fight against human trafficking, including raising awareness at the community level and supporting Uzbek nationals exploited abroad by offering healthcare, psychological and legal counselling, vocational training and help with their job search upon return. A number of challenges were also cited in the report, including the need to further increase the role of NGOs in identifying victims and also offering them alternative accommodation to the existing state shelter.

During the visit from 5 to 9 November 2013, former OSCE Special Representative Maria Grazia Giammarinaro (currently the UN Rapporteur) called on the government to establish a state fund for the compensation of victims, regardless of their citizenship. She also suggested that Uzbekistan's criminal justice response could be strengthened by carrying out investigations and prosecutions without relying solely on witness testimony by developing alternative strategies including financial probes.

Unprotected Migrant Workers in an Irregular Situation in Central Europe



This [report](#) is the result of two years of successful collaboration of six NGOs in Central Europe (Poland, Hungary, The Czech Republic, Slovakia and Romania). It summarises the findings of the project 'For Undocumented Migrants' Rights in Central Europe' and identifies the main problems and obstacles towards full implementation of the Employer Sanction Directive.

The main aim of the project was to observe the implementation and application of the Directive in Central Europe. In addition to studying undocumented migrants, the project also included documented migrants performing work deemed "irregular" by national regulations, and potentially leading to the withdrawal of legal status. Activities undertaken within the framework of the project have been aimed at enhancing the protection of migrant workers from labour exploitation and raising awareness about their rights. The core of the project was a free legal assistance programme for undocumented migrant

workers and for third-country nationals who were at risk of losing their legal status due to employment complications. Furthermore, the participating NGOs have been researching the situation of migrant workers and advocating at national levels.

The report is intended to encourage policymakers - both at national and EU level - to strengthen the protection of migrant workers against labour exploitation.

Civil Society Space and the United Nations Human Rights System

The Office of the UN High Commissioner on Human Rights (OHCHR) published a [guide](#) for civil society actors (CSAs), highlighting issues related to their work. It begins with a working definition of the terms 'civil society' and 'civil society space'. It then provides an overview of the conditions and relevant international human rights standards for freedoms of expression, association and peaceful assembly, and the right to participate in public affairs.

The Guide includes some examples of how Governments and CSAs have worked together to develop space for civil society to carry out its work to advance enjoyment of all human rights (civil, cultural, economic, political and social) for all. Obstacles and limitations to civil society work are identified, including harassment, intimidation and reprisals against CSAs.

The Guide invites CSAs to use the UN human rights system to promote and protect civil society space at the local level. Resources and contact details are provided at the end of the Guide.

The Guide aims primarily to assist CSAs who are not yet familiar with the UN human rights system. Its development has been enriched from the outset by input and advice from diverse CSAs.

What's new on the web ?

Child Protection Hub for South-East Europe



The [Child Protection Hub](#) is an interactive platform for professionals working on child protection to exchange experiences and knowledge, learn from each other, offer and receive support.

The Child Protection Hub brings together resources for quick learning, such as podcasts, videos, and other, as well as webinars, resources for trainers and different materials for independent

learning. In the forum people can discuss different topics with colleagues from other countries and organisations, can ask any professional question or even request advice on advocacy actions, propose to discuss a difficult case or participate in other case discussions.

#MigrantHeroes

IOM launched this [new social media campaign](#) in order to change the lens through which people view migrants and migration. The campaign highlights the many ways in which migrants positively contribute to their countries of origin and host communities. Moreover, this campaign will build upon and reinforce the ongoing IOM 'Migrants Contribute' Campaign, working to counter misinformation by presenting evidence of positive impacts in accessible ways.



Human rights jurisprudence

The UN Human Rights Office has launched a major public [online database](#) that contains all case law issued by the UN human rights expert committees, the Treaty Bodies.

The site details case law indexed by various categories, including State, date, subject and keywords, which can all be used as search criteria.

Online guide on workers' rights



The UK Trade Union Confederation launched the online guide [Working in the UK](#) in 13 languages to combat the exploitation of migrant workers. *Working in the UK* provides information every worker should know about their rights, such as minimum wage levels, rest break and how employment status affects your rights - agency workers employed for less than 12 weeks and self-employed workers, for example, have fewer rights than those on 'employee' contracts. It also provides advice on what to do if workers are being paid under the minimum wage or on a fake or misleading self-employed contract.

What's happening where ?

- 12-19 April - 13th United Nations Congress on crime prevention and criminal justice, Doha, Qatar
- 13-14 May - 'Victims of Crime in Europe: the future is now!', Lisbon, Portugal
- 27-28 May - La Strada International NGO Platform, Skopje, Macedonia
- 2 June - FRA launch of the report 'Severe Labour Exploitation of Migrant Workers in the European Union', Brussels, Belgium
- 5 June - Presentation of the first results of the DemandAT project, Brussels, Belgium
- 10-12 June - TRACE workshop and presentation of results of TRACE to European Commission, Brussels, Belgium
- 2nd week of June, Regional meeting of the Norway-funded IOM-La Strada Programme against human trafficking in Eastern Europe, Kiev, Ukraine
- 15 June - 3 July - 29th session of the UN Human Rights Council, Geneva
- 6-7 July - OSCE Alliance against Trafficking in Persons conference, Vienna, Austria

What's on your mind ?

Revisiting the definition of human trafficking 15 years on

Marika McAdam is an independent consultant on human trafficking, migrant smuggling and related issues. She has conducted research for UNODC issue papers on the definition of trafficking and written several other tools and publications, recently including OHCHR's Principles and Guidelines on Human Rights at International Borders and a UNODC/IFRC tool on Combatting Violence against Migrants. Marika has a PhD in international human rights law.



The Trafficking in Persons Protocol turns 15 this year. It is an easy birthday to remember; the phrases 'trafficking in persons' or 'human trafficking' are frequently heard on airwaves and read in sensational news headlines. Awareness-raising campaigns have generated such outrage and gained such traction that the term human trafficking has all but entered mainstream vernacular. But ask those who bandy the term about what human trafficking actually is, and many will be confounded. Human trafficking is a complex crime with a technical definition that is onerous to wield, even for expert legal practitioners called to prosecute or defend its perpetrators. In the fifteen years that have passed since we first gave a name to the phenomenon, do we actually know what it is?

Few could recite the 107-word definition from Article 3 of the *Trafficking in Persons Protocol*. The oft-repeated refrain is that trafficking in persons entails the perpetration of an *act*, by a *means* for an *exploitative purpose*. The definition is in fact comprised of five possible acts, a non-exhaustive list of eight possible means, and eight examples of exploitative purposes included as a minimum that States are encouraged to exceed. Any combination of any act, means and exploitative purpose can constitute human trafficking. But digging deeper into the meaning of each individual element shows the definition to be flexible enough to capture almost any reprehensible human interaction, or rigidly precise to the point of improvable, depending on who is digging.

For this reason, in 2010, the Working Group on Trafficking in Persons recommended that UNODC elaborate a series of Issue Papers to assist criminal justice officers understand difficult concepts. The first study, addressed the 'means' of [abuse of a position of vulnerability](#). The research involved in-depth surveys of criminal justice practitioners in twelve countries, and revealed lack of clarity on this concept across them all. Is it relevant for instance, whether vulnerability exists prior to the trafficking situation, or is created by the trafficker? How is *abuse* of vulnerability proven: must the trafficker *intend* to abuse a victim's vulnerability or is it enough that he or she *knows* of it? In short, how abuse of position of vulnerability is understood and applied in practice can serve to expand or contract the definition of trafficking.

The second issue paper addressed the role of [consent](#) in the trafficking protocol. Article 3(b) of the protocol explains that the victim's consent is irrelevant where any 'means' have been used, and is always irrelevant where victims are minors, whether means have been used or not. This principle is clear, but in practice is it enough that means are simply used, or must the quality of consent actually be affected? Where the means used is 'abuse of a position of vulnerability', can an impoverished person ever consent to exploitative work without being considered a victim? Does it matter what type of work they consent to? Should it? The survey revealed that a victim's consent is always irrelevant in theory, but in practice may make them hard to identify, less so where 'severe' means such as use of force have been used, but certainly where 'subtle' means such as abuse of a position of vulnerability are in play.

The most recent issue paper, to be released this year, explores the concept of 'exploitation' in the trafficking definition. The 'purpose of exploitation' is a key element of the trafficking crime, yet exploitation itself remains undefined. In interpreting its meaning domestically, States must grapple with questions such as whether a certain threshold of severity is required to establish exploitation, and if so, whether that threshold is lower for some forms and higher for others (for instance, sex work compared to other work). What is the relationship between exploitation and the means used? Is it even possible to meaningfully consent to exploitation? And does the answer change depending on cultural or other context? The research revealed that while the answers to these questions may be irrelevant to what trafficking is considered to be in theory, they are fundamental to identifying and addressing it in practice.

The birth, fifteen years ago, of a universal definition of human trafficking was an astonishing achievement. It equipped States with a powerful tool in rallying around a common cause. The conceptual confusion they inherited will not be quickly resolved, but nor perhaps should it be. Definitional certainty brings precision to the application of the law, but interpretive ambiguity - in the hands of capable practitioners - ensures the law is a living tool that can adapt to an evolving phenomenon. The leeway that practitioners are afforded should not result in sloppy prosecutions for vague offences; serious crimes warrant serious treatment. But on the other hand, activists should be allowed some licence to simply know human trafficking when they see it, in order to widely and loudly condemn it.



In 2015 La Strada International receives (project) funding from the European Commission, GOOGLE giving, ICCO/Church in Action and the Norwegian government. La Strada International members are supported by various other donors.

We greatly appreciate financial support from private donors for our work. For more information on how you can contribute to La Strada's work [see our website](#).