

Advocacy Update



Global Alliance Against Traffic in Women

SIX MONTHS OF INTERNATIONAL ADVOCACY



GAATW-FFW Prevention Consultation with the SR on Trafficking, Bangkok, Jan 2010.

Hello!

We have had a busy 6 months and would love to update you on some of what we see as having been the key international advocacy events during this time. Some themes we can point to throughout are:

A new surge of anti-trafficking activity with still no effective monitoring and evaluation of efforts: States, inter-governmental organisations and civil society have increased their attention to trafficking in recent months, seeking a new Global Plan in this area which focuses largely on the coordination of existing efforts rather than any new substantial direction on trafficking. In some ways, this heightened attention can be seen positively, where human rights and evidence based approaches are entering discussions, but unfortunately it seems likely that these policy negotiations could spell another wave of anti-trafficking activity with no effective benchmarks or monitoring of such activity.

Increased focus on demand as a root cause of trafficking: from crime control to human rights fora we see States and some UN agencies increasing their attention on tackling demand as a root cause of trafficking and exploitation. This focus is having a detrimental impact on efforts to focus on the broader structural inequalities which bring about trafficking and is serving States who are keen to focus on criminalisation rather than the establishment of rights protective frameworks. Contrastingly GAATW and allies have, for some time, been highlighting the much more complex 'root causes' of trafficking – focussing on the points of exploitation in supply chains, analysing the impact of unfair trade rules on migrant workers – ensuring labour protections in increasingly globalised and open markets. As Pearson (Pearson, E., 2005, 4) notes, in this framework tackling demand involves implicating not just clients but also broader and globalised categories of consumers, employers, and third parties involved in trafficking – addressing demand and supply in tandem.

And finally... some positive developments in migrant workers' rights: There has been heightened focus on the treatment of migrants at international human rights discussions, with a particular focus on domestic workers by UN experts,

as well as generally positive results from the International Labour Conference debates this June. Universal Periodic Review reports and even the 2010 US Trafficking in Persons Report have also included useful critique of States treatment of migrant workers for advocacy. However, negative trends continue in this area, notably, states taking measures to increase restrictions on movement, destination countries reducing immigration quotas and operating abusive detention and returns procedures.

So we hope that this roundup is of use and that you are able to skim to the sections which might have most relevance to you, please do contact me at caroline@gaatw.org if you have questions, thoughts or want more information on a particular item.

Warm regards,

Caroline

GAATW International Advocacy Officer

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JANUARY-MARCH

Consultation with the Special Rapporteur on Trafficking in Persons, 18th January, Bangkok, Thailand



Special Rapporteur on Trafficking in persons displays her support for the GAATW Review Mechanism campaign.

GAATW-IS and member organisation, the Foundation For Women, in cooperation with the United Nations Office for the High Commissioner for Human Rights South East Asia Regional Office (UNOHCHR), held a consultation with the Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi Ezeilo, on the prevention of trafficking. The consultation brought together representatives of GAATW-IS and Member Organisations, Foundation For Women and Women's Rights and Development Centre (WORD), as well as representatives from four other Thai-based non-governmental organisations (NGOs) who work directly with and/or advocate for migrants' rights and the rights of trafficked people: Human Rights and Development Foundation, Fight for Life; Save the Children UK; and the Mekong Migration Network, with 33 participants in

total.

The Consultation was an opportunity for the Special Rapporteur to highlight the role of civil society in her work and for participants to raise issues and provide the Special Rapporteur with information for her thematic report to the UN General Assembly on Prevention, in October 2010. The issues raised by participants included:

- The stigmatizing effects of using the term 'rehabilitation' in anti-trafficking strategies and programmes, noting that replacing 'rehabilitation' with 'redress, recovery and reintegration' would be better;
- The need for more prevention initiatives to address the root causes of trafficking and which place equal burden on countries of origin and destination was raised. Strategies that enable the dissemination of more realistic information about migration and trafficking in a way that is widely available and accessible was recommended;
- Civil society-government cooperation on trafficking strategies was raised as an on-going challenge, both due to a lack of mechanisms in place to facilitate such interactions but also political constraints on civil society activities;

- For prevention strategies to be effective, a review of the implementation of anti-trafficking and related laws was identified as critical. Governments, as well as regional and international bodies, must have processes in place to evaluate the effectiveness of their respective laws.

The full report of this consultation can be found on the GAATW website. For further information contact Advocacy and Communications Officer, Ms Fleur Dewar, fleur@gaatw.org

Review Mechanism Working Group meeting, 25th -26th January, Vienna, Austria



Dr Rajbhandari speaks on victim-centered approaches to trafficking

Since the 4th Conference of the Parties to the United Nations Convention against Transnational Organised Crime and the protocols thereto, including the Human Trafficking Protocol (UNTOC) in October 2008, GAATW has been following and reporting on government led discussions aimed at establishing enhanced means of reviewing the implementation and effectiveness of UNTOC. At this Conference, Governments resolved to establish the Open-ended Intergovernmental Meeting of Experts on Possible Mechanisms to Review Implementation of UNTOC (Review

WG) to consider an appropriate mechanism for reviewing UNTOCs implementation. This Review WG met for the first time in September 2009, when GAATW first [reported back](#).

In January, the Review WG met for the second time. Additionally the Working Group on Trafficking in Persons held its second meeting. GAATW Members and the Secretariat attended this meeting and had a strong presence in the corridors of the UNODC, lobbying government delegates and holding a side meeting with African delegates. We are not allowed in to WG meetings as the rules of procedure preclude non-governmental organisation involvement, but we held a side event to the meeting at which GAATW MO, Dr Renu Rajbhandari (Women's Rehabilitation Centre, Nepal) and GAATW board member, Ms Victoria Nwogu spoke about their experiences of 'victim-centered approaches to trafficking'. Dr Rajbhandari noted the work of WOREC with the National Rapporteur on Trafficking in Nepal and Ms Nwogu spoke of law enforcement work on access to justice with civil society in Nigeria (GAATW's collaboration with the National Agency for the Prohibition of Trafficking in Persons, NAPTIP). Other panellists at this event were:

- Dr Helga Konrad - former Austrian Minister for Women's Affairs,
- Ms Liliana Sorrentino -from the Organisation for Security and Cooperation in Europe (OSCE) trafficking unit; and ,
- Professor Manfred Nowak - UN Special Rapporteur on torture.

Following the two days of discussions, the Review WG resolved to establish a pilot review mechanism project, the terms of which to be decided at a later date in coordination with the UN Office on Drugs and Crime (the secretariat for UNTOC). There were differences in opinions of States on other action going forward with possible options to take to the following (5th)Conference of the Parties to UNTOC in October 2010 cited as:

- A. A terms of reference for a review mechanism to be agreed; or ,
- B. Terms of reference for a new Review WG which could draw up a terms of reference for a review mechanism over the next 2 years before the 6th Conference of the Parties in October 2012.

The Review WG will next meet at the 5th Conference of the Parties to UNTOC in October 2010.

For details of this conference see the UNODC website:

<http://www.unodc.org/unodc/en/treaties/CTOC/CTOC-COP.html>

Beijing + 15 at the Commission on the Status of Women, 1st -12th March, New York, USA



This year was the 15-year review of the implementation of the Beijing Declaration and Platform for Action (1995) and the Commission on the Status of Women (CSW) considered

the results of national and regional reviews of implementation which have taken place leading up to the CSW. GAATW-IS was invited to participate in the Asia-Pacific regional consultation on the Beijing Platform for Action in November 2009 in Bangkok. At this meeting, broad priority areas for the Asia Pacific decided upon were:

- the need to address domestic violence, cultural violence and trafficking including the protection of women migrant workers;
- the importance of awareness raising and mass education campaigns;
- data collection, specifically on violence against migrant workers; and,
- integrating women into peace processes.

The CSW considers the achievement of the Millennium Development Goals (MDGs) to be linked to full implementation of the Beijing Platform for Action and therefore has now begun a process of review of the MDGs between now and 2014. The CSW was attended by governments and UN officials and the UN Special Rapporteur on Violence against Women, Ms Rashida Manjoo. NGOs present included the Association for Women's Rights in Development, the International Trade Union Confederation, the International Alliance of Women, the Worldwide Organization for Women, and the International Sexual and Reproductive Rights Coalition. Sessions included discussion of: the global financial crisis; access and

participation of women and girls to education; training; science and technology; and, ending violence against women. Resolutions adopted cover issues such as women, the girl child and HIV/AIDS,; women's economic empowerment and preventing maternal morbidity.

For more information see: <http://www.un.org/womenwatch/daw/beijing15/index.html>

Roundtable III: Bringing together 'Linkages' topics: Feminist Participatory Action Research and GAATW Working Papers, 10th -14th March, Bangkok, Thailand

This was GAATW's 3rd roundtable discussion on this key strategic theme. During this discussion we consolidated the work that GAATW has carried out on linking trafficking, labour, gender, migration and globalisation to date and reviewed initial drafts of the Feminist Participatory Action Research (FPAR) members and allies started in 2009. This was a discussion about 11 research projects and 4 conceptual working papers on the four linkages themes: Gender and Trafficking; Labour and Trafficking; Migration and Trafficking; and Globalisation and Trafficking.

Each working paper and many of the FPARs contained recommendations for policy change and advocacy



objectives. Crucially these documents and the three roundtables will inform GAATW's thinking, policy design and advocacy for the next programme cycle. By way of brief summary we concluded that we now have strong evidence that trafficking is not an isolated phenomenon, but linked with gender, migration, labour and globalisation as well as other issues. We have observed that our anti-trafficking work affects those working in these connected areas meaning that we cannot work

in 'silo's' if we want to affect change. We have to be strategic, find our niche area, while building broader alliances. This Roundtable was one more step in a continuum of deepening the Linkages conversation. For more information contact Ms Rebecca Napier-Moore, Research and Training Officer, rebecca@gaatw.org.

The Human Rights Council 13th Session, 1st -26th March, Geneva, Switzerland



Palais des Nations, housing the UN in Geneva.

Relevant discussions included a panel on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights and a full day meeting on the rights of the child. Special Procedures presenting their reports were the Special Rapporteur (SR) on adequate housing as a component of the right to an adequate standard of living; the SR on terrorism; the SR on torture; the SR on the situation of human rights defenders; the independent expert on minority issues; and working groups on enforced disappearances and arbitrary detentions.

Belarus, Bolivia, Cuba, Peru and Russia sponsored a resolution on human rights and arbitrary deprivation of nationality (Resolution HRC 13/L4) which notes the importance of granting nationality to minority groups. The full text of this resolution can be found here: <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G10/122/70/PDF/G1012270.pdf?OpenElement>

Bosnia and Herzegovina, Brazil, Egypt, Germany, Nigeria and Philippines sponsored a resolution (Resolution HRC/13/L25) on Trafficking in Persons, especially women and children. GAATW engaged in negotiations on this resolution and inserted the bolded text into the main opinion paragraph of this resolution, for the Human Rights Council:

*To hold a panel discussion at its fourteenth session to give voice to victims of trafficking in persons, **with due consideration for the psychological wellbeing of the victims involved, with a view to reinforcing the centrality of their human rights and needs, and taking into account their recommendations when devising actions to combat human trafficking***

The full text of the resolution can be found here: <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G10/123/15/PDF/G1012315.pdf?OpenElement>

Full details of this session can be found at the Human Rights Council website: <http://www2.ohchr.org/english/bodies/hrcouncil/13session/>

A Global Plan of Action on Trafficking (GPA), March – Sept, New York, USA

The GPA text is currently in draft form being discussed by states within the forum of the General Assembly (GA). Discussions on the text began in March and will conclude no later than the end of this 64th session of the GA in September. The GPA has been driven by Belarus backed by a coalition of G77 States, including Russia and Egypt. The stated aims of the GPA can be summarised as follows: to promote universal ratification of UNTOC and related instruments; to reinforce the implementation of existing instruments against trafficking in persons; to help reinforce commitments; to promote comprehensive responses; to promote a human rights based approach; to raise awareness (amongst stakeholders); and to foster cooperation and coordination.

GAATW has serious reservations about the GPA, we project that due to gaps in three core areas the GPA will fail to meet its stated objectives, these areas are:

- **Monitoring and evaluation procedures**

We do not see any evidence so far that monitoring and evaluation (M&E) processes will be a core component of the GPA, in fact based on government comments and paragraphs in the text deleted by States such as Malaysia, China and the USA and Canada so far we are concerned that M&E will not feature in the GPA at all – reasons for such resistance vary from not wishing to have to account for anti-trafficking work domestically to viewing the GPA as a waste of time and therefore not wishing to commit resources to extra accountability mechanisms.

- **Human rights protections**

Human rights language has been coupled with security and development discourse watering down the primacy of human rights. We are concerned that, after protracted discussions on human rights language during the Palermo negotiations the minimal human rights protections afforded trafficked persons in the Human Trafficking Protocol and UNTOC could be endangered by this process.

- **The incorporation of key stakeholders**

We note the minimal consultation with civil society to date on the draft text and the equally minimal reference to civil society organisations in the text. We are extremely disappointed with UNODC's uncooperative relationship with civil society in executing its work on human trafficking and do not believe that awarding UNODC such a key role (through the strengthening of ICAT-see below) will ensure evidence based responses to trafficking in persons are given the prominence they must have.

Background to the GPA

In June 2008 and May 2009 the UN GA convened annual thematic debates on trafficking in persons. Related GA resolutions (63/194, 18 Dec 2008 and 64/178, 18 December 2009) were simultaneously

driven forward. Resolution 63/194 in particular called for the President of the GA to conduct a multi-stakeholder analysis of coordination and cooperation as well as work across the 3 'P's of anti-trafficking work. Within these resolutions and discussions the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT) under the stewardship of the UNODC has been strengthened as a coordinating body and there is also discussion of a 'trust fund' being established under this body to ensure intensified efforts in this area.

The first thematic debate was convened under the auspices of presenting concluding comments from the Global Initiative to Fight Trafficking (UN.GIFT), 'Vienna Forum' to the UN GA. The background document which the UN Secretary General was mandated to prepare in Resolution 63/194 was used as a foundation for the second thematic debate. Following this debate, the governments of Portugal and Cape Verde were tasked with progressing negotiations with the President of the UNGA. The second resolution cemented the GPA drafting process and the role of the two State facilitators. These states are now leading the discussions in New York. For more information on this process see:

<http://www.un.org/ga/president/64/issues/humantrafficking.shtml>

APRIL-JUNE

The Twelfth United Nations Congress on Crime Prevention and Criminal Justice (ICC), 12th -19th April, Salvador, Brazil



GAATW Panel Discussion at the ICC

The theme for the ICC was 'Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world'. Two specific ICC topics of interest to GAATW were: *Criminal justice responses to the smuggling of migrants and trafficking in persons, and links to transnational organized crime* and *Crime prevention and criminal justice responses to violence against migrants, migrant workers and their families*.

The ICC is a large gathering of policy makers and practitioners, the UN and civil society representatives once every 5 years. Participants at the ICC adopted a declaration containing recommendations based on deliberations held during the high-level segment, the round tables and the workshops. This was then submitted to the Commission on Crime Prevention and Criminal Justice – the main policy making body in this area. GAATW-IS and member organisations from Italy, Brazil, the Netherlands and Bolivia attended the ICC and engaged in active lobbying of delegates on issues including: the need for a monitoring mechanism to UNTOC; the National Action Plan on trafficking of Brazil; and a more integrated role for civil society in international criminal justice fora. We also successfully lobbied to integrate some of these messages into the Salvador Political Declaration, highlighting the importance of victim-centered approaches to trafficking responses and indicating a need for a review of current anti-trafficking responses. The full and final text is available here: <http://www.crimecongress2010.com.br/portal/site/documentos-oficiais/salvador-declaration>

We worked towards paragraph 36 in this document, final text as follows:

We urge Member States to consider adopting legislation, strategies and policies for the prevention of trafficking in persons, the prosecution of offenders and the protection of victims of trafficking, consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. We call on Member States, where applicable, in cooperation with civil society and non-governmental organizations, to follow a victim-centred approach with

full respect for the human rights of the victims of trafficking, and to make better use of the tools developed by the United Nations Office on Drugs and Crime.

While at the ICC we were able to talk to many governments on relevant advocacy issues, including their

Daniela Mercury, Salvadorian Carnival queen performs at an ICC cocktail party.



position on a review mechanism to UNTOC and the need for victim-centered approaches to anti-trafficking responses, including consultation with civil society. Here is an overview of what governments had to say:

- **Indonesia, Nigeria and Mexico** were very supportive of a review mechanism to UNTOC;
- **Austria, Brazil, Norway, Belgium and Canada** indicated their ongoing support for a *victim-centered* review mechanism;
- **Portugal** articulated their support for victim-centered approaches to trafficking responses and the need for a victim-centered review mechanism;
- **The Philippines** expressed support for a review mechanism including the involvement of civil society;
- **France** noted the importance of NGOs in anti-trafficking responses as well as victim-centered approaches to trafficking;
- **The United Kingdom, Finland, Spain and the Dominican Republic** articulated the importance of victim-centered approaches to anti-trafficking responses;
- **The US** stated that while they were supportive of a review mechanism to the Human Trafficking Protocol, they did not support a review mechanism to UNTOC as a whole (including the two other protocols);
- **Russia** was very supportive of the proposed Global Plan of Action against Trafficking Persons (as were **Egypt and Belarus**);
- **Algeria** is against a review mechanism, specifically the involvement of civil society;
- **The Bolivian** government appointed Ms Patricia Bustamante from GAATW member organisation CECASEM as their representative. Ms Bustamante was able to make an excellent oral statement which raised the importance of a victim-centred review mechanism and she stated **Bolivia's** support for the development of this at the 5th UNTOC Conference of Parties; Turkey was very active in advocating for migrant rights throughout the Congress;

GAATW held three side events at the ICC. Firstly on victim-centred implementation of the Human Trafficking Protocol, panellists included Ms Sanne Kroon from BLinN (Netherlands), Ms Dalila Figueiredo from ASBRAD (Brazil) and Mr Frans Nederstigt from Projeto Trama (Brazil). The Brazilian under-secretary of State for Women's Affairs, Ms Aparecida Gonçalves chaired the event. Ms Kroon held lunch

time viewings of their audio-visual representation of trafficked persons experiences which enabled her to have many in-depth discussions with delegates about BLinN's work and the need for trafficked people to be placed at the centre of anti-trafficking responses. Finally, a side event was convened to strategise with civil society about how to coordinate in calling for a review mechanism to UNTOC, speakers included Ms Estela Scandola from GAATW member IBISS-CO, and Ms Fleur Dewar GAATW-IS.

The Commission on Crime Prevention and Criminal Justice 19th Session, 17th -21st May, Vienna, Austria.

The Commission on Crime Prevention and Criminal Justice's mandate includes taking international action to combat national and transnational crime and to improve the efficiency and fairness of criminal justice administration systems. As such it acts as a governing body of the United Nations Crime Prevention and Criminal Fund, which resources the technical assistance work of the UNODC.

The main focus of the nineteenth session was on trafficking of cultural property, which states are describing as an 'emerging issue' in this area. However of relevance was a resolution tabled by Argentina and adopted on taking the Salvador Political Declaration forward (from the 12th ICC), specifically focussed on trafficking in persons. This resolution, noted the importance of addressing demand aspects of trafficking, it also highlighted the Global Plan of Action discussions ongoing in New York. The full text of this resolution can be found here:

http://www.unodc.org/documents/commissions/CCPCJ_session19/Resolutions/ECN152010_L12_Rev1e_V1053948.pdf

OHCHR Seminar 'Human Rights Approach to Combating Human Trafficking: Challenges and Opportunities', 27th – 28th May, Geneva, Switzerland

This seminar arose from a resolution (HRC 11/3) agreed at the 11th Session of the Human Rights Council which requested the OHCHR to organise a seminar which would bring together key actors including governments, special procedures, treaty bodies, UN agencies and programmes, NGOs, National Human Rights Institutes and victim representatives. The foundation for the seminar is in the OHCHR Recommended Principles and Guidelines, which the resolution also requested the OHCHR to distribute widely and promote its practical application. Specifically this could be achieved by the publication of their long awaited commentary to the Principles and Guidelines, the release of which we have been anticipating for upwards of one year. The meeting record will be submitted to the 15th session of the Human Rights Council where it may inform a further resolution to the Human Rights Council.

Human Rights Council 14th Session, 31st May – 18th June, Geneva, Switzerland

At this session of the Human Rights Council (HRC), GAATW-IS and member organisations, Fiz, Ban Ying, TWC2 and WOREC, aimed to use opportunities provided by the report from the SR on Trafficking, the SR on Violence against Women, and the SR on the Right to Health to reconcile government and UN commitments made in Vienna in crime control discussions with commitments made in Geneva on human rights. We also aimed to raise critiques on regional coordination agreements and arrangements on trafficking – the focus of the **Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi Ezeilo's** (SR on Trafficking) annual thematic report. Finally, we wanted to network with other human rights focussed NGOs working in this area. It was also crucial to highlight the importance of providing rights protections to migrant domestic workers as discussions took place in parallel at the International Labour Conference – within the framework of the International Labour Organisation where a possible Convention on Domestic Workers was being considered.



GAATW-SEPOM photo exhibit at the 14th HRC

The HRC panel discussion requested in the HRC 12th Session resolution on *Trafficking in Persons, especially women and children* (Resolution HRC/13/L25) formed part of the main HRC session. In this panel testimonies of 'survivors' of trafficking were delivered. GAATW was disappointed both with the methodology of this session (concerned that the format threatened to re-victimise the panellists) and the media attention the OHCHR elicited for this panel (doubtful of considerations for the anonymity of the participants). Furthermore, we noted that three of five testimonies talked of trafficking into sex work and pre-prepared testimonials focussed critique on the sex industry for the experiences of the trafficked women, despite many other guilty parties being involved in the testimonies. In response to this session we delivered an oral intervention jointly with Amnesty International and Franciscan's International in which we highlighted the need to adopt empowering strategies which are rights

enhancing when responding to trafficking, particularly noting the power of self-organised groups for change in this area.

Timed to coincide with the **SR on Trafficking's** report delivery, GAATW held a session on aligning victim-centred and rights-based approaches to trafficking. Panellists were the Filipino ambassador in Geneva who made an impassioned appeal for respect of all migrants rights; the SR on Trafficking who talked of her grass roots background; Doro Winkler from Fiz who noted the cooperative yet critical relationship Fiz has with the Swiss law enforcement authorities; Dr Renu Rajbhandari who talked of WOREC's work with self-organised groups in Nepal; and Caroline Hames for the IS who spoke on a review mechanism to UNTOC. This event was well attended and notably the Government of Thailand welcomed the speeches and asked for advice on how to make Thailand's anti-trafficking approach more victim centred.



SR on Trafficking speaks at the GAATW side event

The SR on Trafficking's report focussed on Regional and Sub-Regional Coordination and Cooperation Mechanisms. It was largely an overview of government work in this area, she noted recent and long standing initiatives at the regional and sub-regional level and made recommendations to states, largely that they continue to conduct such efforts, all the while ensuring monitoring and engagement with civil society. The full report can be found here:

<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.32.pdf>

During the report delivery and debate, governments broadly welcomed her report and mainly focussed on how to coordinate between each other in a more productive way. In her summary, the SR stated her support for a Global Plan of Action on Trafficking in Persons. GAATW made a joint oral intervention on the report with Migrant Forum Asia and

Franciscans International, we noted the importance of evidence based approaches, acknowledging the political nature of coordination mechanisms, the avoidance of overlap and full integration of civil society into such mechanisms. We also delivered a written statement to the Human Rights Council which focuses on the importance of partnerships between government and civil society in anti-trafficking efforts and calls for a victim centred review mechanism to UNTOC. The full statement can be found amongst the official council documents here:

http://ap.ohchr.org/documents/sdpage_e.aspx?b=10&se=109&t=7

In discussions with the **SR on Trafficking** we note her next report to the Human Rights Council (June 2011) will be on the Right to Effective Remedies, furthermore her upcoming visits will be to Uruguay and Argentina (Sept 2010) and she confirmed that Thailand has now accepted her invitation to visit.

The Special Rapporteur on Contemporary Forms of Slavery, its causes and consequences' office noted that she *will* include a chapter in her forthcoming report on domestic workers which considers specifically the treatment of domestic workers by diplomats.

We also exhibited photos taken with the women at Self-Empowerment Programme of Migrant workers (SEPOM); this exhibition displayed the power and importance of self-organised groups in anti-trafficking policy and programming. **This exhibition is now on display at the GAATW IMCC!**

GAATW contributed to the annual thematic resolution on trafficking, prepared by the governments of the Philippines and Germany, adding in greater protections on data usage and a paragraph on the review mechanism. The text of this resolution (HRC 14/L4) can be found here: <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G10/142/34/PDF/G1014234.pdf?OpenElement>

Finally of note is the **Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health's** annual thematic report which focussed on the link between criminalization of three forms of private, adult, consensual sexual behaviour: same-sex conduct and sexual orientation, sex work, and HIV transmission. In his chapter on sex work he critiques the application of anti-trafficking frameworks in a way which stigmatises sex workers (Paras 31-33), noting with reference to the Human Trafficking Protocol:

The trafficking and enforced sexual slavery of any person is abhorrent, and undoubtedly merits criminal prohibition. However, the conflation of consensual sex work and sex trafficking in such legislation leads to, at best, the implementation of inappropriate responses that fail to assist either of these groups in realizing their rights, and, at worst, to violence and oppression. (Para 33)

For the full report see:

<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.20.pdf>

Many governments condemned this report, stating that the SR had gone beyond the scope of his mandate, those States included Egypt, Pakistan and Bangladesh. Notably Brazil spoke very strongly in favour of sex workers rights and the USA noted its policy against sex work. The EU spoke out in support of the SR's report.

The 99th International Labour Conference, June, Geneva, Switzerland

The 99th ILC, a tri-partite meeting of governments, employers and employee representatives, was an important one for Domestic Workers, considering the 'decent work for domestic workers agenda' at the end of the first year of 'standard setting'. Many GAATW member organisations have been involved in lobbying or partnering with trade unions and lobbying governments in order to ensure that the International Labour Organisation questionnaires which were sent out as part of the standard setting process adequately represented our concerns for the rights of domestic workers.



GAATW-IS and member organisations, WOREC, TWC2 and the National Domestic Workers Movement were present in Geneva during some of the negotiations for a standard on Domestic Work at the ILC which took place between the 3rd and the 12th June. We were also able to meet with the Special Rapporteur on Migrants, Mr Jorge Bustamante, where he stated his support for the rights of migrant domestic workers. He also answered concerns raised from NGOs present on the *kafala* or sponsorship system in many Middle-Eastern countries, on sexual abuse of domestic workers and then the lack of access to adequate health and social services. He was also asked to visit the Gulf States, he said that he had made requests but never been accepted.

In summary of events at the ILC, the conclusions from the ILO Yellow Paper which summarised the first year of the standard setting process and questionnaires were discussed. There was resistance, as expected, from employers groups, support from employee representatives and mixed positions from governments. Strong support for a Domestic Workers Convention came from Australia, South Africa (on behalf of the Africa Group), the US, Brazil and Uruguay (who largely spoke on behalf of the Group of Latin America and Caribbean Countries (GRULAC). The Gulf States were obstructive and Indonesia surprisingly uncooperative. Ultimately participants voted to work towards establishing a Convention and a Recommendation on domestic work. There are guarantees that domestic workers would receive protections equal to those of other workers, including a minimum wage, weekly days of rest, annual leave, and social security as well as mandatory oversight of recruitment agencies. However there are provisions which would enable governments to establish specific groups to exempt from the Convention and those will need attention over the next year's discussions.

The report of this session is available on the ILO website at: http://www.ilo.org/wcmsp5/groups/public/-ed_norm/---relconf/documents/meetingdocument/wcms_141770.pdf

Good resources in this area are the United for Foreign Domestic Workers Rights website: <http://ufdwrs.blogspot.com/> and the Anti-Slavery International Home Alone campaign website: <http://www.antislavery.org/homealone/>

The United States annual Trafficking in Persons Report, 14th June, Washington DC, USA.

This year was the 10th year anniversary of this controversial report and it also included the United States of America, ie itself, in its country narratives for the first time – the USA gave itself a ‘tier 1’ ranking, the top mark in anti-trafficking effort!

The report opens with some thematic boxes and in these critiques diplomatic immunity as well as negative migration responses as linked to trafficking – there is also treatment of detention systems as well as negative treatment of migrants by destination countries. Furthermore there is a critique of raids and the treatment of sex workers as well as of visa sponsorship systems.

However these, on the whole progressive, thematic boxes do not match the country narratives which continue to adopt the traditional US moral conservative tone. In particular the ‘demand for commercial sex’ is cited as an obstacle to a country making progress on trafficking time and time again. Furthermore, we once again see countries with corrupt judiciary and law enforcement being called upon to enact legislation and create criminal justice frameworks for the treatment of trafficking with no consideration for the potential harm that officials might cause with such increased powers anti-trafficking frameworks provide.

The full report can be accessed here, and we would LOVE to hear your comments on this: <http://www.state.gov/g/tip/rls/tiprpt/2010/>

FORTHCOMING GAATW ACTIVITIES AND OPPORTUNITIES FOR ADVOCACY PARTNERSHIPS

JULY – DECEMBER 2010

NB as with all events and opportunities in this update please contact GAATW-IS for further information and if you wish to be involved: caroline@gatw.org

100 days of URGENT ADVOCACY ACTION on a Review Mechanism, July – October, Worldwide

A victim-centered monitoring mechanism to the United Nations Convention against Transnational Organised Crime and its protocols, including the Human Trafficking Protocol (UNTOC), is urgently required. This will help assess the implementation of UNTOC, strengthening anti-trafficking efforts, and

better protecting the rights of migrant persons.



GAATW is working with more than 30 non-governmental organisations worldwide, lobbying their governments to support the establishment of a *victim-centered* monitoring mechanism.

There are just 100 days left before your government meets to discuss this: 100 DAYS OF ACTION!!

We URGENTLY need your support:

1. Lobby for SUPPORT

Lobby your government to support a victim-centered monitoring mechanism

- Identify your government representative leading on the UNTOC review mechanism discussions
- Arrange a meeting (in-person meeting is best, but if not possible, by telephone or email)
 - Find out your government’s thoughts on the monitoring mechanism
 - Advocate GAATW’s Victim-Centered Monitoring Mechanism Position Paper (go to www.victimcenteredmechanism.com)
- Establish contacts (name and email address) for government representatives who will be present, and leading discussions on the monitoring mechanism, at two key upcoming international events:
 - 15th Session of the Human Rights Council, Geneva, Switzerland (13 September – 1 October)
 - UNTOC 5th Conference of Parties, Vienna, Austria (18-22 October).

2. **SHARE your story**

- Tell us how you partner with governments on anti-trafficking responses.

For example GAATW member organisations FIDA Kenya partnered with other civil society organisations and their government through the Kenyan anti-trafficking committee which worked to prepare Kenya’s draft anti-trafficking legislation and Foundation for Women, Thailand works with immigration officials at Thai detention centres to ensure that trafficked persons are correctly identified and offered the assistance they require. These and other examples have been taken to international conferences to demonstrate to governments around the world how much GAATW member organisations and allies are contributing to victim-centered anti-trafficking responses worldwide.

3. **SPREAD the word**

- Provide us with contact details of other organisations you think would be interested in getting involved in this global campaign.

For more information visit: www.victimcenteredmechanism.com

Human Rights Council 15th Session, 13th September – 1st October, Geneva, Switzerland

Once again, at this session, GAATW will hold a side event and exhibition launch aimed at focussing on the need for rights-based approaches to trafficking through a review mechanism to UNTOC. We will try and get government representatives in Geneva to work with their counterparts in Vienna to ensure that a ‘victim-centered review mechanism’ is adopted at the 5th Conference of Parties to UNTOC.

GAATW member organisation, Ban Ying, will also be engaging with the SR on Contemporary forms of Slavery at this session as she launches her second thematic report on Domestic Work. We have had a specific focus on the treatment of domestic workers by Diplomats, if member organisations are working on or have had cases of exploitation of domestic workers by diplomats we would love to hear from you.

UNTOC Conference of Parties, 10th year anniversary, 18th – 22nd October, Vienna, Austria.

As above this is a CRUCIAL event for us in the advocacy for a review mechanism to UNTOC. If you or an organisation you know is considering attending the Conference of the Parties in Vienna, PLEASE get in touch and let us know. We would love to work with you at this time in order to ensure trafficking responses are appropriate, effective and accountable.

4th meeting, of the Global Forum on Migration and Development (GFMD), 8th-11th November, Puerto Vallarta, Mexico.

The civil society days for this year's GFMD will take place on 8-9th November 2010. The deadline for registration for these days is June 30th 2010 (http://www.gfmd2010mexico.org/gf_noticia.aspx?notid=6)

The International Advisory Committee on civil society days met first in April and will meet again on 12-14 July in New York. General information about the GFMD can be accessed at www.gfmd2010mexico.org

Relevant human rights treaty body processes

NB this is an overview with countries highlighted of relevance to GAATW member organisations' work – please contact GAATW-IS if you wish for more information and about how to report to forthcoming reviews.

Universal Periodic Review

7th Session, February: Qatar, Italy, Bolivia, Egypt, BiH; 8th session, May: Spain, Kenya, Belarus.

Reports: <http://www.ohchr.org/en/hrbodies/upr/pages/uprmain.aspx>

Forthcoming sessions 9th session, Dec 2010: Mongolia, USA, Lebanon; 10th Session, Jan 2011, deadline for submissions, 5th July: Nepal and Burma, 12 July: Australia; 11th Session, May 2011, deadline for submissions, 1 November: Singapore, 8th November: Suriname; 12th Session, October 2011, deadline for submissions, 14 March: Tanzania and Thailand, 21 March: Moldova.

Committee on the Elimination of all forms of Discrimination against Women

45th Session, January: Egypt, Netherlands, UAE

Reports: <http://www2.ohchr.org/english/bodies/cedaw/cedaws45.htm>

Forthcoming sessions: 46th session, July: Argentina, Russia; 47th Session, October: Czech Republic.

Committee on Economic, Social and Cultural Rights

44th Session, May: Colombia

Report: <http://www2.ohchr.org/english/bodies/cescr/cescrs44.htm>

Forthcoming sessions: 45th Session, November: Netherlands, Switzerland, Dominican Republic.

Committee on the Elimination of Racial Discrimination

76th Session, February: Argentina, Cambodia, Netherlands.

Reports: <http://www2.ohchr.org/english/bodies/cerd/cerds76.htm>

Forthcoming session: 77th Session, August: BiH