

La Strada International – 20 April 2007 – feedback Global Initiative discussion

- ❖ What do NGOs need? What kind of assistance, recognition, cooperation, etc. would best enable NGOs to prevent and combat trafficking in persons?

- In general NGOs need assistance, recognition and cooperation from the government at national and international level. The UN Global Initiative should ensure that governments give technical and financial support to actions of NGOs and that they are recognised for their work.

Prevention work

- NGOs should be supported to raise awareness (campaigns) at educational institutions. Governments can ensure that anti-trafficking becomes a part of school curriculum; governments can join awareness raising actions, and can ensure the dissemination of materials. If the Global Initiative develops awareness raising activities it should ensure that all actors are involved and that actions do not harm/overlap existing activities. Moreover it is important that the right message is being sent out.

Direct assistance and referral (NRM)

- Governments should work with NGO's at all levels of the anti-trafficking chain, among which cooperate on the identification of trafficked persons and the provision and referral of assistance. For recognition of NGOs, there is a need to sign official memoranda of understanding either a protocol that refers to official cooperation regulations, next to practical cooperation between the law enforcement and NGOs on referral of clients, as well as training.

Policy making and consultation, and implementation of action plans etc

- At national and international level NGOs should be invited to cooperate in national action plans, official models, frameworks, and be invited to become member of official working groups, advisory committees and consultation groups, set up in these models, frameworks. The specific role and responsibilities of NGOs and the Government should be clearly described. Also NGO should be invited to play a clear role in the Global Initiative; e.g. be involved in planning, in actions and be member of the informal network.

Structural support for NGOs to play an independent and critical role

- Governments should stop with their increased state control, tax inspections and requiring tax payments over foreign grants, as well as avoid bureaucratic registration procedures. NGOs should be supported instead to operate independently and raise a critical voice – regardless their funding - and be supported to implement activities based on the bottom up approach (field work) and not as dictated from above. (E.g the fact that some governments force NGOs to run closed shelters etc). What is often neglected is La Strada's role of a 'watch dog', including monitoring governmental institutions on how they fulfil their tasks in the process of implementation of the National Action Plans. This role, however, is of utmost importance, since La Strada's experience in cooperation with governmental institutions often shows discrepancies between declaration and real commitment.

Monitoring

- Next to critical NGOs there is an urgent need for Independent Rapporteurs to monitor the implementation of governmental actions. The UN Global Initiative should ensure monitoring of governmental activities, but also ensure that its own activities implemented in the framework of the Initiative are monitored and are effective. Actions of other actors, including NGOs should be monitored as well.

NGO cooperation and capacity building

- Governments should support NGO cooperation - support NGO networks, as well as capacity building of NGOs. The UN global initiative should include measures towards capacity building of NGOs and the development of Civil Society in general. The Global Initiative should also ensure NGO cooperation and organise, either support NGO networks or individual NGOs technically and financially. Regardless various initiatives it remains still very difficult for NGOs to become sustainable and to continue their work. Over the years many NGOs have been established, and many of them have disappeared as well.
- The difficult criteria opposed in order to obtain funding – especially for EU funding - in general lead to competition among NGOs, ad hoc activity rather than structural activities. Often NGOs have to dedicate a lot of their staff time on fundraising, not be able to focus on what they were established for. The global Initiative should support NGOs that have proven to be able to offer something.

What would you like the Global Initiative to do to reflect and address the needs identified by you?

Social political and economic situation

- In general, NGOs and the other actors need a good climate to operate in, in order to help to prevent and combat trafficking in persons. There is a need for a stable and democratic political, economical & social environment – as the effect of the work of La Strada at the national and international level largely depends on, and is influenced by, the political, economical and social developments in the La Strada countries, as well as global developments. Political instability and frequent political changes often lead to the fact that action plans, measures initially planned are not implemented and that NGOs often have to address new contact persons etc. *See also root causes.*

Human Rights perspective

- The Global Initiative should initiate international anti trafficking policies from the human rights perspective. Although trafficking in human beings is recognised as a gross violation of human rights, national and international anti trafficking policies are developed within the framework of criminal justice and not from a human rights perspective. The effect is that although within international treaties attention is paid to protection and social assistance schemes, the protection of trafficked persons is secondary to the prosecution of the traffickers. La Strada International believes that the criminal justice approach to trafficking alone, even if social measures for trafficked persons are included, will in the end not solve the problem of Human Trafficking. An instrument to fight organised crime does not effectively address the roots causes of trafficking nor does it deal with the human rights violations that trafficking causes. La Strada therefore advocates for a human rights based approach to trafficking. Such an approach does not only require unconditioned support schemes for trafficked persons but also opposes anti-trafficking

measures which adversely affect or infringe upon the human rights of trafficked persons or other affected groups. This approach requires that human rights are at the core of any anti trafficking strategy. It integrates the norms, standards and principles of the international human rights system into legislation, policies, programs and processes.

Focus on root causes

- The Global Initiative should focus on the causes of trafficking instead of only on the consequences. Within the criminal justice system the ultimate goal is that traffickers are convicted and victims are rescued and repatriated. Dealing with the consequences (prosecution of traffickers, assistance to victims) in itself will not end trafficking. As long as the root causes exist, there will always be traffickers to make new victims. The root causes are at the three phases of the trafficking process:
 - 1 In the countries of origin, such as poverty, gender discrimination and violence, corruption
 - 2 During the migration process, such as the lack of safe and legal migration opportunities due to restrictive immigration policies
 - 3 In the countries of destination, such as the demand for cheap and exploitative (irregular) labour and the lack of protection for irregular workers.
- Ad 1. The UN Global Initiative should address the political, economical & social environment, that create the main root factors for trafficking in the countries of origin including poverty, unemployment especially among women, education, lacking healthcare/social support systems, gender equality, discrimination etc. Also bureaucracy and corruption within state structures should be addressed, as issues closely interlinked with the phenomenon of trafficking in human beings.
- Ad2: The global initiative should initiate an innovative and open discussion on labour migration in which current trends in labour migration and the reality of migrant workers are central. The notion of circular migration should be integrated in this discussion. There is a need for more tolerant and flexible immigration policies and liberalised labour regulations. However, Western governments are attempting to close their borders against the growing amount of immigrants. It is still the case that governments treat victims of trafficking as unwanted undocumented economic immigrants, and return them without taking into account their background stories, or without referring them to legal support or relief organisations, such as La Strada.
- Ad 3: The Global Initiative should broaden the current discussion on demand (which is only focussed on prostitution) by conducting a research on demand for all forms of trafficked (forced and exploitative) labour, including the role of states and the private sector, is needed in order to fully understand the scope of the problem across all sectors and to be able to explore a variety of responses and solutions to the many forms of trafficking in human beings. Attention must be paid to labour protection in those sectors or activities where forced labour or services are likely to occur. However this connection is not sufficiently acknowledged nor examined in countries where forced and exploitative labour is possibly being used in the production of many goods and services offered and sold in domestic markets. Also the fact that several sectors, especially those that are labour intensive, might not survive without cheap, irregular and unprotected labour is not openly recognised. Informal and unregulated work activities should be brought within the protection of Labour laws to ensure that all workers enjoy the same labour rights.
- Ad 3. The Global Initiative should start a campaign especially directed at countries of destination/employment to sign and ratify the UN Convention on the Protection of the Rights of all Migrant workers and their Families.

- And finally the Global Initiative should take its own aim to harness and synergize these efforts, get others to join them, and set in motion a broad-based global movement that will attract the political will and resources very seriously; To bring together all these projects and initiatives on trafficking into one global project in which all (international) organisations cooperate in order to increase the impact of all actions taken. Overlap, duplication and gaps in actions, should be as much as possible be avoided at all time, as well as the ad hoc approach. Hereto support and cooperation of all actors towards the global initiative is essential, while the UN should fully take into account all existing practises, organisations and actions.

Marieke van Doorninck & Suzanne Hoff
La Strada International, April 2007