



La Strada International De Wittenstraat 25 1052 AK Amsterdam T 00 31 (0)20 6881414 F 00 31 (0)20 6881013

With this quarterly newsletter, La Strada International wishes to inform and update you on developments in the field of trafficking in human beings and the activities of La Strada International and the La Strada member organisations. We welcome your feedback and input. Please [mail us](#) by 1 June 2014 if you have news, information about your organisation, a new report or documentary or an outspoken opinion on (inter)national developments.



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La Strada News !

Situation in Ukraine

Since November 2013, La Strada International has followed with great concern the political developments in Ukraine. Despite the installation of a new interim government and the planned presidential elections for May this year, the situation in Ukraine remains unstable, due to the protests in the eastern regions and the dispute with Russia regarding the annexation of Crimea and Sevastopol into the Russian Federation, as well as an amassing of Russian troops near Ukraine's borders.

Over the last months La Strada Ukraine has been actively involved in monitoring the situation. They issued several statements, together with other women's rights organisations, initially to refuse further cooperation with the former (Yanukovich) government and then to start negotiations with the newly appointed interim government, including new persons at relevant ministries. LS Ukraine has stressed publicly that they would like to continue to monitor the country's efforts on protecting human rights and preventing human trafficking.

La Strada Ukraine runs two National Toll-Free Hotlines, focusing on child rights promotion and protection, prevention of violence, human trafficking and gender discrimination. The organisation also provides prevention and education activities, social and legal support to people who have experienced different types of violence. Recently, La Strada is observing an increasing number of internally displaced people from Crimea coming to other parts of Ukraine. People who were forced to leave their homes, schools, kindergartens and look for a different place to live. They face social, economic and other difficulties. Economic crisis and armed conflict may result in an increased risk of labour migration attempts, including the risks of being trafficked. Women and children become especially vulnerable to violence and trafficking in times of crisis.

"Today Ukraine is in a difficult economic situation. The country's budget has been robbed. As a result social programmes will be reduced or cancelled. LS Ukraine is an important service provider with 15 years of experience, trained staff and well established networks. But now the organisation faces difficulties with funding", says Lyudmila Kovalchuk from La Strada Ukraine.

The donor situation in Ukraine is not easy at the moment. Due to the developments several donor agencies have frozen their funding programmes or postponed decisions. Moreover in the past many donors required

from NGOs to establish tight cooperation with the state bodies. Kovalchuk: "This has proven not to be sustainable, as it resulted in the dependency of NGOs on the state bodies. La Strada Ukraine would like to remain independent from state structures and would like to receive support to address the current problems of Ukrainian society and to offer assistance to all those who have experienced violence and to prevent further violence from happening".

For more information about La Strada Ukraine's work or their feedback on the developments in Ukraine and LS Ukraine news, you can follow their [website](#) and [Facebook](#), or the [Euromaidan page](#) in English.

NGOs & Co News

Since June 2013, LSI and its project partners have implemented the project "NGOs & Co - NGO-Business Engagement in Addressing Human Trafficking." The project aims to contribute to the establishment of effective cooperation between European grassroots anti-trafficking NGOs and the private sector, as well as to raise general awareness about the link between human trafficking and everyday consumables produced in Europe.

Since then, a Europe-wide survey was carried out to assess existing practices by grassroots anti-trafficking NGOs in engaging with the private sector. The responses from the 27 participating NGOs were analysed and available [online](#).

The results of the assessment show that alliances between anti-trafficking NGOs and businesses have not yet reached their full potential. The surveyed European NGOs report limited examples of success, mostly following initiation of engagement by business counterparts already interested in the cause.

Grassroots anti-trafficking NGOs are yet to make the leap from acknowledging the importance of involving the private sector to visualising possible pathways and models of engagement, creating linkages with relevant sectors and targeting appropriate boundary partners.

In order to realise the aforementioned goals, a civil society toolkit on working with companies is being developed. The toolkit will be piloted with European anti-trafficking NGOs during the LSI NGO Platform in June in Sofia, Bulgaria. The partners are currently strategising an awareness-raising campaign to draw consumers' attention to forced labour and other trafficking patterns in Europe that will also be presented to a broad forum of NGOs during the meeting.

LSI publishes a quarterly [newsletter](#), compiling the most valuable news and resources on the role of the private sector and consumers in addressing human trafficking. Interested parties are welcome to contribute their opinions and relevant materials to be included in the second issue of the NGOs & Co newsletter by sending an e-mail to info@lastradainternational.org.

LSI statement for International Women's Day

On 8 March 2014, International Women's Day, La Strada international, the European Network against Trafficking in Human Beings, issued a [statement](#) calling for full empowerment and integration of women in all levels of economic, social and cultural activities.

LSI called upon governments and the international community to seize the opportunity to reform the traditional structures that triggered the economic crisis and to make fundamental changes in power balances between countries, between employers and employees and between men and women.

Equal rights, equal opportunities and progress for all are not only to be achieved out of solidarity, but because without equality there is no prospect for sustainable global prosperity. The current crisis is the ultimate proof. Economic recovery or sustainable development necessitates the full empowerment and integration of women.

New Director La Strada Czech Republic

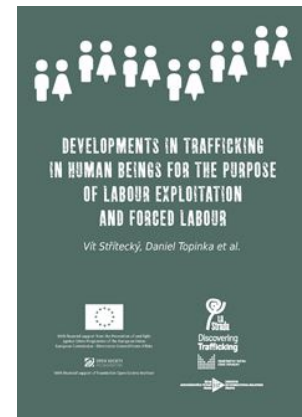
La Strada Czech Republic has selected a new Director, Marketa Hronkova, who will start her new position on 1 April 2014. She will replace Irena Konečná, who will continue to cooperate with La Strada Czech Republic, but has decided to step down as the Director. Irena Konečná will remain a member of the LSI board. Marketa Hronkova holds a degree in law and has a background in civil society and is highly experienced in women's rights issues. For over ten years, she was the Executive Director at the Slovak-Czech Women's Fund, of which the last three years as Executive Director. Moreover, Marketa Hronkova, was the chair of the Board of the International Network of Women's Funds. The Slovak-Czech Women's fund has always closely cooperated with La Strada Czech Republic. In the past, Mrs. Hronkova has also worked for the counselling centre for refugees. LSI welcomes Marketa Hronkova to the network and looks forward to close cooperation. Marketa Hronkova can be contacted at: marketa@strada.cz.



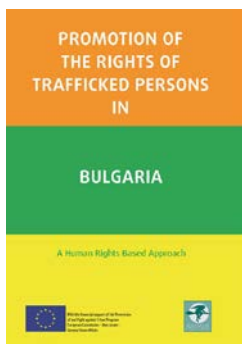
Discovering Trafficking in Human Beings

La Strada Czech Republic published the report, "[Developments in trafficking in human beings for the purpose of labour exploitation and forced labour](#)". This publication is the result of a three-year project, [Discovering Trafficking for the Purpose of Forced Labour and Labour Exploitation](#), which aimed to provide more trafficked persons with access to legal protection and services. The specific objective was to define what trafficking for forced labour and labour exploitation means according to the legal institutions in the Czech Republic and other countries. To support law enforcement and judicial authorities in the Czech Republic, the project also addressed the practical ways in which existing definitions and indicators are used in relation to trafficking in human beings for the purpose for labour exploitation.

The report offers the necessary context of current discourse on the issue and provides unique comparative analysis of legal regulation and case law in the area of trafficking for labour exploitation. For this analysis, data and case law were collected from nine European countries. The result of the research is not only the identification of legal differences in theory or application, but also the formulation of specific legal and executive actions, which should improve the efficiency of Czech legal and law-enforcement systems.



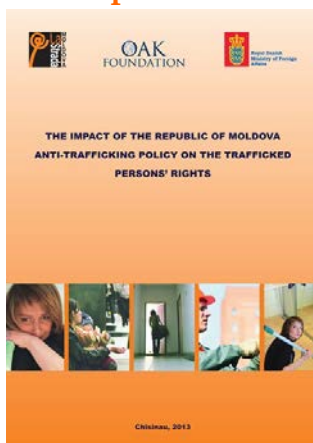
The Rights of Trafficked Persons in Bulgaria



Animus Association has analysed how the rights of trafficked persons are respected and promoted in Bulgaria. Despite increasing awareness that trafficking and the exploitation of human beings through forced labour or in slavery-like conditions constitute severe human rights violations, states tend to focus on the prosecution and punishment of the perpetrators, while the protection of the rights of trafficked persons lags behind. Often victims are purely seen as an instrument for the prosecution with little regard for the far-reaching impact testifying against their exploiters may have on their current and future wellbeing and long-term safety.

[This report](#) provides a legal analysis of the position of trafficked persons in criminal and other relevant proceedings in Bulgaria and their treatment by the judicial system, in particular their access to legal aid and the protection of their rights as victims and witnesses, including access to compensation. The report contains an analysis of the legal provisions pertaining to the position of victim/witness of trafficking and their implementation in practice, based on the experiences of service providers and interviews with victims. Attention is also paid to the national definition of human trafficking and its implementation, in particular whether it offers equal protection without discrimination to all potential victims, including sex workers and victims of trafficking and exploitation for purposes other than prostitution.

The impact of anti-trafficking policy on trafficked persons' rights in Moldova



This new [publication](#) of La Strada Moldova reflects the role of civil society organisations in carrying out independent evaluations of state anti-trafficking policy. The report assesses the implementation of state obligations towards the protection of the rights of trafficked persons. It includes both trafficked persons' experiences with the provided services, as well as opinions of specialists from various organisations interviewed during the research. The report provides general conclusions and recommendations to overcome identified challenges, which are directed specifically to the Permanent Secretariat of the National Committee to Combat Trafficking in Persons but also to the greater anti-trafficking community in Moldova. The proposed measures aim to strengthen rights-based approaches in the development and implementation of state anti-trafficking policy, ensure a positive impact of this policy on the protection of the rights and legitimate interests of victims of trafficking in human beings, and enhance the efficiency of the measures taken by all actors in the field. The recommendations, when implemented, can

facilitate the coordination of state anti-trafficking and human rights policy and encourage sustainable development of government efforts in these areas. The publication is available in English, Russian and Romanian.

datACT conference documentation

In September 2013, a conference was organised in Berlin for datACT - the [joint project](#) of [KOK e.V](#) and La Strada International to promote the rights of trafficked persons to privacy and autonomy and to protect their personal data. The conference focused on data protection as a new challenge in anti-trafficking

policies in the digital age, bringing together counselling centres, National Rapporteur Mechanisms, academics, IGOs and national data protection authorities.

Participants from 15 countries exchanged experiences on data collection procedures and victim protection, European data protection developments and the rights of marginalised populations, counselling centres and National Rapporteur mechanisms, along with the right to privacy for trafficked persons.

[Presentations and speeches](#) by Gulnara Shahinian, the UN Special Rapporteur on contemporary forms of slavery, Thilo Weichert, data protection commissioner Schleswig-Holstein and the Dutch National Rapporteur on Trafficking in Human Beings Corinne Dettmeijer-Vermeulen are published on the KOK website.

What's going on ?

Resolution on the “Swedish Model” adopted in EU Parliament

On 26 February 2014 the European Parliament adopted a non-binding [resolution](#) by 343 votes to 139, with 105 abstentions, calling on EU Member States to reduce the demand for prostitution by criminalising the act of buying sexual services, in line with the so-called ‘Nordic’ or ‘Swedish’ Model. The resolution stresses that prostitution violates human dignity and human rights, whether it is forced or voluntary, and calls on Member States to find exit strategies and alternative sources of income for women who want to leave prostitution or are faced with a lack of other options. An alternative resolution presented by Members of Parliament of a range of political groups, calling for the differentiation between voluntary and forced prostitution was rejected.

The Resolution is based on the [report on sexual exploitation and prostitution and its impact on gender equality](#) by Social Democrat MEP Mary Honeyball (UK).

The report was much contested in a statement by a [large coalition of over 560 civil society organisations](#) working on sex workers and women’s rights, LGBT rights, human trafficking, health and HIV, development etc., including La Strada International. Also a large group of [94 academics and researchers](#) protested in a letter to MEPs and issued a counter report analysing the lack and misrepresentation of evidence in Mary Honeyball’s report. In addition, La Strada International issued a [statement on behalf of the LSI NGO Platform](#), warning that the conflation between prostitution and human trafficking leads to inadequate counter-trafficking policies and to counter-productive prostitution policies.

Although the Resolution is non-binding, it will influence the already heated debate in Europe on prostitution and trafficking in human beings. It will not force countries to change their policies, but it will pressure them to revisit those policies and will give pro-criminalisation groups much more leverage with politicians in their countries.

PACE Report on prostitution, trafficking and modern slavery in Europe

Also the Parliament of the Council of Europe (PACE) has issued a [report](#) on prostitution, trafficking and modern slavery in Europe. The rapporteur, the Portuguese Assembly Member José Mendes Bota has visited countries that have regulated the sex industry (Germany, Switzerland and the Netherlands) as well as countries where the purchases of sexual services is criminalised (Sweden). Mr Mendes Bota concludes that in all countries the lack of reliable and comparable data on prostitution and trafficking in Europe is a major barrier to making and implementing effective policies against trafficking for purposes of sexual exploitation. Although the report does allow space for different voices, it is clear that the author favours the so called “Swedish Model”. He did talk to sex workers rights organisation and he believes them when they say that sex work is often done out of choice, he however remains convinced that voluntary prostitution is only a myth. It is therefore not a surprise that the report has the following conclusion. “While each system presents advantages and disadvantages, policies prohibiting the purchase of sexual services are those that are more likely to have a positive impact on reducing trafficking in human beings.”

The Resolution of the report therefore calls upon States to consider the criminalisation of the purchase of sexual services. The Parliamentary Assembly of the Council of Europe will vote on the Resolution that derives from the report on 8 April 2014.

The report and resolution are comparable to the report of the European Parliament and indicate the shift in the discussion on prostitution in the last years. In 2007, PACE launched a report called [Prostitution, what stance to take?](#) This report urges Council of Europe member states to formulate an explicit policy on voluntary adult prostitution that avoids policies which force prostitutes underground or into the arms of pimps, thereby making prostitutes more vulnerable, and it urges Member States to instead follow empowerment strategies. PACE also believed that, as an organisation based on human rights and respect for human dignity, the Council of Europe should take a stance on prostitution which reflects its core mission.

Basing one's judgment on respect for human dignity does not mean taking a moralistic approach, however. It means respecting people's decisions and choices as long as they harm no-one else.

Seasonal workers directive adopted

On 5 February 2014 the European Parliament voted on the [Directive on conditions of entry and residence of third-country nationals for the purpose of seasonal employment in EU Member States](#), the so-called "seasonal workers directive". The new rules will give non-EU seasonal workers the same labour rights on minimum pay, dismissal, working hours, holidays, and health and safety requirements as EU nationals. The legislation requires all applications for entering the EU as a seasonal worker to include a work contract or a binding job offer specifying payments, working hours, as well as evidence that the worker will have appropriate accommodation. Employers in breach of their obligations will face penalties and will have to compensate the affected seasonal worker(s). Member States will retain the right to decide how many seasonal workers are allowed into each country annually, and to establish a maximum length of stay of between five and nine months per year for each worker.

Civil society organisations working with migrant workers and undocumented migrants have, together with La Strada International, welcomed and strongly supported measures agreed upon by the European Parliament and the Council that aim at creating better working and living conditions for third-country seasonal workers across the EU. However, LSI regrets that some of the proposed recommendations regarding social rights and equal treatment of workers were not taken into account. This has the potential to jeopardise the effectiveness of the Directive by insufficiently addressing exploitation risks. More information can be found [here](#).

Post Stockholm agenda

The [Stockholm Programme](#), which framed Home Affairs policies from 2010 to 2014, will soon come to an end. The Directorate-General of the European Commission in charge of Home Affairs policies (DG Home) launched a public consultation entitled "An Open and Safe Europe - What Next?" The consultation aims to gather input for the considerations on future challenges and priorities to be addressed by these policies in the coming years. Contributions of States, NGOs and various entities, including La Strada International, PICUM and others, are available [here](#). The European Commission held a high-level conference on 29 and 30 January 2014 to discuss the future of Home Affairs policies together with other EU institutions, civil society organisations, member states and researchers.

GRETA will start second evaluation round

In 2014 GRETA is expected to deliver the final country reports in the context of the first evaluation round and to begin the second evaluation round. GRETA discussed the working methods and the draft questionnaire for this second round in its March meeting.

LSI together with Anti-Slavery International have been advocating for maximum civil society involvement in the monitoring process, amongst others, through the ["Guidance for NGOs to respond to GRETA"](#). The two organisations are currently collecting NGO feedback on their experiences cooperating with GRETA and are compiling recommendations for GRETA's focus points for the second evaluation round. The outcomes of this survey will be presented to the members of GRETA.

Framework for Joint Action OSCE and CoE

In February, the OSCE and the Council of Europe organised a [joint conference](#) aiming to take stock of the progress of the counter trafficking measures taken so far. The conference also discussed challenges in the implementation of the Council of Europe's Convention on Action Against Human Trafficking and facilitated a dialogue on best practices and tools developed on the basis of the OSCE Action Plan to Combat Trafficking in Human Beings. Conference attendees also discussed how legally binding standards, monitoring mechanisms and political strategies can mutually reinforce each other and lead to effective action to counter trafficking in human beings.

At the conference, a draft Framework for Joint Action was presented, outlining specific areas for cooperation in promoting the implementation of anti-trafficking legal obligations and political commitments. Actions suggested in the framework are for example: Organising an expert meeting to address the exact circumstances in which residence permits and reflection periods are being issued; joint trainings and workshops with members of the judiciary on the implementation of the non-punishment provision; and ways in which to promote the better implementation.

End of term Maria Grazia Giammarinaro as OSCE Special Representative

After serving for four years as OSCE Special Representative and Co-ordinator on Combating Trafficking in Human Beings, the term of Maria Grazia Giammarinaro has ended in March. She has resumed to her previous function as a judge in Rome.

Ms Giammarinaro has been very productive in the past four years, visiting countries, organising conferences and expert meetings and producing many in-depth reports on specific focus points of the OSCE Action Plan to Combat Trafficking in Human Beings, promoting the rights of trafficked persons. She was very clear about the need for unconditional support for trafficked persons in order to have a truly human rights-based approach. In her work, she broadened the



scope of the fight against trafficking in human beings to more preventative work focusing on promoting decent working conditions and social inclusion. In the [statement for World Day of Social Justice](#) on 20 February, Giammarinaro underlined this approach by saying that, "Fighting poverty, unemployment and gender inequality while promoting decent work, access to social well-being and justice for all are fundamental to combating human trafficking. The struggle to end modern-day slavery is very much a part of the struggle for social justice, and therefore we want to urge all members of the global community to focus on redoubling efforts to eliminate the conditions that result in the scourge of human trafficking."

La Strada International thanks Mrs Giammarinaro for her efforts towards a human rights based anti-trafficking agenda, and is pleased that has been willing to provide this issue's Column of the LSI Newsletter (see What's on your mind?)

The call for nominations for a new mandate holder closed several months ago, but due to internal procedures, the new Special Representative will not be appointed before June 2014. Ruth Freedom Pojman, the Deputy Co-ordinator of the Office, has stepped into the position of co-coordinator until then.

New Special Rapporteur on Contemporary Forms of Slavery appointed

At the 25th session of the Human Rights Council (HRC) from 4 to 28 March, Mrs Urmila Bhoola from South Africa was appointed the new Special Rapporteur on Contemporary Forms of Slavery, succeeding Mrs Gulnara Shahinian. Mrs Bhoola is currently Executive Director of the International Women's Rights Action Watch Asia Pacific (IWRAP AP). She has extensive experience in human rights law and labour law, including advocacy, litigation, teaching and judicial sources. She was a Judge of the Labour Court of South Africa for five years. She was partner in a human rights law practice in South Africa for 20 years as well as a human rights activist. Mrs Bhoola has been a technical advisor to the ILO and has worked on projects with UN Women. Mrs Bhoola conducted international advocacy in South East Asia and with the Centre for Women's Global Leadership to facilitate dialogue on the post-2015 agenda with a focus on the global economy, changing forms of labour in global supply chains, trafficking and migrant labour, and the prohibition of child labour.

Next to the appointment of Mrs Bhoola, the HRC also decided on a number of other mandate holders, amongst others the Special Rapporteur on the sale of children, child prostitution and child pornography. The appointed, Maud de Boer-Buquicchio from the Netherlands, has served as Deputy Secretary-General of the Council of Europe from 2002 until 2012. Mrs De Boer-Buquicchio joined the Council of Europe in 1969, and joined the legal Secretariat of the European Commission of Human Rights. She later worked in a variety of positions in the Council of Europe system, including in the Private Office of the Secretary-General of the Council of Europe and as Deputy Registrar of the European Court of Human Rights. She was elected President of Missing Children Europe in 2013.



Call for Special Rapporteur on Trafficking in human beings, especially women and girls

The second term of Joy Ngozi Ezeilo as UN Special Rapporteur on trafficking in persons (SR TIP), especially women and children, will come to an end in June 2014. At the conference on the Enforcement of International Human Rights Law Through the Mechanism of UN Special Rapporteurs she presented her [thoughts and reflections on 6 years of the Mandate](#). Ms Ezeilo has demonstrated a strong commitment to the

human rights approach to counter-trafficking policies and firmly advocates that restorative justice is central to combating human trafficking. In 2011 she presented her report on the right to effective remedies for trafficked persons including the draft Basic Principles, intended to provide States with useful guidance on implementing the right to an effective remedy. Since then, she has organised a number of consultations with States, regional intergovernmental organisations and civil society on the issue, and at the 26th session of the Human Rights Council in June 2014, the Special Rapporteur will present the revised “Basic Principles on the Right to an Effective Remedy for Trafficked Persons”.

At the end of October 2013 Ms Ezeilo initiated an evaluation of the mandate of SR TIP ten years after its creation. The evaluation is on-going and a final report will be submitted to the HRC in June. Ms Ezeilo already concludes that progress made in the last six years included the following: Contributions to normative framework at international and national levels; greater understandings of trafficking in human beings and of how a human rights approach can enhance the conventional criminal justice perspectives; Transformations of key recommendations by States Parties, for example, on establishing national rapporteurs and focal agencies for combating trafficking at the national level for effective coordination; - Monitoring anti-trafficking measures and implications for the human rights of victims and -Victim-centred approaches that de-emphasise abolitionist versus non-abolitionist approaches to prostitution that arguably lead to confounding the fight against human trafficking by locating the victim and respect for human rights at the core of any initiative to combat trafficking in human beings.

A [YouTube video](#) was made about Ms Ezeilo’s work and her country visit to Italy.

The [call for applications](#) for the new mandate holder is open until Thursday, 3 April 2014. The new Special Rapporteur is to be appointed at the 26th session of the Human Rights Council (10-27 June 2014).

No proof of misuse of victims protection act in Netherlands

In the Netherlands there has been a debate on the misuse of the Dutch Victims Protection Act (article B8) since a few years. A [study](#) by the University of Leiden and the research institute Regioplan (in Dutch) learns that the actual misuse of the protection programme cannot be established and is also very hard to prove. In the discussion, difference should be made between the legal definition of a victim (can it juridical be proven the crime was committed and therefore the person is a victim) and the factual definition (is the person a victim of trafficking). Only in the last definition there can be a case of misuse of the Article B8, when someone falsely claims to be a victim. In most cases, a person is indeed a victim but due to too little investigation indicators, the crime cannot be proven.

The fight against trafficking has been intensified in the Netherlands which has led to an increase in the number of identified victims who are entitled to the B8 status and a temporary residence permit. The researchers conclude that huge difference between the number of cases that are being brought forward and the cases that can be proven, can lead to frustration and the rumours of misuse of the provisions.

Global Forum on Migration and Development Civil Society Days

The seventh [Global Forum on Migration and Development](#) (GFMD) will take place on 14-16 May in Stockholm, Sweden, preceded by the [GFMD Civil Society Days](#) on 12-14 May. The event will bring together 200 migration and development leaders from all over the world. The event aims to drive forward the five-year eight-point [Action Plan](#), which was proposed at the UN High Level Dialogue on International Migration and Development in October 2013. Participation in the Civil Society Days 2014 is open to all sectors of civil society, including diaspora and migrant organizations, human rights and development groups, labour unions and representatives from academia and the private sector. Unfortunately, meaningful interaction with governments during the GFMD Government Days is limited to the ‘Common Space’, a three-hour morning session on the first morning of the Government Days, during which the results and recommendations from the Civil Society Days are usually presented. An [open letter](#), co-signed by Amnesty International and LSI, has called on the Swedish chairmanship to allow meaningful participation of civil society organisations in all sessions of the GFMD Government Days.

Prior to both events, the [People’s Global Action on Migration, Development & Human Rights \(PGA\)](#) takes place on 9-10 May. The PGA brings together migrant associations, migrant rights organizations, trade unions, faith groups, academia and other civil society from around the world to share information, dialogue, strengthen analyses and develop joint actions and campaigns on current and emerging issues related to migration. It provides an essential space to enable civil society to critically engage governments’ GFMD process and to challenge states to undertake migration and development policy-making within a human rights framework, as well as to hold governments accountable to their international human rights and development commitments.

The PGA also paves the way for capacity building and the development of movements and networks. Activities at the two day event will include plenaries by civil society leaders alongside notable dignitaries



and government leaders, strategy meetings of international campaigns, self-organised workshops, cultural events, visits to local communities, public actions, and numerous other meetings.

EU call for ratification Domestic Workers Convention

At the end of January 2014, the EU's Council of Ministers adopted a Decision authorising Member States to ratify the ILO's [Convention concerning fair and decent work for domestic workers](#). The Decision was proposed by the Commission in March 2013 and endorsed by the European Parliament. The 2011 ILO Domestic Workers Convention requires signatory countries to take measures to ensure fair and decent working conditions and to prevent abuse, violence and child labour in domestic employment.

"Improving working conditions in personal services is a key objective for the Commission" said László Andor, Commissioner for Employment, Social Affairs and Inclusion. "I therefore welcome this Decision, which paves the way for ratification of the ILO Convention by EU Member States and contributes to fighting trafficking in human beings. I urge Member States to implement this".

EU legislation, such as Directives on health and safety, workers' rights, gender equality, human trafficking and asylum, already address some aspects covered by the ILO Convention. The provisions of the Convention share the same approach as this legislation and are broadly consistent. On many issues, EU law is more protective than the Convention. However, the Convention is more precise than EU law on the coverage of domestic workers by legislation and in other specific aspects of domestic work.

In June 2012, in the context of the [EU Strategy towards the Eradication of Trafficking in Human Beings](#), the Commission urged Member States to ratify all relevant international instruments, agreements and legal obligations that will contribute to addressing trafficking in human beings in a more effective, coordinated and coherent manner, including the Domestic Workers Convention.

The Convention entered into force in September 2013 and the only EU members states so far who have registered are Germany and Italy. Several Member States though have indicated their intention to ratify swiftly. It was therefore necessary that any legal impediments for the ratification by Member States be removed at the EU level.

International Domestic Workers Federation



At the end of October 2013, the informal International Domestic Workers Network (IDWN) officially became the [International Domestic Workers Federation \(IDWF\)](#). Approximately 180 domestic worker leaders participated in this historic event. The IDWN was founded in 2009 at the International Labour Conference (ILC) in Geneva by leaders of key domestic workers' organisations from across the world. The main objective then was to mobilise domestic workers organisations and their allies worldwide to win an ILO Convention to protect the rights of domestic workers - a goal that was clear and specific. In June 2011, the ILO Convention "C189 Decent Work for Domestic Workers" was won. This victory also called for a more formalised organisation for domestic workers around the world.

The new Federation is membership-based and aims to build a strong, democratic and united domestic/household workers' global organisation

to protect and advance domestic/household workers' rights everywhere.

As of January 2014, the IDWF had 47 affiliates from 43 countries. The majority of these affiliates are trade unions, and others are associations and workers co-ops.

First European Conference on Trade Union Services for Migrants

[The First European Conference on Trade Union Services for Migrants](#) organised by the European Trade Union Confederation (ETUC) took place on 12 December 2013 in Brussels. The conference aimed to improve living and working conditions for migrants. Three working groups were held during the conference, focusing on solutions that trade unions and NGOs reported from the field of collective bargaining, provision of services to migrants and trade union membership. Speakers also highlighted the need for trade unions to remove practical barriers for undocumented workers to join and actively foster their participation and leadership within the movement.

EP Resolution on Undocumented Migrant Women in the EU

In February the European Parliament passed a [resolution on "Undocumented Migrant Women in the EU"](#) underlining the need for equal access to justice and services for all women, regardless of their administrative/documented status. The motion for this resolution came from an own-initiative report by the Committee on Women's Rights and Gender Equality (FEMM), prepared by Rapporteur Norica Nicolai (ALDE, Romania). The resolution calls on national and European authorities to ensure that a woman's immigration status does not prevent her from accessing decent housing, health care, education, and justice. The resolution recommends that Member States delink the prosecution of violence from immigration control, so

that all victims can safely report crimes. To ensure undocumented women are not turned away in their time of need, shelters for violence against women are encouraged to waive requirements that women provide documentation. Finally, access to healthcare and education should be upheld and there should be no reporting of children of undocumented migrants. Although some recommendations made by NGOs, such as PICUM, did not pass the final vote, for example, a call for Member States to ratify the UN Convention on Migrant Workers, the need to increase legal and social assistance for undocumented women, as well as the notion that regarding all undocumented migrant women as victims is potentially disempowering, the resolution marks an important step regarding the need to protect undocumented women's rights in Europe.

Violence against women in the EU

On 5 March, the EU Fundamental Rights Agency (FRA) presented the [results](#) of the first EU-wide survey on violence against women, revealing the extent of abuse suffered by women at home, work, in public and online. It is based on interviews with 42 000 women across the EU, who were asked about their experiences of physical, sexual and psychological violence, including incidents of domestic violence, stalking, sexual harassment and the role played by new technologies in women's experiences of abuse.

The results of the survey show a staggering prevalence of violence against women in the EU - 33% of women have experienced physical and/or sexual violence, 43% have experienced some sort of psychological violence and 55% have experienced some sort of sexual harassment. At the same time, 67% did not report the most serious incident of partner violence to the police or any other organisation. "These survey figures simply cannot and should not be ignored. FRA's survey shows that physical, sexual and psychological violence against women is an extensive human rights abuse in all EU Member States," said FRA Director Morten Kjaerum. "The enormity of the problem is proof that violence against women does not just impact a few women only - it impacts on society every day. Therefore, policy makers, civil society and frontline workers need to review measures to tackle all forms of violence against women no matter where it takes place. Measures tackling violence against women need to be taken to a new level now."



ILO Tripartite Technical Meeting on Labour Migration

The ILO hosted a five-day tripartite technical meeting on labour migration in Geneva, Switzerland from 4 to 8 November 2013. The meeting aimed to discuss key issues, such as the effective protection of migrant workers, matching skills with labour market needs, as well as international cooperation. The Meeting brought together 12 government representatives, 12 employers' and 12 workers' representatives, as well as representatives from international and civil society organisations. The meeting agreed on conclusions which will be submitted to the March 2014 session of the Governing Body of the ILO for consideration. The [conclusions](#) define challenges and opportunities for the ILO in the follow-up to the UN High-level Dialogue and post-2015 development debate, strategies to effectively protect migrant workers, including protection mechanisms of migrant workers in an irregular situation, skills recognition, and ways to promote cooperation and dialogue.

HREA course on human trafficking and smuggling

This [e-learning course](#) by the Human Rights Education Associates (HREA) analyses the concepts of human trafficking and migrant smuggling while discussing various practical cases from around the globe. It focuses on existing policies and practices of prevention and prosecution, such as victim identification, national/transnational referral mechanisms, or regularisation programmes, to combat these crimes and to protect and address the needs of victims. It also addresses the links between trafficking, smuggling, labour migration and forced migration.

Human Rights Education Associates (HREA) is an international non-governmental organisation that supports human rights learning, the training of activists and professionals, the development of educational materials and programming, and community-building through on-line technologies. HREA is dedicated to quality education and training to promote understanding, attitudes and actions to protect human rights, and to foster the development of peaceful, free and just communities.

HREA works with individuals, non-governmental organisations, inter-governmental organisations and governments interested in implementing human rights education programmes.

What's new ?

Trafficking in Human Beings and Human Rights

Trafficking in human beings receives great attention in international politics. It is often stated that trafficking in human beings constitutes “a grave human rights violation”. This [book](#) by Julia Planitzer explores what this statement actually means and investigates links between trafficking in human beings and human rights. Central question is: what are the human rights obligations of States concerning trafficking in human beings and how can a Human Rights-Based Approach to Trafficking in Human Beings be implemented? The Council of Europe Convention on Action against Trafficking in Human Beings paves the way for States to apply a Human Rights-Based Approach. The book shows to which extent States actually implement this approach.

Combating Trafficking & Exploitation: Human Rights, Social Justice and Rule of Law



The [eighth Annual Report](#) produced by the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SR/CTHB) covers the period from January to early December 2013, which corresponds roughly to the fourth and final year of the term of Maria Grazia Giammarinaro. The Annual Report presents the work carried out by the Special Representative and her office. This includes chapters on: country visits, the 13th *Alliance Against Trafficking in Persons* conference, the non-punishment of victims of trafficking, preventing domestic servitude in diplomatic households, trafficking in human beings for the purpose of organ

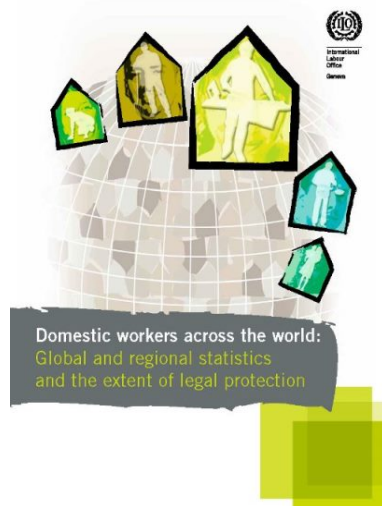
removal in the OSCE region, trafficking in human beings amounting to torture and other forms of ill-treatment, working with participating States and the Mediterranean, partners for cooperation to prevent human trafficking, human rights and business, and working with the media to raise public awareness. It also provides an overview of the external cooperation efforts that the Special Representative has been engaged in throughout 2013, such as with international organisations, civil society, trade unions, and other non-state partners and on the *Alliance against Trafficking in Persons*.

Domestic workers across the world

The aforementioned adoption of new international labour standards on domestic work (Convention No. 189 and its accompanying Recommendation No. 201) by the ILO at its 100th International Labour Conference in June 2011 represents a key milestone on the path to the realisation of decent work for domestic workers.

[The ILO publication Domestic workers across the world: Global and regional statistics and the extent of legal protection](#) presents national statistics and new global and regional estimates on the number of domestic workers. It shows that domestic workers represent a significant share of the labour force worldwide and that domestic work is an important source of wage employment for women, especially in Latin America and Asia. It also examines the extent of inclusion or exclusion of domestic workers from key working conditions laws. In particular, it analyses how many domestic workers are covered by working time provisions, minimum wage legislation and maternity protection. The results demonstrate that under current national laws, substantial gaps in protection still remain.

The publication concludes with a summary of the main findings and a reflection on the relevance of the newly adopted international standards to extend legal protection to domestic workers.



Improving the Interpretation and Presentation of Data on Trafficking

This ICMPD [policy brief](#) by Dr. Dita Vogel from Bremen University examines current practices in presenting data on THB and provides insight on how these practices influence policymakers. It also offers recommendations for an improved data presentation policy that employs a comparative approach.

In comparing the presentation of Eurostat trafficking data in Eurostat's own report with the press release issued by the European Commission announcing the report's launch, the policy brief identifies two distinct data presentation policies: a disclaimer policy, used in the Eurostat report, and an exaggeration policy, used in the press release. As the policy brief argues, both are problematic. The former invites inaccurate interpretations of data by refraining from offering any interpretations itself, while an exaggeration policy

encourages calls for simplistic policies that do little to address the suffering of individuals in situations of extreme exploitation. The author concludes with a set of recommendations for a data presentation policy that makes the best possible statements on the basis of available data and qualitative knowledge, using comparative observations within data sets and more.

Slavery today Journal



[Slavery Today: A Multidisciplinary Journal of Human Trafficking Solutions](#) is dedicated to research, theory, and practical applications with regards to eradicating slavery. It is a nexus of critical thought for all fields relating to understanding and combating modern slavery and is unique in its focus on the issues of slavery and human trafficking. It engages academics and practitioners in dialogue between the fields, helping us to find common language to work towards our common goal. The journal will include relevant research papers, review papers, case studies and conference reports.

Studies currently published solely within the author's discipline or geographic area are widely dispersed and thus challenging to locate. The studies will be assembled in this forum, in order to spark further research, invite interdisciplinary dialogue, foster changes in practices, and create new university courses and new policy at local, national and global levels.

The editorial board's diverse cross-section of professions, disciplines, nationalities and cultures draws on both the academic and field-level

expertise of its members. The journal will be published and administered by the board of directors of the NGO *Slavery Today*.

The inaugural issue consists of invited articles from a professionally and geographically diverse group of authors. Subsequent issues will be chosen from cyclical calls for papers issued to universities, professional organisations, special focus groups and practitioners. *Slavery Today* will be published quarterly.

FRA paper on the criminalisation of undocumented migrants

A [new paper](#) by FRA examines measures in EU Member States to counter irregular migration and to assess states' compatibility with fundamental rights.

The paper on the Criminalisation of migrants in an irregular situation and of persons engaging with them, is a contribution to current discussions about modifying EU legislation on assisting unauthorised entry. This is an important aspect of the European Commission's 'Task Force Mediterranean', which was set up following the deaths of almost 400 people off the Italian island of Lampedusa in October 2013.

This paper begins by discussing the punishments administered by Member States for irregular entry or residence. The majority of Member States punish irregular entry and stay with imprisonment and/or a fine. This risks migrants being imprisoned beyond the pre-removal detention that is allowed by the Return Directive, which sets out standards and procedures for returning irregular migrants. Because of a real or perceived danger of detection, migrants in an irregular situation are often too afraid to use medical facilities, send their children to school, register their children's births or attend religious services. If the state encourages the general public to report migrants in an irregular situation to the immigration authorities, this will drive migrants further underground, depriving them of access to public services and making them more vulnerable to exploitation and abuse.

Criminalisation harms not only the migrants themselves, but also those who support them, such as providers of humanitarian or legal assistance, or people who rescue migrants in distress at sea. For example, fishermen fear punishment for rescuing migrants at sea, a fact that was widely reported following the Lampedusa tragedy. In addition, landlords may be punished for renting accommodation to irregular migrants.

FRA's findings are described in the context of the Return Directive, as well as the Facilitation Directive and accompanying regulations that oblige EU Member States to punish anyone who assists a person to enter, pass through or remain on EU territory in an irregular manner.

Call for papers: European policies on the provision of healthcare to trafficked persons

Many trafficked people suffer acute and longer-term health problems and healthcare challenges, and health professionals play an essential role in identifying and referring trafficked people to other services and in receiving and treating people referred for healthcare. Yet, evidence to inform health service responses to human trafficking is limited. [PROTECT](#) (Provider Responses Treatment and Care for Trafficked People) is a research programme funded by the UK Department of Health to provide evidence to inform health service responses to human trafficking, specifically in the identification and referral of trafficked people, and safe and appropriate care to meet their health needs.



As part of PROTECT, the researchers are reviewing European policies on the provision of healthcare for trafficked people and evidence on their effectiveness. If you know of documents or reports (e.g. legislation, policies, guidelines, evaluations) that might be relevant, please send electronic copies or further information to Dr Sian Oram (sian.oram@kcl.ac.uk). There are no language restrictions on the review.

Professor Louise Howard, Head of the Section for Women's Mental Health at King's College London, and Dr Cathy Zimmerman, Senior Lecturer in Gender Violence and Health at the London School of Hygiene & Tropical Medicine are leading the research.

Call for Papers: '15 Years of the UN Trafficking Protocol'



The Anti-Trafficking Review promotes a human rights based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights. The Review offers an outlet and space for dialogue between academics, practitioners and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons. Each issue relates to an emerging or overlooked theme in the field of human trafficking. The Review currently publishes one issue annually.

Publication will increase to two issues a year in 2015. Forthcoming Special Issues are on Following the Money: Spending on anti-trafficking (September 2014) and [15 Years of UN Trafficking Protocol](#) (April 2015). The [call for papers](#) for the latter is out now.

2015 will mark the 15th anniversary of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. Is this a time to celebrate progress or has the Protocol caused more problems than it has solved? The Protocol created frameworks which have impacted people's lives: differentiating smuggling from trafficking; marking out women and children, rather than men, as priority stakeholders; defining trafficking broadly; placing organ sale within the mainstream of anti-trafficking work; and emphasising the concept of 'abuse of power' in the identification of trafficking. What do the effects of these aspects of the Protocol look like on the ground, after 15 years of building anti-trafficking into government, NGO and INGO programming? Deadline for submissions is 1 June 2014

What's new on the web ?

The United Nations University Migration Network



The [UNU Network on Migration](#) seeks to contribute to evidence-based policymaking by presenting information on current events and activities of the global UNU system relating to migration. The network's online portal also enables one-stop access to cutting-edge research on migration-related issues via a searchable web-based

repository of UNU publications. At launch, the portal encompasses information about 37 research projects and provides access to more than 200 publications (reports, policy briefs, books, articles and working papers).

New website Ban Ying

Ban Ying e.V., one of the oldest women's projects in Berlin, is a specialised counselling centre which works to combat human trafficking and campaigns for the rights of migrant women who have experienced violence, exploitation or human trafficking. The aim is to improve the living conditions and social and legal situation of migrant women in Germany. Ban Ying has recently launched their [new website](#).

Sex work heritage

Due to the reviving discussions against regulated prostitution and the emerging trends in the sex industry such as the work through internet, the sex industry as it has manifested itself for many years seems to be disappearing. Sietske Altink, a former employee of the Red Tread (the Dutch organisation for sex workers), developed the website [Sexwerkerfgoed](#). It provides information on policies, empowerment, labour etc. The website has an English section.

What's happening where ?

- 4 April - Corporate Social Responsibility in the field of Human Trafficking, Brussels, Belgium
- 10-11 April - Access to Justice for Crime Victims in the EU, Trier, Germany
- 11 April - Global supply chains summit, London, UK
- 23-25 April - Trafficking in human beings - Recruitment, Identification, Victim Support, Tallinn, Estonia
- 14-16 May - GFMD and civil society days, Stockholm, Sweden
- 18-23 May - ITUC World Congress, "Building Workers' Power", Berlin, Germany
- 28 May - 12 June - ILO International Labour Conference, Geneva, Switzerland
- 16-20 June - LSI Assembly Meeting and NGO Platform, Sofia, Bulgaria

What's on your mind ?

How to strengthen a social response to trafficking?



Maria Grazia Giammarinaro, Judge at the Criminal Court of Rome, Former OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

After four years as OSCE Special Representative, I feel that it is time for a reflection about what has worked and what has not worked in anti-trafficking action. One aspect is definitely positive: anti-trafficking mechanisms have been established everywhere. However, the number of identified and assisted victims is still minimal.

I am more and more convinced that trafficking should be seen primarily not as a criminal phenomenon but as one of the worst forms of exploitation of socially vulnerable people. Exploitation of workers and especially of migrants has become endemic. In the continuum of exploitation, trafficking represents the segment in which, taking into account degrading working and living conditions, extreme low salary, lack of viable alternatives, social isolation, unhealthy and unsafe working conditions and sometimes the use of violence and threats, exploitation can be considered as a slavery-like practice. People concerned however share issues, rights and needs with many other exploited workers. In other words, we need not only a criminal justice response but also, importantly, a social response to trafficking and exploitation.

Firstly, prevention is strategic, not only in countries of origin but also in countries of destination, with a view to ensuring economic and social rights for all, encouraging businesses to take responsibility for exploitation occurring in their supply chains, and asking governments to promote businesses' compliance with State regulations and voluntary initiatives such as codes of conduct.

Secondly, trafficked persons should be seen primarily as workers and rights holders rather than victims. From a cultural point of view, victimisation should not be the central connotation of the "status" of trafficked persons, be they women or men or children, be they exploited in the sex industry, in certain economic sectors such as agriculture, construction or domestic work, or in begging or illicit activities. Trafficked persons' agency should always be valued, meaning that their eventual consent to exploitative situations should not be considered invalid in principle. At the same time, it is necessary to evaluate carefully if abuse of their social vulnerabilities has occurred: in such situations trafficked persons' eventual consent is nothing more than a mere appearance.

On the other hand, we have to admit that the 'victimisation narrative' has not facilitated the actual respect of victims' rights that are still mostly on paper. Therefore we should promote a more pragmatic and effective approach to the protection of victims' rights in relevant proceedings and their access to justice and remedies including compensation, not necessarily through criminal procedures.

Does this mean moving away from the criminal justice response? Not at all. On the contrary, the area of criminal liability should be broader than it is now recognised in national judicial practice. However, criminal justice response should not be the only response to trafficking.

Against a background in which law enforcement agencies have been considered the main actors of anti-trafficking action, other stakeholders should be at the forefront in the prevention of, and fight against trafficking. Public institutions should be aware not only that cooperation with NGOs and Trade Unions is necessary, but also, importantly, that civil society actors should be seen as strategic partners in the decision making, and not only as service providers.

Furthermore, it is necessary to explore how to strengthen a social response to trafficking. To this aim, a new framework for policy making is needed, meaning for example that the criteria to offer information, counselling and assistance to a trafficked person should be disconnected from the legal qualification of the case in criminal proceedings, and from the same existence of criminal proceedings, and rather linked with personal and social conditions of individuals concerned.

This idea has important implications. Firstly, I think that we should replace the term 'identification', which singles out trafficked persons and defines them in terms of exception compared to all exploited workers. On the contrary, a person should be entitled to support measures regardless of whether the case has been or could be identified as a trafficking case and whether the person has received an official 'status' as a victim. Secondly, in a new conceptual framework, neither police nor immigration authorities should be the only agencies responsible for the final decision; social authorities, in cooperation with civil society, are in fact better placed to verify the existence of personal and social conditions justifying the access to certain support measures.

The challenge is to identify appropriate grounds to grant such measures. The discussion on a Protocol to the ILO Forced Labour Convention offers an opportunity for a collective reflection, taking into account the need to bring together trafficking and forced labour legal standards, to better protect the rights of people subjected to any forms of exploitation.



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