

e-Bulletin



Global Alliance Against Traffic in Women

JANUARY/2011

HUMAN RIGHTS

*At home
abroad
and on the way*

In This Issue

Regional/Member Updates

Updates from the Secretariat

Resources

"We welcome all travellers on their difficult trip and wish all of them a good journey - because freedom of movement is everybody's right!"

<http://w2eu.info>

- online migration handbook

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Dear Members and Friends,

Greetings from the GAATW International Secretariat!

Welcome to the new year and a new programme cycle for GAATW! We hope the new year creates opportunities for a stronger and committed Alliance. We'll keep on bringing you updates and resources to continue opening up dialogue on urgent issues relating to the rights of migrant workers and trafficked persons.

We are sad to report the loss of a committed human rights lawyer and Chairperson of GAATW International Board, Khun Thongbai Thongpao from Thailand. Khun Thongbai, who passed away on 24 January, was a relentless defender of the rights of vulnerable and oppressed peoples and a fearless activist. He was awarded the Ramon Magsaysay prize for his public service in 1984 in recognition for his efforts in seeking law reform to ensure children's rights, freedom of the press and freedom from political persecution. However, he had refused to receive the award at the ceremony in protest against the Marcos regime in the Philippines. His valuable contributions and support to our work will be greatly missed and our thoughts go out to his family and friends.

May we invite you to stay tuned to GAATW facebook page and share your thoughts with us.

Warmly,

The GAATW International Secretariat

REGIONAL/MEMBER UPDATES

Asia

In December 2010, [Association of Indonesian Migrant Workers in Hong Kong \(ATKI-HK\)](#) delivered a message of solidarity in commemoration of International Migrants Day in Hong Kong.

More than 500 foreign domestic workers (FDWs), migrant workers, advocates and friends gathered on 18 December to showcase performances, inputs and updates on concerns of migrants and launch two books about migrant workers:

- [Know Your Rights Plus](#) by the MFMW Limited
- Malaysia and Hong Kong Employers' *Reception and Attitude towards Foreign Domestic Workers* by the St. John's Cathedral HIV Education Centre.

The Americas

[CHS-Alternativo](#), a GAATW member in Peru, shares their monthly bulletin to GAATW REDLAC members. To know how CHS-Alternative engages in protecting human rights, primarily of children, adolescents and women who are victims of trafficking, visit their website at <http://www.chs-peru.com/>.

At the Urban Justice Center, the New York Anti-Trafficking Network (NYATN) hosted a panel discussion on January 11, National Human Trafficking Awareness Day. Sienna Baskin from [Sex Workers Project](#) spoke on the panel as part of [National Slavery and Human Trafficking Prevention Month](#). To find out more, visit [Baskin's blog](#).

Europe

Last month, Proyecto Esperanza launched an evaluation report on the lack of implementation of the new anti-trafficking legal framework in Spain, comparing it with good practices in Italy, Norway and the US. For more information, visit [Proyecto Esperanza's website](#)

Featured Member's Event:

WHAT: [Safe Horizon](#)'s monthly open mic series for teens is putting the spotlight on human trafficking.

WHEN: February 2, 2011, from 5-7pm

WHERE: Brooklyn Open - Urban Word NYC

Brooklyn Public Library, Main Branch, Cadman Plaza at Flatbush Avenue, Brooklyn, NY

Click [here](#) for more information.

Members' Publications

The Foundation for Women (FFW) released a *Manual for Labor Migration to Europe*. This manual is a tool to reach out to migrant workers from Thailand who are bound for Europe. This manual will help Thai migrant workers learn about their rights, agencies who can help them in destination countries and how to seek assistance when necessary. FFW hopes that this guide will prevent trafficking and exploitation in the workplace and improve the recognition of human rights for migrant workers. It is available in Thai. For more information, visit the [FFW website](#)

The Invisible Workers: A Survey Report on Domestic Worker's Situation in Kathmandu - 2009 by the **Children-Women in Social Service and Human Rights (CWISH)**.

This ground-breaking report examines the lack of protection of approximately 150,000 Nepali domestic workers around the world, despite their significant contribution to the Nepali economy. The lack of state protection of domestic workers leaves them extremely vulnerable to exploitation. While some studies have examined child domestic workers, this is the first study of Nepali domestic workers as a whole.

Together on Ending Slavery, also from CWISH, aims to educate stakeholders about the perspective of children and actors on the elimination of the worst forms of child labour, with special focus on child domestic labour. Policy makers, researchers, programmers and advocates in the field of child labour will hopefully use this document to inform their work.

On 9 December, La Strada International and allies launched the **Right Guide, a tool for NGOs to assess the human rights impact of anti-trafficking policies at a conference on the need for a human rights assessment in Amsterdam**. This tool will make it easier for NGOs to identify when government policy negatively affects trafficked persons, migrant workers and sex workers. Author Marjan Wijers presented the first copy to Mr Cees Flinterman, member of the CEDAW committee.

UPDATES FROM THE SECRETARIAT

Dance Movement Therapy Workshop

Odisha, India, January 5-9, 2011

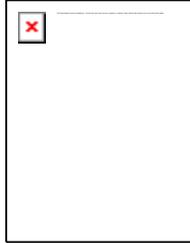
During 2011, the GAATW International Secretariat will facilitate a series of (DMT) workshops with member organisations in India, Cambodia and Indonesia in conjunction with **Kolkata Sanved**. The first in this series of workshops was held in Odisha, India, with the help of the Odisha Chapter of the National Alliance of Women's Organisations (NAWO), many of whose members are also members of GAATW. Participants were primarily care providers who work with women and children survivors of trafficking and violence, people living with disabilities and mental illness and underprivileged children. The organisations represented were ISD, Aaina, NAWO, FARR, Open Learning System, Fellowship, Manjuati and ISWO.

DCA Meeting

Bandana Pattanaik and Caroline Hames from GAATW-IS attended the DCA Safe Migration and Anti-Trafficking Programme Platform meeting in Bangladesh from 17-19 January. It was a good opportunity to share GAATW's three-year programme priorities with DCA and its partners and at the same time learn more about their work. The trip

also included field visits to WARBE and BOMSA.

[Alliance News, December 2010 issue](#)



We are pleased to share with you the latest Alliance News issue 34, *Principle and Practice: GAATW-IS Reflections on Feminist Participatory Action Research (FPAR)*. We reflect on our experiences using the FPAR methodology in GAATW's recent FPAR initiative, [A Woman's Life is Richer Than Her Trafficking Experience](#).

RESOURCES

[Reports](#)

[ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases](#), prepared by the Asia Regional Trafficking in Persons Project (ARTIP), an initiative of the Australian Government's Aid Program. Senior criminal justice practitioners from all 10 [ASEAN](#) Member States came together in November 2009 to review and finalise the text.

On 18 December, International Migrants Day, [CARAM Asia](#), Tenaganita and St John's Cathedral HIV Education Centre launched [Malaysia vs Hong Kong: Employers' Perceptions and Attitudes Towards Foreign Domestic Workers](#), a research report.

The report analyses the opinion of over 260 employers of FDWs in Hong Kong and Malaysia regarding their understanding about regulations, perceptions and attitudes towards FDWs, new regulations and employers' attitudes towards punitive measures against exploitative practices.

[Website](#)

[w2eu.info](#) is an online migration handbook in English, French, Farsi and Arab providing valuable information to refugees and migrants on their journey to and through Europe and includes assistance and useful contacts throughout Europe.

[Anti-Slavery International](#) and [ITUC \(International Trade Union Confederation\)](#) are launching a campaign to highlight the forced labour of Nepali migrant workers to the Gulf States and to call for an improvement in the fundamental rights of workers across the region.

The campaign aims to improve the working conditions of Nepali migrants by protecting workers from unscrupulous recruitment agents, persuading governments to allow the freedom of association and ending the abusive "kafala" sponsorship system.

See also the ITUC and Anti-slavery video "[The Cost of living](#)" on migrants workers.

[Call for Proposals/Applications](#)

WITNESS Request for Proposals for New Campaign Partners

WITNESS is looking for collaborations involving specific campaign opportunities where video can play a critical role in helping to tip the balance between success and failure, as well as situations where a group is looking to build a long-term capacity to use video effectively.

Visit the [WITNESS website](#) for more information and download the [application form](#).

Partners for Law in Development (PLD) is organising a five day residential South Asia Training of Trainers on CEDAW - *Strengthening Application of CEDAW in South Asia* in April 2011, New Delhi, India. The regional training of trainers aims to strengthen the capacities of stakeholders in advancing application of CEDAW in local and national contexts. It seeks to refresh and deepen understanding of concepts, facilitate implementation in key contexts of gender inequality in South Asia, and familiarise with diverse applications of CEDAW, including the review processes.

Click [here](#) for more information.

[Grants](#)

A Grant to Encourage New Ways of Presenting Documentary Photography to the Public

The Open Society Documentary Photography Project is offering a grant to support alternative models for presenting and disseminating documentary photography to the public.

The Audience Engagement Grant (formerly called the Distribution Grant) supports photographers to take an existing body of work on a social justice or human rights issue and devise an innovative way of using that work as a catalyst for social change.

Submit your letter of interest before 11 March to Yukiko Yamagata at yyamagata@sorosny.org

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide.

The e-bulletin is published every last week of the month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations.

Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat.

We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org

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e-Bulletin



Global Alliance Against Traffic in Women

MARCH/2011

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"I will put my hands in the garden soil - I will sprout, I know, I know, I know. And in the hollow of my ink-stained palms Swallows will make their nest."

*From "Reborn"
by Forough Farrokhzad*

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Dear Members and Friends,

Greetings from the GAATW International Secretariat and solidarity to our members and friends celebrating International Women's Day on March 8 and International Sex Workers Rights Day on March 3. Within the Alliance, we have members working on a diverse range of women's rights groups, including organisations working with migrant women, trafficking survivors, domestic workers, sex workers, rural women, indigenous and tribal women. Below are just a few examples of the events, greetings, and statements from our Members in celebration of International Women's Day:

- [Women's Rehabilitation Center \(Nepal\)](#)
- [Federation of Women Lawyers in Kenya or FIDA Kenya \(Kenya\)](#)
- [Akina Dada wa Africa or AkiDwA \(Ireland\)](#)

In Bangkok, International Women's Day was marked by a celebration, 100 Years of International Women's Day, organised by the Committee for Asian Women (CAW), a regional network of women workers' groups and the national steering committee in Thailand. From 6-8 March, women factory workers, domestic workers, sex workers, academics and NGOs, participated in workshops, seminars, a fair trade fair, art performances and a march to present the demands of women workers to the government house. The Prime Minister of Thailand, Abhisit Vejjajiva, delivered a speech "State policy on working women and sustainable quality of life" and was challenged by participants to account for the women who had died during the 2010 anti-government protests in Bangkok.

We hope you will find this month's issue enriching and we invite you to share your thoughts with us. We also invite you to stay tuned and share your thoughts on [GAATW's facebook page](#).

Warmly,

The GAATW International Secretariat

REGIONAL/MEMBER UPDATES

AFRICA



The Jitahidi Women's Group (comprising small-scale traders and informal sector workers) and the Federation of Women Lawyers in Kenya (FIDA Kenya), marked International Women's Day with a march to deliver a petition to the mayor of Nairobi. The *Small Scale Traders Petition* called on the mayor to ensure that policies and laws didn't violate the rights of women small scale traders. Women argued that their rights to trade were being violated (e.g. sexual harassment, extortion, arrest) under the dubious guise of enforcing City Bylaws. Women presented 3 recommendations for the City Council on allotting permanent and organised trading spaces for women, sensitisation for City Askaris and officials on women's rights, and making license fees affordable for small-scale traders. For more information, please visit www.fidakenya.org.

ASIA

Women's Rehabilitation Center (WOREC) organised a side event, *Redefining Justice: Hidden Realities of Violence Against Women in Nepal*, at the 10th session of the UN Human Rights Council's Universal Periodic Review, 24 January to 4 February 2011. During this session, Nepal was reviewed under the UN Universal Periodic Review (UPR) and the government presented the national report and responded to the questions and concerns raised by other States. The *Redefining Justice* side event, organised in collaboration with Isis WICCE Uganda and with the Women's International League for Peace and Freedom (WILPF), examined the issue of sexual violence and its consequences, with a special focus on the post conflict situation and the Security Council Resolution 1325. After the event, an outcome document was prepared and linked to some of the UPR recommendations to the government on specific issues, such as violence against women and women human rights defenders. For more information and to view a clip of the session, visit <http://www.worecnepal.org/news/redefining-justice-upr>.

Child Workers in Nepal Concerned Centre (CWIN) hosted *Child Rights and Programs in Nepali Television* for Nepali media in Kathmandu in late January. Participants emphasised the media's ethical responsibilities in reporting child rights issues, given the media's impact on public attitudes. A representative from the National Human Rights Commission (NHRC) also argued that the media can play an important role in holding stakeholders accountable to their responsibilities concerning child rights. For more information, visit CWIN's website at www.cwin.org.np.

EUROPE

GAATW European Member Organisations are organising a regional Members meeting in Barcelona (Spain), 21-22 March 2011 to share information and plans, and to discuss how GAATW European Members can collaborate on issues such as access to justice and labour exploitation. In particular, Members will discuss the potential of UN mechanisms (i.e. Conventions, Human Rights Treaty Bodies, and Special Rapporteurs) to access justice for trafficked persons. Members will also discuss how European Members can gain a better conceptual and practical understanding of labour exploitation as it relates to trafficking. For more information, please contact Nerea at nerea@gaatw.org or Xenia at xenia@gaatw.org.

La Strada Czech Republic has launched a new publication, *The Narrow Gateway to Human Rights: Identification of Trafficked Persons in the Czech Republic*. This research is part of the project, *Assessment of the human rights impact of anti-trafficking laws and measures*, implemented by AIM for Human Rights, Scot-Pen UK, La Strada International and La Strada Czech Republic. The report explores

different conceptualisations of trafficking, analyses the construction and application of the trafficking concept, and explores interpretations of key ambiguous terms, such as "*other forms of exploitation*". The report concludes with recommendations and an assessment of whether human rights standards have been met in the field of identifying trafficked persons. [Click here](#) to download the full report.

LATIN AMERICA AND THE CARIBBEAN



Corporación Espacios de Mujer (Columbia) has launched a new anti-trafficking campaign called *Porque se Trata de ti!*, focusing on prevention of human trafficking and raising awareness among the general public. As part of the campaign, there will be an International Forum on Human Trafficking focusing on the campaign's theme and workshops held in universities, NGOs and communities. For more information, please visit their website at www.espaciosdemujer.org.

NORTH AMERICA

The Centre for Women Policy Studies in Washington D.C. (US) has made 4 new publications available [online](#). These include three papers looking at the intersections between feminist disability studies, race, environmental justice, and regional mechanisms in Africa, and their annual *Fact Sheet on State Anti-Trafficking Laws* detailing all US state anti-trafficking laws passed in 2010. For more information, please contact lwolfe@centerwomenpolicy.org.

The Sex Workers Project in New York City (US) held a forum on 18 February at the University of Rochester on sex workers rights, public health and NY State Bill A1008/S323. This part of the Sex Workers Project's larger campaign to introduce New York State Bill A10893/S01289A, which would stop police and prosecutors from using possession of condoms as evidence of prostitution, and confiscating condoms from sex workers and people profiled as sex workers. For more information on this campaign, please visit <http://www.sexworkersproject.org/campaigns/2009/new-york-condom-bill/>

UPDATES FROM THE SECRETARIAT

FREEDOM NETWORK USA'S ANNUAL CONFERENCE, THE FUTURE OF FREEDOM: SHAPING TOMORROW'S ANTI-TRAFFICKING MOVEMENT

Washington D.C., US, 9-10 March 2011

Bandana Pattanaik, International Coordinator, gave the keynote address for the Freedom Network USA's annual conference. In her address, she stressed that anti-trafficking stakeholders should not use survivors to educate audiences about the horrors of trafficking but that allies need to move beyond this and consult with survivors as partners in anti-trafficking efforts. The conference included a panel with survivors who are now anti-trafficking advocates. The speakers from Indonesia, Philippines, Cameroon and Sri Lanka spoke about their experiences as anti-trafficking advocates, dealing with stigma within their own communities, the strength and power of trafficking survivors, and the need for victims to have a say in assistance processes (e.g. not pushing victims to testify). Panelists and attendees included social service and legal providers, prosecutors, government personnel, policy makers, activists, law enforcement and religious leaders. For more information, please visit www.freedomnetworkusa.org

GENDER EQUITY AND DEVELOPMENT EFFECTIVENESS, ASIA CONSULTATION

Chiang Mai, Thailand, 1-2 March 2011

Julie Ham, Research Officer, attended this consultation, organised by the Open Forum for CSO Development Effectiveness and the Asia Pacific Forum on Women Law and Development (APWLD)

The Open Forum initiative recognizes that many civil society organisations (CSOs) do not have any relation to the international aid system, yet decisions made at the international level affect the contexts in which CSOs work. This consultation provided an opportunity for a diverse range of women's rights organisations in Thailand to ensure gender was integrated within the document, *A Draft International Framework for CSO Development Effectiveness*. This process will culminate in a framework presented to donor governments in Pusan, South Korea in November 2011.

For anti-trafficking and related organisations, this process presents an opportunity to call for accountability in the anti-trafficking sector, and to counter conditionality of anti-trafficking funding. For more information on how to engage with this process, please contact Claire Layden of APWLD at claire@apwld.org.

DANCHURCHAI (DCA) SAFE MIGRATION AND ANTI-TRAFFICKING PROGRAMME PLATFORM MEETING

New Delhi, India, 28 February to 2 March 2011

Fleur Dewar, Advocacy Officer, presented on GAATW's work on pressing for accountability in the anti-trafficking sector and GAATW's work on domestic workers rights at the Human Rights Council (with the Special Rapporteur on Contemporary Forms of Slavery). Meeting sessions focused on political spaces within civil society, and examples of South-led advocacy campaigns and what value could be added by involvement from the global North. Specific issues discussed included access to social and economic justice, the right to food, disaster risk reduction, safe migration, and humanitarian aid. For more information, contact Fleur at fleur@gaatw.org.

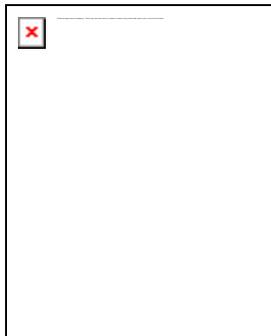
WOMEN'S EXCHANGE GET TOGETHER: OUR TURN TO LEAD

Chiang Mai, Thailand, 6-10 March 2011

The theme of MAP Foundation's 10th Women's Exchange (WE) Get Together was "*Our Turn to Lead*". This inspiring event showcased workshops on Violence against Women (VAW), Domestic Workers' Rights, CEDAW, Politics of Aid, Sexuality, and ASEAN and Human Rights Mechanisms. Women's Exchange participants also enjoyed art and dance workshops that gave women space to express their creativity and talent. Rebecca Napier-Moore and Alfie Gordo from GAATW-IS facilitated workshops on exploitation in migration and work, where women discussed challenges in women's migration experiences and brainstormed safer migration strategies for women. The workshop included conceptual clarity on trafficking and some discussion of anti-trafficking's "collateral damages". The highlight of the Women's Exchange Get Together was the celebration of 100 years of International Women's Day. Women participants and women's rights activists marched together in the streets of Chiang Mai carrying women's rights slogans and chanting songs to celebrate the power of women and the promotion of women's rights for all! For more information, please visit www.mapfoundationcm.org

RESOURCES

NEW PUBLICATION, *THE RIGHT TO UNITE: A HANDBOOK ON DOMESTIC WORKERS RIGHTS ACROSS ASIA*



This new advocacy resource tool by the United for Foreign Domestic Workers Rights coalition (UFDWR) provides an introduction to women and domestic work in Asia and an in-depth look at the hidden violations of domestic workers' rights in ten Asian countries. The handbook provides an analysis of the latest ILO instruments on domestic work and its implications for women domestic worker rights. It also identifies gaps, highlights concerns, and provides concrete recommendations for change. A full link to the report can be found at www.apwld.org or <http://ufdwrs.blogspot.com>. For more information, please contact the Asia Pacific Forum on Women, Law and Development at apwld@apwld.org.

REPORT, INTERNATIONAL MIGRATION: THE SEARCH FOR DECENT WORK

This report by Solidar examines labour migration issues, focusing on migration from developing countries to EU Member States. The report includes recommendations to governments and civil society organisations on how to improve migrants' rights. [Click here](#) to download the report.

A supplementary publication to this report is [*Through the Eyes of Migrants: The Search for Decent Work*](#), which includes migrants perspectives on their reasons for looking for work abroad.

NEW "BLUE REPORT", DECENT WORK FOR DOMESTIC WORKERS, FROM THE ILO

Report IV(2A) by the International Labour Organisation (ILO), *Decent Work for Domestic Workers*, contains the essential points of the replies received from governments and from employers' and workers' organization, as well as the Office commentary, in response to Report IV(1), *Decent Work for Domestic Workers*, which was sent out to ILO constituents for their feedback in August 2010. Based on this report, the Office prepared Report IV(2B) which contains a revised proposed Convention and Recommendation, and which will serve as a basis for the discussion at the 100th Session of the International Labour Conference (ILC). [Click here](#) to read the full report.

Human Rights at home, abroad and on the way

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide. The e-bulletin is published every last week of the month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations. Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat. We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org. If you do not want to receive this e-bulletin please send us a message at info@gaatw.org and we will delete your address from the list. Please note that we have not inserted the advertisements that may appear on this message. GAATW International Secretariat is not associated in any of these ads over which we have no control.

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Global Alliance Against Traffic in Women

APRIL/2011

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"Use information in a way that benefits an individual woman or that advances the development of good policies and interventions for trafficked women generally."

WHO (2003). [WHO Ethical and Safety Recommendations for Interviewing Trafficked Women](#)

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Dear Members and Friends,

Greetings from the GAATW International Secretariat.

We are pleased to announce that beginning this month, the GAATW e-Bulletin will have a new look and structure. The e-bulletin will now feature a thematic or regional focus each month, to compliment GAATW's strategic direction for 2011-13. This month's theme is on communications and information technology in anti-trafficking work.

In the age of digital communications and online social networking, more and more NGOs, groups and activists have developed strategies to tap millions of active internet users worldwide. This platform has been instrumental in raising social issues and in promoting human rights to a wider and diverse audience. With the boom of easy access to data and information sharing, we are left to think of how ethics apply in this new age of modern communications.

This April issue of the e-bulletin looks into the use of modern communication technology in the promotion and recognition of human rights for trafficked persons and migrant workers. We also highlight the ethics in protecting victim's privacy, confidentiality and safety without taking away the victim's right to self-representation.

Over the years, GAATW has been critical about media hype around human trafficking that serve only the purpose of certain groups (e.g. donors, decision-makers) and not necessarily directly affected communities. A major concern regarding media hype is that information or imagery may be based on stereotypes rather than evidence and thus, can have harmful effects on the very people that we aim to

protect. Despite these challenges, GAATW engages many communication styles and channels to find the balance between promoting the voices of affected groups and protecting the victim's right to privacy and safety. It is also worthwhile to mention, that in the December 2010 issue of the Alliance News, Principle and Practice: GAATW/IS' reflections on Feminist Participatory Action Research (FPAR), GAATW highlighted the ethics in collecting and sharing information and the ethics of visual representation.

In this issue, we feature GAATW members who are using information technology and multimedia to share information and raise awareness. We also invite you to contribute submissions to GAATW's new journal, the Anti-Trafficking Review. And for the resources section, we have listed some useful and interesting online materials on communication ethics and video advocacy.

May's e-bulletin will focus on labour exploitation issues, to commemorate Labor Day. If you have upcoming activities, workshops, meetings on this topic, please send the information to info@gaatw.org.

We hope you will find this month's issue enriching and we invite you to share your comments and contributions with us by writing to info@gaatw.org. We also invite you to visit our GAATW website and Facebook page. And feel free to circulate the e-bulletin in your own networks!

Thank you.

*In solidarity,
GAATW International Secretariat*

REGIONAL/MEMBER UPDATES

Here are a few examples of how [GAATW members](#) are using different communication tools and channels to share information. We hope you will find this information useful in developing your own communication strategies. For further information, please contact the respective GAATW member organisations directly.

Database

Information Management Program

Cambodian Women's Crisis Center (CWCC) is a local NGO based in Phnom Penh, Cambodia. The Information Management (Database) Program collects, analyzes and disseminates information through national regional and international networks about violence against women and children in Cambodia. The program keeps track of trends in client cases and statistics for the purpose of understanding and responding to cases on violence against women. These statistics are available to governmental and non-governmental organizations, donors, researchers and academics.

[Online Library - Women's Solidarity for Human Rights](#)

Solidaritas Perempuan's online library provides a collection of resources from fiction to science materials, from printed material to digital collections such CD-ROM, CD, VCD and DVD. They also collect serial publications such as newspapers and magazines.

Podcast

[Sex Workers Project](#)

Listen and follow along via transcripts of street-based sex worker interviews on issues that affect their lives, including violence, the police, employment opportunities and health issues.

Blogs by GAATW member organisations:

- [Action For Reach Out \(AFRO\), Hong Kong, SAR](#)
- [Capital Humano y Social \(CHS Alternativo\), Peru](#)
- [Federation of Women Lawyers in Kenya \(FIDA\) Kenya](#)
- [Institut Perempuan, Indonesia](#)
- [Legal Resource Center - Untuk Keadilan Jender Hak Asasi Manusia \(LRC-KJHAM\), Indonesia](#)
- [Safe Horizon, US](#)

Follow GAATW members on Twitter

- [Shakti Samuha, Nepal](#)
- [Transient Workers Count Too \(TWC2\), Singapore](#)
- [Safe Horizon, US](#)
- [Akina Dada Wa Africa \(AkiDwa\), Ireland](#)

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Join/like the groups and get updates from our network!

- [Action For Reach Out \(AFRO\), Hong Kong, SAR](#)
- [Cambodian Women's Development Agency \(CWDA\), Cambodia](#)
- [Durbar Mahila Samanwaya Committee \(DMSC\), India](#)
- [Girls' Power Initiative, Nigeria](#)
- [Legal Resource Center - Untuk Keadilan Jender Hak Asasi Manusia \(LRCKJHAM\), Indonesia](#)
- [Transient Workers Count Too \(TWC2\), Singapore](#)
- [FIRST, Canada](#)
- [Safe Horizon, US](#)
- [Association of Indonesian Migrant Workers in Hong Kong \(ATKI-HK\), Hong Kong, SAR](#)
- [Akina Dada Wa Africa \(AkiDwa\), Ireland](#)
- [Open Gate La Strada, Macedonia](#)
- [CHS Alternativo, Peru](#)

GAATW members on Youtube

[ANPPCAN Liberia](#)

[ANPPCAN - the African Network for the Prevention and Protection Against Child Abuse and Neglect](#) promotes the rights and protection of children. This short clip on youtube provides more information on ANPPCAN's local activities to advance the rights of children.

[Raise your Hand Campaign Video by the National Domestic Workers Movement, India](#)

The [National Domestic Workers Movement \(NDWM\)](#) campaign urges citizens to stand up for the rights of domestic workers including children working as domestic help in households across the country.

[Proyecto Esperanza](#)

Combating trafficking through the protection of human rights of victims and the reporting of this modern form of slavery.

UPDATES FROM THE SECRETARIAT

[Anti-Trafficking Review - Call for Papers](#)

This week, we sent out a [Call for Papers](#) for the 1st issue of the [Anti-Trafficking Review](#), GAATW's new journal examining the field of anti-trafficking. The Anti-Trafficking Review promotes a human rights based approach to anti-trafficking. The Review's focus is global in nature, exploring micro and macro levels of anti-trafficking responses and the commonalities, differences and disconnects in between. The Review offers space for dialogue between academics, practitioners and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons.

This 1st Edition of the Anti-Trafficking Review focuses on a current and pressing concern in the field of human trafficking: *'Where's the Accountability?'*

Practitioners, policy makers, advocates and academics working in fields including human trafficking, human rights, monitoring and evaluation, labor rights, victimology, feminism and migrant rights are invited to submit articles exploring the issue of **accountability in the implementation of anti-trafficking** responses, or initiatives directed at offering protection to victims of extreme exploitation or rights abuses.

Click here to read the [call for papers](#), and find further information at www.traffickingreview.org

[GAATW's Communications Strategy for 2011-13](#)

GAATW's Communication and Information Exchange continues to strengthen spaces for knowledge-sharing by creating communication tools, products and online technologies that carry forward the voices of members, partners and affected communities.

["Trafficked Identities" at the Finger Lakes Environmental Film Festival \(FLEFF\)](#)

GAATW has teamed up with the [Finger Lakes Environmental Film Festival \(FLEFF\)](#) to explore ways in which digital art would visualise, engage, map the complexities of, and/or allow viewers to embody and experience "checkpoints", where people's identities and experiences can be fragmented, dissected, and pigeon-holed by authorities and policy makers. The "Trafficked Identities" exhibit will go live in April 2011 in conjunction with the festival in Ithaca (New York), USA. Visit the FLEFF web site at www.ithaca.edu/fleff for details, links to previous new media art exhibitions and blogs, including the [curators' blog](#) Digital Spaces: Speculations on Digital Art and Viral Spaces.

RESOURCES

[Human Rights Video, Privacy and Visual Anonymity in the Facebook Age](#)

This article by Sam Gregory from WITNESS talks about the potential risks of [Facebook for activism](#) to media commentators and human rights activists: *"At WITNESS, we've been thinking this in terms of facilitating choices about 'visual privacy' and 'visual anonymity'. And what role, if any, should service providers like Facebook and YouTube play in enabling their spaces for those engaged in human rights work, particularly with video?"* This article also shares findings from the WITNESS draft report regarding new dilemmas of privacy and anonymity, freedom of expression and includes some initial recommendations collected from interviews with leading experts in human rights, technology, media and policy-making.

Human Trafficking Manual for Journalists published by ASTRA - Anti-Trafficking Action

The Manual presents the fundamental information on the problem of trafficking in women, on who the victims of trafficking are, how they are recruited, and on the causes of trafficking in women. The second part of the Manual includes the extent of trafficking in women in Serbia, the mechanisms developed for the purpose of suppressing trafficking; data collected by means of the SOS hotline for victims of trafficking; and national legislation that governs the problem of trafficking in women. The manual also analyzes terminology, the intensity of writing and the visual presentation of the problem of trafficking in women.

Guide to Ethics and Human Rights in Counter Trafficking: Ethical Standards for Counter-Trafficking Research and Programming published by UNIAP, 2008

This UNIAP guide aims to address the need for a broader and more updated set of guiding principles for counter-trafficking research and programming that address all groups of persons involved, including men, communities, and trafficked persons. The guide is framed according to UNIAP's 7 Guiding Principles on Ethics and Human Rights in Counter-Trafficking.

The Handbook on Anti-Trafficking Data Collection in South-Eastern Europe: Developing Regional Criteria by Nexus

The Handbook contains a list of most relevant indicators used for the collection of data on human trafficking. This handbook also provides an essential basis for future efforts in the collection of data, such as data analysis, coordination of efforts between the countries of South Eastern Europe and key destination countries outside the region and fine-tuning of respective databases.

"On the Road" Migrant Film Festival

The Slovene Philanthropy and Zavod Voluntariat, both members of the Anna Lindh Foundation's Civil Society Network in Slovenia, are organising the second annual Migrant Film Festival "On the Road" (FMF 2011), June 17-23, Ljubljana, Slovenia. The film festival will focus the attention of local and international film audiences on film and video dedicated to the migration, asylum, and refugee theme. The organisers of the festival wish to stimulate discussions with the use of films about, as stated on the festival website, situations and issues millions of people are facing as they are being forced to leave their homes in search of an "opportunity for a decent life."

Deadline for submission of films or video on DVD is on May 15, 2011. You can find more information on Migrant Film Festival website at <http://filmskifestivalnapoti.weebly.com/>

Video Advocacy Resources and Tools

Download resources and tools that have been developed by [WITNESS](#) in partnership with human rights organizations and activists. These resources are designed to create videos for effective human rights advocacy, and includes training guides, effective strategies and best practices.

Human Rights at home, abroad and on the way

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide. The e-bulletin is published once a month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations. Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat. We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org. If you do not want to receive this e-bulletin please send us a message at info@gaatw.org and we will delete your address from the list. Please note that we have not inserted the advertisements that may appear on this message. GAATW International Secretariat is not associated in any of these ads over which we have no control.

e-Bulletin



Global Alliance Against Traffic in Women

MAY/2011

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"We are the precarious, the flexible, the temporary, the mobile. We're the people that live on a tightrope, in a precarious balance, we're the restructured and outsourced, those who lack a stable job, and those who are overexploited; those who pay a mortgage or a rent that strangles us. We're forced to buy and sell our ability to love and care. We're just like you: contortionists of flexibility."
Barcelona Mayday Manifest 2004, cited in [Raunig](#)

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Dear Members and Friends,

Greetings from the GAATW International Secretariat and solidarity to our Members and friends celebrating Labour Day on May 1.

In honour of all of you who travel the world to seek employment elsewhere, in search of better opportunities, and maybe some adventure, who take risks and face hardship, and who find strength, this month's e-bulletin looks into the issue of trafficking and labour exploitation.

On the basis of our work in the past two cycles (2005-2009), one of GAATW's goals for 2011-2013 is to centre an analysis of women's power in migration, labour and anti-trafficking measures and discourses. In 2011, we aim to deepen the Alliance's understanding and analyses of how labour exploitation is defined and experienced by trafficked persons and migrant workers. As a first step, we will be producing an online mapping of trafficking for labour exploitation issues in a selected number of European countries; a research document and a set of audiovisual clips reflecting the complexities around the concepts and realities of labour exploitation.

We hope you will find this month's issue enriching and we invite you to share your thoughts with us. We also invite you to stay tuned and share your thoughts on GAATW's facebook page.

Warmly,

The GAATW International Secretariat

ASIA

Dr. Renu Rajbhandari
at GAATW Asia Regional
Consultation 2009

Retirement of Dr. Renu Rajbhandari from [WOREC](#), Nepal (GAATW member organisation)

Twenty one years ago Renu, a trained doctor with a passion for realisation of women's rights founded WOREC. She nurtured the organisation in collaboration with her colleagues. This year when the organisation is mature, stable and well known for its pioneering work on a range of issues Renu has handed over the responsibility to her younger colleagues and decided to step down as the chair person of WOREC. Retirement from WOREC, however, does not mean that Renu is going to stop working on women's rights. She will continue to be involved in both national and international level of work. She is already very closely involved in the democratic process of Nepal.

We wish her the very best in her future endeavours and hope that she will continue to engage with GAATW as an individual.

EUROPE

Trafficking for labour exploitation explicit in EU's new [Anti-Trafficking Directive](#)

While the Palermo Protocol's international definition of trafficking only implicitly refers to exploitation outside of the sex industry, the European anti-trafficking Directive (2011/36/EU, adopted April 5th) makes this explicit. Its provisions include a broad definition of trafficking, recognizing trafficking into "the sex industry or for labour exploitation in, for example, construction work, the agricultural sector or domestic servitude". Additionally, it broadened the concept to include the exploitation of begging, and of criminal activities. Member States now have two years to transpose the new rules into their national legislation.

GAATW MEMBER ORGANISATIONS AND ALLIES WORKING ON THE ISSUE OF TRAFFICKING AND LABOUR EXPLOITATION

Europe

At the 2010 GAATW [International Members' Congress](#), Member Organisations in Europe pointed out that trafficking for labour exploitation is an issue that courts, governments and NGOs in Europe are just beginning to grasp. The diversity of sectors (e.g. domestic work, construction, agriculture) where exploitation happens, and the variety of geographic areas from which people come (e.g. Asia, Latin America, Eastern Europe) present a great challenge for organisations' outreach and identification. Most countries in the region include labour exploitation in their criminal codes. Yet, Members point out, court outcomes when it comes to trafficking for labour exploitation are disappointing (e.g. fewer sentences) and a disincentive for exploited workers and their advocates to pursue legal remedies. Other challenges in working on trafficking for labour exploitation include: ambiguous definitions of labour exploitation; stronger focus on repressive migration policies (i.e. framing trafficking as a migration issue vs. a labour issue); provisions and protections, including shelters, are not extended to those trafficked into other sectors than sex work; and a lack of awareness among migrants about their rights.

As a result, GAATW Members in Europe are dealing with trafficking for labour exploitation in diverse ways. For example, Spanish Members [Genera](#), [Proyecto Esperanza](#), and the [Sant Cugat Migrant Women Group](#) deal with a national anti-trafficking plan which refers to trafficking for the purpose of sexual exploitation only, although the newly adopted penal code recognizes trafficking for labour exploitation as well. In Switzerland, trafficking for labour exploitation is included in the penal code. However, out of 119 human

trafficking investigations in 2009, only one was on trafficking for exploitation outside of the sex sector. There have not been court sentences so far. In 2010, only 5% of the trafficking cases Member Organization [FIZ](#) handled were in other sectors than sex work, such as private households, as cleaners or belly dancers. In Germany [Ban Ying](#) developed a list of indicators for ‘trafficking in human beings for the purpose of exploitation of labour in the catering industry’, and developed awareness raising campaigns to reach migrants in sectors other than sex work. Dutch Member [BLinN](#) hopes to be able to hold a regional conference on labour exploitation in late 2011, and CoMensha will produce a set of video clips on labour exploitation to raise consumer awareness. [La Strada Czech Republic](#) is using test-cases of trafficking for labour exploitation to access rights and services. And in Austria [Lefö](#) lobbies to involve trade unions and migrant rights organisations in the fight against trafficking.

Similarly, GAATW allies in Europe like [Anti-Slavery International](#), [ITUC](#), and [PICUM](#) are actively engaged in the issue.

Africa

In Africa, three GAATW Member Organisations are active on the issue of trafficking and labour exploitation. All three are based in Kenya, and work with women in the flower export sector, in the informal sector, and in domestic work. In 1990 the Kenya Women Workers Organisation ([KEWWO](#)) was founded to focus on the rights and welfare of women working on flower farms. Kenyan flower farms employ 40,000 people, the vast majority of whom are women. Jitahidi women group is a self organized group of informal entrepreneurs from Kawangare Nairobi, assisted by [FIDA-Kenya](#). The group started during GAATW Feminist Participatory Action Research in 2010, and it has since formally registered as Community Based Organization (CBO). FIDA Kenya and Jitahidi Women group recently rallied, and will continue to push, for improved policies and laws that affect workers in the informal sector. The Centre for Domestic Training and Development ([CDTD](#)) is a resource centre for information, training and advice for domestic workers from vulnerable and disadvantaged backgrounds in Kenya. The organisation advocates for domestic workers’ rights and provides rights-based job placements for domestic workers through six training centres and shelters in Nairobi. The organisation is affiliated with the Kenya Union of Domestic, Hotels, Education, Institutions, Hospitals and Allied Workers, a trade union that represents various categories of workers, including domestic workers.

Asia-Pacific

In Asia, several Members are working on the blurry lines between trafficking and labour exploitation. Indian NGO [Jainaseni](#) for instance encounters migrant workers who, while not trafficked, are in extremely exploitative, ‘trafficking-like’ labour situations that require intervention and assistance. In Nepal, anti-trafficking organisation [WOREC](#) is advocating for labour rights for women entertainment workers, whose jobs are not legally covered by provisions on minimum wage, safety and security. In March, WOREC held a workshop on informal workers’ rights, attended by workers from the informal sector, trade union and government officials. Participants recommended that Nepal’s new constitution should explicitly recognize the right to freely accept or choose work and the right for everyone to safe and healthy working conditions. Nepali [CWISH](#) drafted a document outlining domestic workers’ rights to be included in Nepal’s new constitution, and contributed to the current advocacy campaign for an ILO Convention on Domestic Work by surveying the situation of domestic workers in the Kathmandu Valley, through focus group discussions on the proposed ILO Domestic Workers Convention.

In West Java, Indonesia, the local anti-trafficking prevention act (2008) restricts women and men who want to work outside of their village, by requiring a letter of recommendation from the village head, and demanding that married women obtain permission from their husband - a rule not applicable for married men. [Institute Perempuan](#) is keeping a close eye on how these discriminatory laws are impacting women.

[ATKI](#), on International Labour Day, will campaign against the Indonesian government's placement fee structure, and the working conditions forced on migrant workers in Hong Kong and Macau. ATKI also campaigns for farmers, since that is what most migrant were before they left. The Thai Foundation for Women ([FFW](#)) is advocating for legal and economic protections for domestic workers. Thai community theatre project [Gabfai](#) uses art and games to teach people about human rights, labour migration issues, globalisation and trafficking in an easy and fun way. Singaporean [TWC2](#) is advocating for a weekly day off for domestic workers through the [Day Off Campaign](#) targeting public opinion and is currently finalizing a major research project on *Day Off* issues, interviewing over 400 Singaporeans from a wide variety of backgrounds and localities on their attitudes towards giving a day off to domestic workers.

Two GAATW allies, [MAP Foundation](#) and Australian trade union [CFMEU](#), have been successful using labour rights cases to access justice for trafficked persons.

The Americas

In this region, manufacturing, mining, and agriculture are important sectors where trafficking and labour exploitation occur, and where both cross-border and domestic migrants are vulnerable. In Colombia, GAATW member organisation [Espacios de Mujer](#) sees many cases of internal trafficking and exploitation in mining and agriculture. GAATW's Argentinean member organisation [AMUMRA](#) has been organizing Courts of Migrant and Refugee Women, addressing the violations and vulnerabilities of migrant and refugee women's human rights within the labour context. Other organisations working on the issue include [CAMI](#), a Brazilian support centre for migrants, which supports exploited and trafficked workers in sweatshops and agriculture by facilitating employer/employee negotiations, and lobbying for the inclusion of migrants in trade unions. [RedTraSex](#) is a self-organised network of sex workers in Latin America and the Caribbean, fighting for the labour rights of sex workers. [Solidarity Center](#) uses its expertise in labour rights to work on trafficking, by cooperating with unions, businesses, and communities.

UPDATES FROM THE SECRETARIAT

EUROPEAN MEMBERS MEET ON LABOUR EXPLOITATION AND ACCESS TO JUSTICE



European GAATW Members discuss trafficking and labour exploitation, Genera Office, Barcelona

As agreed upon during the 2010 International Members Congress and Conference, Member Organisations in Europe met in Barcelona on 21-22 March 2011. The meeting was hosted by Genera and participants came from 12 Member Organisations and GAATW-IS. The [AIRE Center](#) (Advice on Individual Rights on Europe), a UK-based law center specialised in providing free legal advice on European human rights law and European Union law, generously provided a training to participants. The first day focused on training participants on the opportunities provided by UN Conventions and General Comments to protect the rights of trafficked people, and on friendly settlements in trafficking cases before the European Court of Human Rights. The second day focused on sharing common experiences, challenges and analysis on the issue of trafficking for labour exploitation in Europe and provided a space for members to give feedback and recommendations to the GAATW-IS, to be incorporated in the Alliance's work on this issue. Participants also shared relevant information and strategized around current anti-trafficking developments at regional level and discussed GAATW plans for 2011-13 and the Board's work.

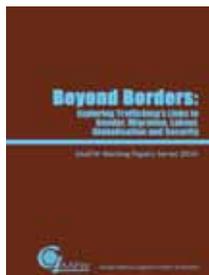
For more information on the Europe Members meeting or on GAATW's work on trafficking and labour

exploitation, please contact Nerea@gaatw.org or Xenia@gaatw.org.

RESOURCES

REPORTS

GAATW Working Paper [*Beyond Borders: Exploring Links between Trafficking and Labour*](#)



GAATW's Working Paper on Trafficking and Labour Links defines trafficking and labour concepts, looks at how people put labour rights and anti-trafficking together in practice, and what effects that can have on workers and those who are trafficked. It looks at anti-trafficking organisations and other actors in the labour arena to examine their strengths and shortcomings in regards to anti-trafficking work. The publication concludes with policy recommendations and advocacy messages for various stakeholder groups. The Working Paper is also available in Spanish: [Explorando los Enlaces entre Trata y Trabajo](#). For other publications in this series (English and Spanish) click [here](#).

ITUC and ASI Guide [*Never Work Alone*](#)

The International Trade Union Confederation (ITUC), in cooperation with Anti-Slavery International, is releasing *Never Work Alone* - a guide for trade unions and other civil society organisations to jointly combat modern-day slavery and trafficking of workers. It examines different approaches to combat slavery and trafficking for labour exploitation and shows four major common grounds for action, each of them documented with a series of best practices. The report is available in [English](#), [French](#) and [Spanish](#).

Law enforcers' publication [*Labour Exploitation in Europe*](#)

This practical guide by the Dutch Social Intelligence and Investigation Service provides observations and recommendations on the operations of European inspection, investigation and prosecution of trafficking for labour exploitation. The guide also provides an analysis of human trafficking for exploitation in services and labour; challenge stereotypes on illegality, use of force, and identity papers; and discusses challenges in defining and addressing trafficking. Its annexes include a description of criminal cases from the several European countries. The publication (hard copy only) can be ordered at siod@minszw.nl.

Haitian migrant workers survey their peers in the Dominican construction sector.

During 2008, Haitian migrant and Dominican construction workers from FENTICOMMC and CNUS unions with support of the NGO Solidarity Center researched and interviewed 500 Haitian construction workers onsite about their working conditions, signs of forced labour and human trafficking, knowledge of basic rights, and attitudes about what workers can do to address abuses. The survey found that human trafficking and debt bondage are common among the Haitian migrants who cross the border into the Dominican Republic for jobs in the construction industry. The full report is available in [Spanish](#) and [Creole](#). Look for an English translation soon.

[ILO database of working conditions and employment laws](#) in over 100 countries

The database provides legal information and a picture of the regulatory environment of working time, minimum wages and maternity protection in 100+ countries around the world. The database also includes indicators for 'decent work' as included in the legal framework.

[Unpaid work? Reality in Czech state forests](#)

In the Czech Republic, the state is involved in a case that claims forced labour and trafficking occurred in

Czech's state-owned forests. Czech forestry companies, employing hundreds of workers in tree planting and other forestry work, have been accused of recurrent deceit of their employees from Vietnam, Slovakia, Romania and other countries. The firms were subcontracted to do work for one of the biggest forestry companies in the Czech Republic to be awarded public tenders from the State. Accusations include underpayment and non-payment of wages, long working hours, bogus contracts, and threats. *"Such conduct may be called labour exploitation. If there was violence, deceit or threats, it could be a case of human trafficking...This is the most extensive known case of trafficking for forced labour in the Czech Republic. The call for public attention and corporate social responsibility is a crucial part of the effort to combat trafficking and labour exploitation,"* according to Petra Kutálková from GAATW Member [La Strada Czech Republic](#) who are following the case.

Increased demand and narrower margins: Labour rights violations in Spain's agricultural sector
Local farmers in Spain's traditionally poorer regions have tried to keep up with the increased demand for their products amidst an economic boom that has driven local workers away from their farms. The work on offer is irregular and arduous, and unappealing to the local population, so migrants from Morocco and Eastern Europe have stepped in. With farmers arguing that big supermarkets chains have squeezed their margins, and with the economic crisis increasing the number of migrants on the labour market, the wages on offer have decreased drastically, resulting in fierce competition and undocumented migrants accepting wages far below minimum income, as documented by the Guardian's investigative reporting including [video on 'Spain's salad slaves'](#)



The Spanish government has tried to respond to this situation by setting up a circular migration scheme. GAATW research on [Female Temporary Circular Migration and Rights' Protection in the Strawberry Sector in Huelva, Spain](#), however showed that while women migrants in this scheme are better off, the actual protection and promotion of their rights needs reevaluation. This scheme has mainly benefited the farm-owners and those women who fit the profile (e.g. married, with dependents) and accept the conditions imposed. This has reinforced a distinction between 'good' (documented - permanent and temporary-) and 'bad' (undocumented) migrants. It has also perpetuated a restrictive view of human mobility, not as an inalienable and universal human right, but as an option available only to those that fit a particular profile and are ready, or able, to accept the conditions imposed.

VIDEOS

Irish trade union and women migrant workers change their slavery like working conditions.

Having the legally required migration status and legal minimum hourly wages does not necessarily prevent exploitation or slavery-like conditions. Eastern European and Asian migrant women working in the Irish mushroom industry resorted to underreporting the hours they worked to be able to meet their employers' unrealistically high picking rates, on threat of losing their jobs. As a result, they were paid only a fraction of the legal minimum hourly wage. In cooperation with a Irish trade union and a migrants rights organisation, the mushroom pickers organised and took action, resulting in improved working conditions and treatment, payment of back pay, proper pay and working hours, and more confidence for a large share of the workers. This 15 minute [video clip](#) gives voice to the workers and involved trade union staff, detailing the aims, process, and experiences of the workers' action for improved working conditions.

Human Rights Watch [report](#) and [video](#) on exploitation of migrant tobacco workers in Kazakhstan

Every year, tens of thousands of migrant workers from Kyrgyzstan travel to Kazakhstan in search of

employment. Thousands of them find work in tobacco farming, but are subjected to abuse and exploitation by employers. Some are trapped into forced labour. HRW documented the rights violations of these migrant workers and presented its findings to Philip Morris International. The company made commitments to make changes, including requiring employers to provide written contracts, establish regular wages for workers, stop passport confiscation, and enforce the prohibition on the use of child labor. Also available in: [العربية](#), [Français](#), [Русский](#), [Español](#), [Deutsch](#).

[Documentary on trafficking of Nepali migrants to the Middle East](#) - part of Anti-Slavery and ITUC's new campaign

Anti-Slavery International and ITUC (International Trade Union Confederation) are launching a campaign to highlight the forced labour of Nepali migrant workers to the Gulf States and to call for an improvement in the fundamental rights of workers across the region. The campaign is aiming to improve the working conditions of Nepali migrants by protecting workers from unscrupulous recruitment agents, persuading governments to allow the freedom of association and ending the abusive 'kafala' sponsorship system.

QUESTION TO OUR READERS

In the anti-trafficking movement, the word 'exploitation' is frequently used and the concept of 'exploitation' is part of anti-trafficking legislation in many countries. However, the word is not often defined. Also, we have seen a trend to give more attention to forms of exploitation outside of the sex sector. Experts and academics have started to make a distinction between trafficking for sexual exploitation and trafficking for labour exploitation. [Terminology matters: what do we mean when we refer to 'exploitation'?](#) is an article by Baerbel Heide Uhl on [Rights Work Initiative](#), which addresses these issues.

In the frame of GAATW IS' work on trafficking and labour exploitation, we would like to hear your thoughts on what exactly means 'exploitation' in your daily experience? How relevant is the distinction between labour and sexual exploitation in your practical work? Please get back to us with your opinion, comments, or thoughts on this issue: nerea@gaatw.org or xenia@gaatw.org.

Please stay tuned and share your thoughts at our [facebook page](#), visit our [website](#), or send us a message at info@gaatw.org.

The next issue of the e-bulletin will be on Access to Justice. If you have news, information about your organisation, a new report or documentary, or an outspoken opinion on (inter)national developments, please contact us at info@gaatw.org by 20 May 2011.

Human Rights at home, abroad and on the way

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"Access to Justice for victims of trafficking is essential not only because it is a fundamental human right, but because it recognises the experiences of these women and gives them an opportunity to build a new life through adequate redress and compensation."

Access to Justice for Survivors of Trafficking in Nigeria, Report of the National Consultation Abuja, Nigeria 15-17, May 2007

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Dear Members and Friends,

Greetings from the GAATW International Secretariat! In this month's e-bulletin we address the important issue of access to justice for trafficked persons.

Ensuring that trafficked persons and migrant workers are able to access justice for human rights violations committed against them, has always been a critical concern for GAATW. International law, including many of the core human rights conventions, guarantees victims of serious human rights violations the right to remedy, including equal and effective access to justice. However, for many trafficked persons and affected migrant workers, access to justice is not realised in practice. In this regard, access to justice will continue to be a key priority in our work over the coming three years, as we look to increase the promotion of trafficked persons' rights.

In this bulletin you will find [updates from our members and friends](#) relevant to the issue of access to justice, including news of the recently passed [Counter-Trafficking in Persons Act in Kenya](#); the development of a [new access to justice programme](#) in Thailand; and the publication of books, reports and briefing papers such as: [Justice Delayed, Justice Denied](#) by Transient Workers Count Too and the Humanitarian Organisation for Migration Economics; [Compensation for Trafficked Persons and Discrimination in the Identification Process](#) by the Anti-Trafficking Monitoring Group, and more.

We also bring you [updates from the International Secretariat](#), in particular news of the XVII session of the [Human Rights Council](#), which saw the release and presentation of the UN Special Rapporteur on trafficking, especially women and children's report on [The Right to Effective Remedy](#).

We are currently in the process of updating GAATW's [Access to Justice](#) website which will see the addition of an online toolkit designed to assist trafficked persons, migrants, migrant workers, and their representatives, make complaints concerning violations of their human rights to international and regional human rights bodies. This

will be available in the coming weeks and we invite you take a look.

Finally, we have also included a [list of resources](#) relevant to the issue of access to justice, which we hope you find interesting and useful in your work.

We hope you will find this month's issue enriching and we invite you to share your thoughts with us. We also invite you to stay tuned and share your thoughts on GAATW's [facebook page](#).

Warmly,

The GAATW International Secretariat

REGIONAL/MEMBER UPDATES

AFRICA

The CRADLE is happy to announce the recent passing of the Counter-Trafficking in Persons Act in Kenya. The Act, together with the recently passed Constitution of Kenya has revived hope for the better realisation of trafficked persons' rights, including access to justice. The Act is in accordance with international human rights law and the Human Trafficking Protocol and makes the obligation of the state to provide comprehensive assistance to trafficked persons explicit. As a member of the National Steering Committee on Counter Trafficking in Kenya, The CRADLE is now working to operationalise the Act.

On other updates, The CRADLE is challenging the requirement for victims of sexual abuse to personally incur costs associated with gathering medical evidence to corroborate allegations of sexual abuse in the High Court. The CRADLE is concerned that this practice has denied and will continue to deny victims of abuse who are unable to raise the requisite fees, the opportunity to seek redress. For more information visit: <http://www.thecradle.or.ke>

Some of our members continuing to work on access to justice in Africa include: [FIDA Kenya](#) and [Kiwohede, Tanzania](#). Contact them directly to find out about their ongoing work in this area.

ASIA-PACIFIC

Ratna Kapur, Director of the [Centre for Feminist Legal Research](#), recently published [Makeshift Migrants and Law](#). The book exposes how the migrant subject is assembled or dismantled in law in a postcolonial context. It exposes the deeper issues implicated in debates over migration and the rights claims of migrants. The analysis moves beyond understanding migrants primarily as those who fall outside the purview of formal citizenship laws or who cross territorial boundaries. It concentrates on the terms of belonging and non-belonging and how juridical entitlements are bestowed or withheld against the boundaries of sexual, gender, and religious difference as well as postcolonial anxieties over securing national borders and identity. For more information visit: <http://www.cflr.org>

Concerned at the difficulties many trafficked persons face in accessing justice in Thailand, [Women's Rights Development Center \(WORD\)](#) is launching a new project, *Criminal Justice Protection for Trafficked Persons*. The project aims to: assist and protect the rights of trafficked persons throughout the legal process; establish three emergency centers for trafficked persons throughout the country; build and coordinate networks with relevant organisations within and outside of Thailand; and, develop resources on protection for those working with trafficking persons. For more information contact: andaman2@hotmail.com

Justice Delayed Justice Denied a report outlining the problems faced by low-wage migrant workers in Singapore working

in the construction, shipyard, shipbuilding, cleaning and food services industries was recently released by [Transient Workers Count Too](#) and [Humanitarian Organisation for Migration Economics](#). The report looks at their experiences in seeking redress through existing channels of recourse when they become injured or have been mistreated by employers and employment agents. The report can be downloaded: <http://www.twc2.org.sg/site/our-publications/justice-delayed-justice-denied.html>, or for more information visit: www.twc2.org.sg

The [Asian Forum for Human Rights and Development \(FORUM-ASIA\)](#) is launching an urgent letter writing campaign to stop legal action against Mr. Charles Hector Fernandez, Human Rights Defender, Activist, Lawyer & Blogger, who is being sued by Asahi Kosei (M) Sdn. Bhd., a Japanese company, for defamation - for raising information on human rights and worker rights violations taking place at the company on his blog. His blog detailed information from 31 migrant workers from Burma. The next court hearing is on 10 June 2011. For more details on this case and information on action you can take, visit: www.forum-asia.org

Some of our members continuing to work on access to justice in Asia include: the [Cambodian Women's Crisis Centre](#); [Legal Services for Children and Women](#), Cambodia; [AFRO](#), Hong Kong; [ATKI-HK](#), Hong Kong; [Shakti Samuha](#), Nepal; [CWIN](#), Nepal; [Women's Rehabilitation Centre](#), Nepal; [Foundation for Women](#), Thailand; [Centre for Human Rights and Development](#), Mongolia; [Solidaritas Perempuan](#), Indonesia. Contact them directly to find out about their ongoing work in this area.

THE AMERICAS

On the 12 and 13 May, civil society and individuals gathered at Villa María, Córdoba, Argentina to reaffirm the [Villa Maria Declaration, 2010](#), and to renew demands to find solutions to human trafficking and improve responses. The group called on the government to establish a national program that will ensure: the development and implementation of minimum standards with regard to the protection of trafficked persons; the provision of comprehensive assistance to trafficked persons; and, that social and legal assistance is non-conditional on the cooperation of trafficked persons with law enforcement officials. The group also demanded that the program includes a monitoring mechanism, to ensure its effective implementation. The full statement is available [here](#), note it is in Spanish only. Thanks to Fanny Polania for sharing this information.

Some of our members continuing to work on access to justice in the Americas include: [Red Nacional Contra la Trata de Personas](#), [Centro de Apoyo Aquelarre](#) and [COIN](#), Dominican Republic; [Sodireitos](#), [ASBRAD](#) and [Proyecto Trama](#), Brazil; [Stichting Maxi Linder](#), Suriname; [AMUMRA](#), Colombia; and [Safe Horizon](#), US . Contact them directly to find out about their ongoing work in this area.

EUROPE

At the XVII Session of the Human Rights Council, European Action for Compensation for Trafficked Persons (COMP.act) held a panel discussion on *Access to Justice and Compensation for Trafficked Persons: Making effective remedy a reality for victims*. Participants included Ms Navi Pillay, UN High Commissioner for Human Rights; Ms Joy Ngozi Ezeilo, UN Special Rapporteur on Trafficking in Persons, especially women and children; Anti Slavery International; and GAATW member La Strada International. For more information visit: www.compactproject.org; www.lastradainternational.org or <http://www.antislavery.org/english>

[Proyecto Esperanza](#) published a report on the [Assessment of the New Legal Framework against Trafficking in Human Beings](#). The report hopes to advance the practical application of new legislative measures adopted in Spain over the past year. The report considers identification processes, the granting of recovery and reflection periods as well as residence permits, social assistance and compensation. It explores challenges in the effective implementation of new legislation and considers best practice examples from countries such as Norway, Italy and the United States. For more information visit www.proyectoesperanza.org/

The [Anti-Trafficking Legal Project](#) and [The AIRE Centre](#) held a full day conference [Safety Through Justice](#) on May 27 addressing key legal issues affecting victims of trafficking. The conference aimed to build individual and organisational capacity to identify victims of trafficking and respond effectively. Specialist legal practitioners working in the field of human trafficking led practical and interactive sessions on identifying victims of trafficking and their rights under a range of

protective measures. For more information visit: www.airecentre.org/

The **Anti-Trafficking Monitoring Group**, which includes GAATW friend, [Anti-Slavery International](#), released its first report in June last year, *Wrong kind of victim? One year on...an analysis of UK measures to protect trafficked persons*. From this a series of briefing papers outlining key issues were developed, of particular relevance to access to justice are: [Compensation for Trafficked Persons](#); and, [Discrimination in the Identification Process](#). [Click here](#) for the full report and other briefing papers.

The [German Institute for Human Rights](#), recently released a short film, *Work without Pay? Exploitation without Compensation? Human trafficking and labour exploitation in Germany*. This 12 minute film highlights the importance of compensation as a means of restoring dignity and bringing justice to victims of human trafficking and labour exploitation, in the context of Germany. It also features Nita Prasad of member organisation [Ban Ying](#).

Some of our members continuing to work on access to justice in Europe include: [Ban Ying](#), Germany; [BLinN](#), the Netherlands; [FIZ](#), Switzerland; [Lefoe](#), Austria; [Proyecto Esperaza](#); [La Strada](#) (Belarus, Bosnia, Bulgaria, Czech Republic, Macedonia, Moldova, Netherlands, Poland, Ukraine). Contact them directly to find out about their ongoing work in this area.

New GAATW Member

GAATW warmly welcomes a new member from Turkey - the [Human Resource Development Foundation \(HRF\)](#). HRDF was established in 1988 by 40 founding members and is a pioneer organisation in Turkey in anti-trafficking programs. HRDF's main programs include sexual and reproductive rights, psycho-social assistance to refugees, combating human trafficking, community development with emphasis on women's empowerment and supporting the development of civil society in Turkey. For more information, visit their website at www.ikgv.org.

UPDATES FROM THE SECRETARIAT

The **XVII session of the Human Rights Council** (Geneva, 30 May - 17 June 2011) saw the release and presentation of the UN Special Rapporteur on trafficking, especially women and children's report on [the Right to Effective Remedy](#). The report outlines the international legal framework of this right in the context of trafficked persons, including with regard to restitution, recovery, compensation, satisfaction and guarantees of non-repetition, access to information, legal assistance, and regularisation of residence status. The report also includes draft basic principles on the right to an effective remedy for trafficked persons.

In response to the report, the International Secretariat, in partnership with Franciscans International, made both [written and oral interventions](#). A panel discussion, sponsored by the Permanent Mission of Italy, on *Deported without Justice: Barriers to trafficked persons accessing justice* was also organised. Participants included, among others, Ms Joy Ngozi Ezeilo, UN Special Rapporteur on Trafficking in Persons, especially women and children, Ms Youla Haddadin, Advisor on Trafficking, Office of the High Commissioner for Human Rights, and Mr John Gee from GAATW member organisation Transient Workers Count Too, Singapore. For more information contact: Fleur Dewar, fleur@gaatw.org

The next thematic report of the UN Special Rapporteur on trafficking, especially women and children, to be submitted to the UN General Assembly in October 2011, will be on Prosecution. If you would like to make a submission to the Special Rapporteur on this issue, contact the Special Rapporteur directly SRtrafficking@ohchr.org or contact Fleur Dewar, fleur@gaatw.org

GAATW's International Coordinator, Ms Bandana Pattanaik, has been invited to moderate the *Human Trafficking and the Rule of Law* session at the [World Justice Forum III](#), to take place in Barcelona, Spain, 20-23 June. The Forum brings together over 450 diverse leaders, from heads of state and Supreme Court justices, to medical doctors, school teachers, business people and artists. Together, participants will develop projects aiming to advance the rule of law across disciplines, and around the world. For more information visit: <http://www.wjp-forum.org/2011/>



The International Secretariat is currently in the process of updating the [Access to Justice website](#). The coming weeks will see the addition of an online toolkit designed to assist trafficked persons, migrant workers, and their representatives, make complaints concerning violations of their human rights to international and regional human rights bodies. The toolkit will provide guidelines on making applications to the European Court of Human Rights and guidelines on making individual communications to the United Nations treaty bodies with complaint mechanisms. It will also include relevant case law analysis from the European Court of Human Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, and the Committee against Torture. These cases have been selected based on their potential application in drafting complaints for trafficked persons, migrants, or migrant workers.

RESOURCES

REPORTS

[Material Justice: Seeking Compensation in Trafficking Cases](#)

This issue of GAATW's Alliance News (2007) looks at the rights of trafficked persons to access justice, in particular, the right to compensation. The articles in this issue provide an overview of different mechanisms for seeking compensation in countries of both origin and destination including case studies from Thailand, Israel, the United States, and Japan, and analyses of the main challenges being faced.

[Consultations on Access to Justice](#)

In 2006 GAATW undertook a Global Consultation on Access to Justice and in 2007 two National Consultations on Access to Justice in [Nepal](#) and [Nigeria](#). The findings of these consultations are available at www.gaatw.org/atj

[Rights and Recourse: A Guide to Legal Remedies for Trafficked Persons in the UK](#)

This legal guide warns that victims of trafficking for forced prostitution and forced labour are vulnerable to being re-trafficked because of a failure of the criminal justice system to provide financial compensation for their ordeal. The guide aims to be a starting point to help lawyers take a creative and comprehensive approach in evaluating the legal remedies available to trafficking victims. It also includes two practical case studies and recommendations drawn from the experience of several practitioners.

Anti-Slavery International and Eaves Poppy Project, 2010

[The International Law of Human Trafficking](#)

Although human trafficking has a long and ignoble history, it is only recently that trafficking has become a major political issue for states and the international community and the subject of detailed international rules. This book presents the first comprehensive and in-depth analysis of the international law of human trafficking. The book links these rules to the international law of state responsibility as well as key norms of international human rights law, transnational criminal law, refugee law, and international criminal law, in the process identifying and explaining the major legal obligations of states with respect to preventing trafficking, protecting and supporting victims, and prosecuting perpetrators.

Anne Gallagher 2010

Further, Anne Gallagher submitted the paper, [The Right to an Effective Remedy for Victims of Trafficking in Persons: A survey of international law and policy](#) for an expert consultation convened by the UN Special Rapporteur on Trafficking in Persons, especially women and children, on the right to effective remedy.

Anne Gallagher, 2010

[Compensation for Trafficked and Exploited Persons in the OSCE Region](#)

This research analyses the right of trafficked persons to access justice, and explores the implementation of this right in eight different OSCE states. It also develops recommendations to improve the ability of compensation mechanisms to deliver compensation awards to a greater number of trafficked persons and promotes a broad rights culture to support that objective

OSCE, 2008

[Access to Justice in Europe: An overview of challenges and opportunities](#)

This report provides an EU-wide comparative analysis of the effectiveness of access to justice, across the EU Member States. According to international and European human rights law, EU Member States must guarantee everyone the right to go to court, or to an alternative dispute resolution body, and to get a remedy where their rights are violated. This is the right of access to justice. Without it, a victim is not able to enforce their rights or put right the damage suffered.

The report reveals several problems that result in victims being deterred or unable to enforce their rights by taking cases to court.

The European Union Agency for Fundamental Rights, 2011

[From Judgment to Justice Implementing International and Regional Human Rights Decisions](#)

Despite unquestionable achievements over the past 25 years, the Inter-American, European, African, and UN systems all face tremendous obstacles in translating their verdicts into change on the ground. In many cases, landmark decisions have not yielded meaningful reform. This report reviews the implementation of judgments across the world's four human rights systems.

Open Society Justice Initiative, 2010

[The Practitioners Guide on Migration and International Human Rights Law](#)

The Guide analyses the protection afforded to migrants by international law and the means to implement it at national and international levels. It synthesises and clarifies international standards on key issues, including on: Human rights impediments to expulsion, Detention, ESC rights in Migration, and International legal remedies.

International Commission of Jurists, 2011

NEXT ISSUE

The next issue of the e-bulletin will be on Realising Rights. If you have news, information about your organisation, a new report or multi-media productions dedicated to self-organising and women's empowerment, please contact us at info@gaatw.org by 20 June 2011.

Human Rights at home, abroad and on the way

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide. The e-bulletin is published every first week of the month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations. Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat. We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org. If you do not want to receive this e-bulletin please send us a message at info@gaatw.org and we will delete your address from the list. Please note that we have not inserted the advertisements that may appear on this message. GAATW International Secretariat is not associated in any of these ads over which we have no control.

e-Bulletin



Global Alliance Against Traffic in Women

JULY/2011

In This Issue

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"I never imagined we would be involved with this profession, and getting to plan about our lives, thinking about the future. Before we only planned for the short term but now we can vision the future, we have that confidence. "

Varunee, Self-Empowerment Program for Migrant Women
[Respect and Relevance: Supporting Self-Organising as a Strategy for Empowerment and Social Change, GAATW](#)

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Dear Members and Friends,

This slightly delayed issue of our July 2011 brings to you updates from some of our self-organised member groups. Through our work, we have been fortunate enough to be closely associated with several groups who have formed collectives to advocate for recognition of their rights by state and non-state actors. Such groups include sex workers, domestic workers, factory workers, entertainment workers, women migrant workers from a certain country, returnee migrant women, young women living in slums, survivors of trafficking and survivors of domestic violence. Some of these groups have joined the alliance while others have chosen to remain friends. Some of these groups are large and have the capacity to function like an NGO. Some choose to remain informal, others lack the legal status to formally organize while a few groups do not have the formal education that is needed to access financial support.

We have been very encouraged by the strong organizing that has taken place among local and migrant domestic workers in many parts of the world. We have been dismayed at the hostility and distrust that many people express towards sex workers groups. We have often wondered why is it impossible for some people to tolerate differences with respect and to have a dialogue to listen to a different point of view. We have always admired the courage of many small self-organised groups who use ingenious ways to form their networks.

It is important to note that many of our members have also played a supportive role in nurturing self-organised groups. Members of the alliance have always appreciated the panel discussions featuring self-organised groups. We feel that much more proactive support from grant making groups should reach self-organised groups. Donors should find a way to deal with complex rules that stop them from supporting these

groups. Rather than using these groups for implementing projects that someone else has formulated, focus should be to ensure political and social empowerment of self-organised groups.

If you are a self-organised group or have supported self-organisation among any group, we would love to hear about your experience; your stories of courage and struggle.

In solidarity,

GAATW International Secretariat

REGIONAL/MEMBER UPDATES

SELF-ORGANISED GROUP (SOG) MEMBERS IN ASIA

World Recognizes Decent Work for Domestic Workers

The [National Domestic Workers Movement \(NDWM\)](#) welcomes the Convention supplemented by a Recommendation on “Decent work for domestic workers” adopted by the ILC on 16 June 2011. Fr. Chetan IMS, the State Coordinator of NDWM and who took part in the ILC process, feels that the merits of this Convention and Recommendation lies in the fact that: (1) the Convention recognizes the significant contribution of domestic workers to the global economy, (2) The Convention invites the Member States to respect and ensure effective promotion and protection of the human rights of all domestic workers including child domestic workers with respect to freedom of association, collective bargaining, decent working conditions, protection against all forms of abuse, harassment and violence, social security benefits, access to courts and tribunals etc. *‘ This is a dream almost come true for every domestic worker.’*

NDWM appeals to the Government of India to ratify the Convention at the earliest and to make Decent Work for domestic workers a reality in India.

[Buhay Foundation for Women and the Girl-Child](#), a GAATW member based in the Philippines, is supporting the process for self-organising and empowerment of three trafficked women survivors from Davao City, Philippines. Buhay’s Coordinator, Nelia Sancho had several discussions with the women on organising a “Filipina Trafficked Survivors Support Network” with the aim of advancing their demand for compensation in the context of advocacy for an effective remedy; as well as to support the survivors’ efforts for re-integration and capacity building.

[Buhay Foundation](#) is also developing a series of panel discussions to evaluate and strengthen measures of various NGOS, government agencies and community based formations to identify and protect trafficked persons and migrant/overseas foreign workers’ (OFW) rights against labour exploitation, traffickers and illegal recruiters, and abusive employers. Each panel discussion will highlight the need to restore the victims’ dignity and bring them justice. The panel will invite various players involved in the work against human trafficking and migrant labour abuse and exploitation such as government prosecutors in the Department of Justice, returned OFWs with relevant experiences and recommendations for action and policies to share, and NGOs and community based programs undertaking migrant rights education and empowerment, those advocating for a rights based approach to anti-trafficking work.

On 7 May, the representative of [Action for Reach Out \(AFRO\)](#), a GAATW self-organised member, attended the Women’s NGO Forum organised by the Hong Kong Federation of Women’s Centres, Women’s Studies Research Centre and the Centre for Comparative and Public Law of the University of Hong Kong. AFRO

shared its experience working with CEDAW (The Convention on the Elimination of All Forms of Discrimination against Women). It was emphasised that sex work should be delinked from exploitation of women and the trafficking issues, and that the convention should recognise voluntary sex work as work, protect sex workers' rights as workers' rights and economic rights, and include sexual right as one of the rights that women and men can equally enjoy, same as economic, social, cultural, civil and political rights. [Read more](#)

Interaction with CA Members on the topic 'The rights of trafficking survivors in new constitution'

The Constituent Assembly members are ready to ensure the rights of trafficking survivors in upcoming new constitution. The representatives of Women CA members in an interaction program, organised by **Shakti Samuha** in Kathmandu, assured the survivors of their rights. Three case studies of survivors on citizenship issues were presented to the CA members. Dr. Gauri Pradha, representatives of National Human Right Commission, has insisted that gender biasness is not acceptable in any cost. Shakti Samuha's President Sunita Danuwar inaugurated the program which was conducted by Bijay Paudel on March 16, 2011.



We are very happy to share with you that **Shakti Samuha's** founder member & current board member, Mrs. Charimaya Tamnag (Anu) was awarded with the "2011 Hero Acting to End Modern-Day Slavery Award" during the release of the 2011 Trafficking in Persons (TIP) Report, at the State Department in Washington. Hillary Rodham Clinton, Secretary of State, USA presented the award to Anu on June 27, 2011.

Source: <http://greaternepal.wordpress.com/2011/06/28/hillary-rodham-clinton-honours-anti-trafficking-campaigner-charimaya-tamang/>

RESOURCES

Respect and Relevance: Supporting Self-Organising as a Strategy for Empowerment and Social Change

The report features self-organised members in the Global Alliance Against Traffic in Women (GAATW). The report highlighted the importance of empowering internal relationships within the organisation and respectful partnerships with external stakeholders, organising processes that accommodated women's individual circumstances and needs, and the need to have opportunities where women could learn from shared experiences with other women. [Click here to download the full report](#)

Empowering Victims of Human Trafficking: the Role of Support, Assistance and Protection

By Alline Pedra Jorge-Birol, HUMSEC Journal, Issue 2

The paper intends to show the importance of assistance and protection for trafficked persons. The paper provides a background on the origin of victim support policies, and best practices such as reflection delay, permit to stay in the country, and psychological and social support, that may empower victims to contribute to the criminal justice system. The paper highlights that trafficked victims who are sufficiently supported and protected are more likely to report the crime and to contribute to investigations by identifying and testifying against the offenders.

A New Resource: New Tactics in Human Rights: Archived dialogues with summaries on self-care and security

In the dialogue *Self-Care for Activists: Sustaining Your Most Valuable Resource*, human rights practitioners discussed the most challenging aspect of being engaged in human rights work - sustaining activists' mental health and energy. In the dialogue *Staying Safe: Security Resources for Human Rights Defenders* practitioners that work with human rights defenders developing security strategies discussed how human rights defenders and organisations can improve their safety and security while working in the field under oppressive conditions and under the watchful eye of states and adversaries. [Read more](#)

Refusing to be Cast Aside: Waste Pickers Organising Around the World by WIEGO

In cities across the world, millions of people sustain themselves and their families by reclaiming reusable and recyclable materials from what others have cast aside as waste. They are frequently ignored within public policy processes and harassed and persecuted by authorities. However, waste pickers from around the world are beginning to organise. They are demanding recognition for the contributions that they make to the environment and the economy, and they are fighting to ensure that their role within municipal waste management systems is valued and made more secure. This book profiles waste pickers, the organisations and networks that they have formed and the struggles that they are waging in a number of countries. It looks at how the law has been used to advance waste pickers' rights and how municipal waste management systems in some cities have been transformed to formally integrate waste pickers. It also explores how waste pickers in different places have been affected by, and responded to, privatisation.

Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global research-policy network that seeks to improve the status of the working poor, especially women, in the informal economy.

Manual for Domestic Workers: Organising for a Better Future

This manual aims to assist the leaders of domestic worker groups to come out of a powerless situation by embracing the strength of the domestic worker organisation (DWO) or union. It is an empowering process to be involved in the union's or organisation's struggle for recognition of her contribution to the economy. The situation of domestic workers can be improved by building solidarity and strengthening the organisation's or union's capabilities.

This manual is also available in other languages. [Click here](#) to download.

When I dare to be powerful - Sex Worker Oral Herstory

A Publication by Akina Mama wa Afrika (AMWA), written by Zawadi Nyong'o and edited by Christine Butegwa and Solome Nakaweesi-Kimbugwe.

AMWA has been working in partnership with sex worker activists in Uganda and other countries in East Africa. This oral history project allowed women to speak for themselves to try and better understand the politics behind sexuality, sexual rights and sex work.

Human Rights at home, abroad and on the way

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"If the migrant women's voices are to be heard and heeded, then sharper analytical perspective needs to be employed which goes beyond the template prescribed by the UN standards and even the human rights discourse."

Dr Jyoti Sanghera, Preface, Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World, 2007

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Dear Members and Friends,

Greetings from GAATW International Secretariat.

In time of global financial crisis and economic recessions, trafficked persons and migrant workers face more challenges as they contend against loss of income and displacement, discrimination, risk of abuse/exploitation, restrictive migration measures and increased xenophobia against migrants. After more than a decade since the passage of the UN Protocol on Trafficking, many governments have developed and implemented anti-trafficking policies and measures. Despite the initiatives and action plans, we are still concern about the gaps to address exploitative and precarious work conditions among migrant workers most especially for undocumented migrants. Restrictive migration policies These many challenges continue to deepen our understanding of the complexities of trafficking and the need to address the 'disconnect' between trafficking, labour and migration policies in order to work effectively in the promotion of human rights and access to assistance for trafficked persons and migrant workers.

We dedicate this month's issue to look at our general responses in the first half of the year and to identify opportunities to engage and share the results of our work. It has been a productive time for GAATW and we look forward to realising our goals for the 2011-13 core programmes on Accountability, Access to Justice and Power in Migration and Work. And as always our work will centre the voices of affected groups and aim to be relevant in the lives of trafficked persons, migrating women workers and other marginalised groups.

Advocating for the accountability of stakeholders in all responses to trafficking to end harms caused by repressive assumptions, policies and measures

Analysing the effectiveness of anti-trafficking measures and the impacts of anti-trafficking policies and categories from a human rights perspective has been a vital element of GAATW's advocacy work. In 2008 at the UNTOC 4th Conference of Parties (COPs), GAATW began following States' discussion of the development of a victim-centered review mechanism to the UN Convention against Transnational Organised Crimes and its protocols, including the Human Trafficking Protocol (UNTOC) under the Stop, Look, Listen advocacy campaign. At this Conference governments resolved to investigate possible mechanisms to monitor their implementation of UNTOC. The critical need for an international monitoring mechanism was reinforced by subsequent research which found that worldwide, anti-trafficking projects and programmes are rarely evaluated and consequently the impact of anti-trafficking initiatives is often unknown. GAATW, in collaboration with some member organisations and allies, had strongly encouraged governments to support a victim-centered, transparent and inclusive review mechanism to UNTOC. Once a review mechanism is established, victims and civil society groups will have a voice in transforming government's anti-trafficking measures to respond effectively to the needs of victims and other marginalised groups. The decision time on a Review Mechanism will happen at COPs in October 2012, GAATW hopes to intensify its advocacy efforts to include civil society and victim engagement in the review mechanism as well as the input of experts into the process.

Encouraged by the strong response from advocates and policy makers, we dedicated the inaugural issue of GAATW's Anti-Trafficking Review Journal on Accountability which will be published in March 2012. We are grateful to note that the call attracted many interesting submissions on the issue.

Also this year, GAATW's participation at the AU COMMIT meeting in Tanzania and the 49th CEDAW Committee Session in New York gave us a wider reach to advocate for greater accountability of state and non-state actors, and to speak about monitoring and evaluation frameworks and accountability as critical to anti-trafficking responses. In Asia region, we have started engaging with some GAATW members and partners in India on the ongoing scoping and partnership development as part of a pilot research project on participatory monitoring and evaluation at the national and local levels. This project aims to facilitate a participatory monitoring and evaluation in order to create new spaces for

trafficked persons to raise their voices in policy debates and ensure voice in existing spaces, we will also draw on lessons learnt from previous GAATW Feminist Participatory Action Researches.

These activities have strengthened GAATW's efforts to increase the accountability of anti-trafficking stakeholders towards ensuring that trafficked persons and other affected communities actively evaluate and address the way in which anti-trafficking frameworks are impacting on their rights. An issue on Accountability will be featured in the October 2011 e-Bulletin.

Increasing access to justice through non-discrimination approaches: broadening spaces within which trafficked persons can access their rights

A focus on non-discrimination will allow us to address specific forms of discrimination and rights violations raised by member organisations as they relate to trafficking. This is the approach that GAATW is taking in order to address anti-migration and xenophobic sentiments and to understand the linkages between discrimination and exploitation.

Recently, GAATW International Secretariat, in partnership with Transient Workers Count Too (Singapore) submitted a shadow report to the Committee on the Elimination of Discrimination against Women, 49th Session (11 - 29 July 2011) and undertook advocacy at the Session. The report addresses two interrelated aspects of discrimination against women in Singapore: discrimination against low-paid women migrant workers and human trafficking. We are now in the process of developing a toolkit which will provide guidance to those wishing to provide alternative information to the CEDAW Committee on trafficking and migration issues. It seeks to enable those reporting to adopt a broader perspective and to address trafficking in the context of migration, labour and all forms of discrimination and to ensure effective advocacy of NGO policy objectives in respect of human trafficking.

We are currently in the process of analysing regional and international case law of relevance to human trafficking and migrant workers. These will be made available later this year. We hope these will provide an evidence base for others wishing to raise individual complaints with core UN human rights treaty bodies, and highlight ways in which international jurisprudence can be used to advocacy at the national level.

Power in Migration and Work - Analysing the impact of

migration and labour policies on women's power in migration and labour processes

GAATW's work in anti-trafficking are very much correlated to how much power people have in their migration and work. By emphasising power in migration and work, we hope to shift the conversation away from vulnerability-based discourses. Centring an analysis on women's power in labour and migration could help safe guard against protectionism against in labour migration policies. This programme looks at three thematic areas: labour exploitation, smuggling and demand discourses.

Trafficking and Exploitation outside the sex sector

In GAATW's engagement with members and allies during past consultations and feminist participatory action research projects, we found that trafficking for exploitation outside the sex sector has remained an important gap in research and advocacy action. Our interviews and consultation with member organisations in Europe this year suggested the need for a human rights and gender analysis on trafficked persons' experiences and challenges with assistance models, victim identification, work conditions and labour market demand. GAATW will release a Working Paper on this issue and an online mapping of resources by end of the year. The findings of the research will form the basis of GAATW's advocacy messages aimed at providing clarity and suggestions for action that centre the agency of those who have been exploited outside the sex sector.

Smuggling

This programme aims to expand space for the rights of undocumented migrant women in the international human smuggling framework. GAATW has been concerned about the serious protection gaps for migrants who experience abuses within smuggling and who do not fit the State protection criteria. In June, GAATW organised a Smuggling Roundtable Meeting in partnership with the UN Office for the High Commissioner for Human Rights (OHCHR). The meeting was lively and fascinating, participants compared the utility of anti-trafficking and anti-smuggling frameworks, discussing topics such as: the means of seeking remedy for smuggled migrants; the criminalisation of migration; and the global governance of migration. GAATW plans to consult with more members on this issue and explore advocacy opportunities at the inter-regional and international level. Our research and analysis on smuggling will ground GAATW's advocacy messages to challenge States' criminalisation of undocumented migrants, challenge smuggling stereotypes among state actors and general public, and raise awareness on the rights of

smuggled persons. We will report more on this in the September issue of the e-Bulletin on smuggling.

Demand

While softer, ambiguous language around demand and trafficking may not overtly target sex workers themselves, we have observed that the demand discourse is being used to support anti-sex work agendas that may negatively impact women in sex work. With the aim to support anti-trafficking and sex workers rights organisations to respond to demand discourses within the anti-trafficking movement, GAATW is developing a 'toolkit' to critically analyse the current literature on demand, particularly in regards to the sex workers rights movement. The 'toolkit' will be launched this fall and an e-bulletin issue on this theme will be available in November.

We would like to extend our gratitude to those who shared their expertise and experiences for past issues of the e-Bulletin. We look forward to continue these discussions in the next issues. We encourage you to contact us with your suggestions and ideas, please let us know in which way we can work together. If you're interested in contributing any items in the next e-Bulletin or send feedback on any of the above issues, contact us at info@gaatw.org

Warmly,

The GAATW International Secretariat

Human Rights at home, abroad and on the way

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide. The e-bulletin is published every first week of the month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations. Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat. We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org. If you do not want to receive this e-bulletin please send us a message at info@gaatw.org and we will delete your address from the list. Please note that we have not inserted the advertisements that may appear on this message. GAATW International Secretariat is not associated in any of these ads over which we have no control.



e-Bulletin



Global Alliance Against Traffic in Women

SEPTEMBER/2011

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"Victims of trafficking are not properly identified, leading to wanton arrest, detention and deportation around the country. They are too often misidentified as irregular migrants, arrested and deported without any risk assessment as to whether the return would be safe."

- [UN Special Rapporteur on Trafficking in Persons, Especially Women and Children, Joy Ngozi Ezeilo](#)

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Dear Members and Friends,

In this month's e-bulletin we look at immigration measures, especially 'anti-smuggling' policies, that criminalize migrants and badly affect trafficked people. By sheer necessity, many migrants pay a broker to reach their destination. They need to get out of their country or find a way to support their families. Technically, they are seen by many authorities as 'smuggled' people. As we know from the ground, many people in trafficking situations also classify, in government terms, as having been 'smuggled' (in other words, they paid someone money to help them cross a border without government consent).

Several GAATW members talk about the blurry lines between these categories on the ground; and we feel that we cannot ignore the anti-smuggling policies that are affecting the people we work with. Some people are asking us further why we are engaging in smuggling specifically. GAATW started working on this issue at the beginning of 2011 as continuation of our 2008-2010 programme on 'Linkages' - or linking trafficking to related fields of concern like migrants', women's and workers' rights. We decided to go deeper in the migrants' rights vein, by exploring smuggling partly because the Smuggling Protocol sits in the same UN convention as the Trafficking Protocol and receives much less attention, especially in terms of rights for smuggled people. Our members are struggling with smuggling on the ground as well, especially in terms of misidentification. When authorities detain migrants, they do not always screen whether they might have been trafficked, but detain them as criminals, as 'smuggled', or as 'irregular' and then deport them before they have a chance to ask for their rights. If people labeled as 'smuggled' are not getting their rights that means that some misidentified trafficked people are not either.

In engaging with this issue, we have found that migrants and particularly trafficked people are affected by anti-smuggling policies in these ways:

- *Through anti-smuggling measures, states are justifying weakening rights protections gained for trafficked persons, refugees and other protected migrants.*
- *Though sometimes well-meaning (in the name of protecting migrants from dangers in travel, or fighting crime), anti-smuggling measures have the collateral damage of making migration more dangerous: brokers raise fees, take more precarious routes and put migrants in situations of increased vulnerability, dependency and debt.*
- *Anti-smuggling measures can include indefinite detention, the towing of migrants' boats out of a safe country's waters, and criminalisation of all people who assist with the migration process and sadly often migrants themselves.*
- *Arrest, detention and deportation take place so quickly that the result is the denial of access to justice for migrants including trafficked ones who experience abuses from both brokers and law enforcement.*

This month we particularly welcome the Australian High Court striking down an anti-smuggling deal that had been signed between Australia and Malaysia. The agreement included Australia being able to send 800 asylum seekers for processing in Malaysia. The idea was that this would deter migrants from attempting the journey to Australia. This is an example of an anti-smuggling measure aiming to water down rights: Australia was not upholding its obligations to the UN Refugee Convention by doing this, as it was taking migrants to a non-signatory country where national laws do not protect their rights.

As in other e-bulletins, we include Regional/Member Updates showing what some members and governments are doing on smuggling specifically. Because a lot of members are doing strong migrants' rights work, we are showcasing that as well though it is not strictly related to smuggling or anti-smuggling. As usual, we give you an update on GAATW Secretariat's work on smuggling and include a resources section.

We are concerned with anti-smuggling measures, and also concerned with the negative, criminalizing effects of calling people 'smuggled'. As one of our allies recently said: 'Smuggling' is the government's language. Therefore, where possible we are using the broad term 'migrant', or talk about 'facilitated' or 'assisted' migration.

We hope you find this useful! Please email us (gaatw@gaatw.org) with questions, with your views, or for more details.

Warmly,

GAATW International Secretariat

REGIONAL/MEMBER UPDATES

Member and Policy Updates on Smuggling

In Peru, GAATW member CHS-Alternativo has seen that vulnerabilities to trafficking can rise when people embark on smuggling/facilitated journeys. CHS-Alternativo provides legal and psychological assistance to people who have experienced rights violations in trafficking and smuggling processes. Further, they monitor and evaluate government measures, following with lobbying and media efforts. They work with several other religious, legal, governmental and civil society organizations in the country and the region, providing conceptual training, strengthening statistics, inputting to this year's CEDAW shadow report and creating watchdog/observatories on trafficking, smuggling and other migration measures.

In Argentina, GAATW member AMUMRA is happy to report that the Paraná Appeal Court (Cámara Federal de Paraná covering the Entre Rios province) recently stated that the [terms 'legal or illegal' refer to actions, and cannot be used to describe the status of a migrant person](#). The Court expressed that a person can be in an irregular or regular migratory status but that no human being can be considered 'illegal'. This statement is part of a Court resolution confirming the habeas corpus of four undocumented Chinese citizens and is based on the change introduced in Argentinean migration policy, which recognises the "right to migrate" as a human right. According to this view, the migration law must favor the regularization of the migrant person and consider his/her deportation as the ultimate and most extreme alternative.

Also in positive news, as we mentioned in the introduction to this e-bulletin, the [agreement between Australia and Malaysia to send migrants to Malaysia for processing was struck down on 31 August by the Australian High Court](#). The Australian government hoped that people would think that if they tried to enter without documents, they might not be able to stay in Australia. Lawyers argued asylum seekers have a legal right to go to Australia (even through a smuggling route), rather than be processed in a country that does not have adequate refugee protection legislation. Also in positive news, another body, the European Commission, this month announced [an upcoming proposal to uphold freedom of movement](#) which will deny countries the ability to reintroduce border controls in the Schengen zone as France and Denmark did this summer reacting to refugee and other migrants' movement from North Africa.

In terms of other government measures globally unfortunately the news is less heartening. Responding to populism and xenophobia the Conservative Party in Canada is trying to pass Bill C-4, or the "Preventing Human Smugglers from Abusing Canada's Immigration System Act". It would establish mandatory detention without review for people classified as smuggled. The Minister of Public Safety can singlehandedly classify people as smuggled if s/he thinks individual processing will take too long. The bill would prevent migrants under this category from obtaining permanent resident status or family reunification for five years. [Civil society critics](#) have called the bill unconstitutional and some are aiming to launch a legal challenge.

The past quarter has seen much change to legislation and practice aimed at **preventing smuggling and asylum seeking from North Africa to Europe**. Many North African migrants are waiting to find out if they will be granted refugee status or deported back. In the past months we have seen Greece working on [building a moat](#) at its border with Turkey. Italy has increased the limit for [detention length](#) to 18 months and continues to [turn around boats](#) heading towards its shores. Further, during the summer months several civil society organizations reported that the Gaddafi regime in Libya [forced migrants onto boats](#) bound for Lampedusa, Italy. Gaddafi, like other North African governments, had originally signed anti-smuggling agreements with European countries to try to prevent people boarding boats (see [Resources](#)). In broader African news, in June GAATW attended an African Union meeting on trafficking and learned that in those countries where smuggling is considered a big problem many confuse smuggling and trafficking in law and practice. This is having

a large impact on the protection of human rights in the region.

In August the **UN Special Rapporteur on Trafficking in Persons, Especially Women and Children**, Joy Ngozi Ezeilo, visited **Thailand**, stating that "the Government's response should not be restrictive migration..., [but] to acknowledge the demands for cheap, low- or semi-skilled labor and provide safe migration options." She was concerned about the frequent misidentification of trafficked persons as 'irregular' migrants subject to arrest, detention and deportation. Ms. Ezeilo met with member and ally organizations as well as GAATW-IS staff while she was in Thailand. Her End of Mission report can be found [here](#).

Member Updates on Migrants' Rights

Members are working on strategies to protect migrants' rights and prevent them from being seen as criminals, as many anti-smuggling measures would otherwise encourage. Though not specifically work around the issue of smuggling, here are some examples of what members are doing to promote migrants' rights.

Working to address discrimination against low-paid women migrant workers and human trafficking, Singaporean member organization **Transient Workers Count Too (TWC2)** and **GAATW International Secretariat** recently submitted a shadow report to the Committee on the Elimination of Discrimination against Women (CEDAW), 49th Session (11 - 29 July 2011). The report highlights restrictive migration and labour laws and policies giving rise to abuse against migrant workers, including the non-payment of wages, passport confiscation, confinement in the workplace, inhuman and degrading treatment, labour exploitation and trafficking. The State's failure to recognise trafficked persons and the regular criminalisation of trafficked persons as undocumented migrants was also highlighted as a matter of serious concern. The full report is available [here](#).

Some other member organisations actively working to promote migrants' rights in the region include the **Cambodian Women's Crisis Center (CWCC)** which runs a mobile outreach programme providing information on [safe migration](#) along the Thai border as well as access to basic health care and services for migrant women and children. Member organisation **WOREC Nepal** runs a safe migration programme in several districts in Nepal with pre-departure training, capacity building of stakeholder groups including potential migrants and their families, legal support, safe shelter, and coordination of district level committees working on safe migration. WOREC works to strengthen returnee migrant groups and does advocacy with the government and other stakeholders for migrant-friendly policies.

Several GAATW organisations in Europe and Africa are working on migrants' rights, countering some of the more anti-migrant sentiment that rose during the 'Arab Spring' as well as ongoing systems of discrimination or disempowerment. **Lefoe in Austria** runs a [Learning Center for Migrant Women](#), combining education of language, knowledge and skills as women choose and combine courses to meet their needs. Lefoe further runs a program of counseling for migrant women from Latin America and a counseling and health programme for migrant women in sex work. In Kenya the organization **FIDA-Kenya** is working towards building better laws and policies for small scale traders, many of whom are migrants, in relation to the implementation of the Kenyan New Constitution 2010. Also working on migrants' rights, in **Germany Ban Ying** has been battling the government's increase from 2 to 3 years of the minimum time a non-German spouse has to be married to his/her German spouse in order to obtain a non-tied, independent visa. Ban Ying has regularly assisted women married to Germans, who have abused them. Yet, women have felt they must remain in these marriages in order to obtain an independent visa. Now they must do so for longer.

In terms of migrants' rights, it is also worth noting that the new [UN Special Rapporteur on the Human Rights of Migrants](#), Mr. Francois Crepeau, started his mandate on 1 August this year. His first thematic report to the Human Rights Council will be presented in Spring 2012. He has not established the theme but welcomes civil society [submissions](#). Also, readers might be interested in a [conference on 'Dignity and Rights of Irregular Migrants'](#) in Warsaw Poland from 21-22 November organised by

the EU Agency for Fundamental Rights.

UPDATES FROM THE SECRETARIAT

From 20-22 June 2011 GAATW-IS and the Office of the High Commissioner for Human Rights jointly held a Smuggling Roundtable meeting to discuss how governments and other actors are developing anti-smuggling measures, following the 2000 UN Protocol Against the Smuggling of Migrants by Land, Sea and Air ([Smuggling Protocol](#)). We also looked at what can be done about the global increase in anti-smuggling measures that are affecting trafficked persons as well as migrants generally. The meeting report can be found [here](#). This small roundtable brought together government representatives, intergovernment organisations, and civil society. Participants looked at the following key questions: 1) How can we compare smuggling and trafficking? 2) When can assisted migrants seek remedy? 3) In practice, what changes when migration is criminalized? 4) How are global governance models changing? 5) What is the future for anti-smuggling measures?

Key observations from the meeting were that:

- Rights protections for smuggled migrants are in the Smuggling Protocol but have yet to be spelled out and clearly developed through soft law. This is different from the Trafficking Protocol, which was followed in 2002 with the [OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking](#);
- The human rights community has not significantly built up a rights-based approach to anti-smuggling;
- There are serious protection gaps for migrants who experience abuses within smuggling and who do not fit other State categories for protection;

In other recent work the GAATW Secretariat also worked with TWC2, Singapore, on a CEDAW shadow report (see Member Updates on Migrants' Rights section above). Finally, the GAATW-IS has been doing research on smuggling. Look out on the [GAATW website](#) in the next few months as we post new publications:

- a detailed Working Paper on Smuggling and Trafficking (following on from our 2010 [Beyond Borders](#) Working Paper series);
- a FAQ booklet on the Smuggling Protocol and Human Rights; and
- a FAQ booklet on the Intersections between Trafficking and Smuggling.

RESOURCES

Reports

[GAATW \(2010\) Beyond Borders: Exploring Links between Trafficking and Migration](#), in GAATW Beyond Borders Working Papers Series, Bangkok: GAATW.

The Working Paper Series outlines where the anti-trafficking framework can strengthen other frameworks and vice versa, and where we as advocates can work together and establish joint strategies. The Papers also identify tensions among the different frameworks, and recognise the spaces for separate work. They see that complexities in people's lives cannot be captured by one story or approach alone, whether that approach is anti-trafficking, women's rights, human rights, migrant rights, or labour rights. The Working Paper on Trafficking and Migration emphasizes that exploitation against trafficked and other migrants is often not so dissimilar. GAATW, in advocacy and engagement in international policy debates on trafficking, has seen that the categories of human trafficking and human smuggling are most commonly divided by an unclear line of consent. Trafficked migrants are accorded rights where other migrants are not

ICHRP (2010) Irregular Migration, Migrant Smuggling and Human Rights: Towards Coherence, Geneva: ICHRP.

The International Council on Human Rights Policy's in-depth and well researched study looks at smuggling from international human rights, labour rights and criminal law perspectives. It compares the Smuggling and Trafficking Protocols of the UN Convention Against Transnational Organized Crime, and usefully gives clear comparison between smuggling and trafficking terminology. Critically in the back of the report, the Appendix expands on rights pertaining to the processes of smuggling, detention, expulsion, stay, and exploitation after entry. The Appendix brings to light aspects of the Smuggling Protocol relevant to human rights protection.

Van Liempt, I. (2011) "Different geographies and experiences of 'assisted' types of migration: a gendered critique on the distinction between trafficking and smuggling," Gender, Place and Culture, Vol. 18, No. 2, 181.

Van Liempt conducted a study of people who used a smuggler in their migration to the Netherlands, critiquing smuggling seen as primarily of men and trafficking of women. As women are more often seen as victims, protective language around women's migration can lead to protective policies restricting women's choices. Men, on the other hand, take risks, are deviant, and "deliberately break the rules... run[ning] the risk of being perceived as criminals without the authorities taking into account human rights violations they may have suffered in the process, or the reasons why they needed to travel in this way"(190). By contrast to these common understandings, she shows three stories of women who entered assisted migration processes with eyes wide open, making very careful decisions with as much information as they could gather. Van Liempt also notes that the role of the state is ignored in smuggling and trafficking. "By framing the 'abuse' of female migrants as the fault of 'traffickers', women's agency is not only denied but the role of the state is also mystified. The fact that smuggling and trafficking are also by-products of restrictive migration regimes, exploitative employment practices and inequality between poorer and richer countries is completely overlooked" (190).

UNHCR (2011) Back to Basics: The Right to Liberty and Security of Person and 'Alternatives to Detention' of Refugees, Asylum-Seekers, Stateless Persons and Other Migrants, Legal and Protection Policy Series, PPLA/2011/01.Rev.1

Starting out by saying that there is no evidence that policies and practices of detention deter migrants as many policy designers assume, this study found that less than 10 per cent of asylum applicants abscond when released to proper supervision and facilities, meaning that 90 per cent comply. Alternatives are a significantly cheaper option than detention both in the short and longer term. Alternatives include release on bail/bond, community-based or case worker supervised release, and designated residence among others. The report is thorough and worth looking at for advocates addressing detention.

Nicholson, E. (2011) Cutting Off the Flow: Extraterritorial Controls to Prevent Migration, Berkeley: Chief Justice Earl Warren Institute on Law and Social Policy

In implementing anti-smuggling goals, many states turn to extraterritorial controls. These controls are measures to deter or push back migrants before they reach a destination country. They are also referred to as 'non-arrival measures' in Europe and 'offshore controls' in Australia. This report clearly lays out the benefits states see in them, the problems for rights protection and accountability, and the details of main types of control measures: visa controls, extraterritorial detention, coastal patrols of transit countries and maritime interdictions, surveillance and intelligence operations, and diplomatic and cooperation initiatives. The report compares extraterritorial approaches in the US and Europe, giving concrete recommendations for change. Advocates can learn a lot from the historical development and regional comparisons provided. Extraterritorial measures often provide states with a means to evade their international rights obligations.

[La Strada Czech Republic \(2010\) Findings from a Migration Mapping Study: Thai Workers in the Czech Republic](#), Prague: La Strada Czech Republic.

Not strictly smuggling related, this report is by GAATW member La Strada Czech Republic examining migrants' rights in their context. Looking at Thai immigration policy, Czech labour law and bilateral relations, this report both examines macro policy affecting Thai migrants to the Czech Republic as well as migrants' decisions and on the ground working experiences. It is primarily dealing with massage parlor workers in Prague as the work site is where the overwhelming majority of Thais work. The report looks at gaps in assistance provided by the Thai Embassy and trade unions.

[Migrants Resource Center \(2010\) Hope Costs Nothing: a report on the lives of undocumented migrants in the UK](#), London: MRC.

This report is based on first-hand information from 43 undocumented migrants from 19 countries around the world. Undocumented migrants include people who enter without a state's permission or who become undocumented after entry. It gives a voice to unheard stories and perspectives in the lives of undocumented migrants in the UK. The report highlights the background, challenges and coping strategies of living an undocumented life in the host country.

[UNODC \(2010\) Smuggling of Migrants: A global review and annotated bibliography of recent publications](#), Vienna, UNODC.

This comprehensive literature review collates information available on smuggling statistics, routes, profiles of migrants and smugglers and their relationship, organizational structures, modus operandi, fees, and the 'human and social costs' of smuggling. The review has a criminal justice perspective, and is complemented by several other recently published similar reviews with different regional foci.

Regional reviews

<http://www.unodc.org/unodc/en/human-trafficking/publications.html?ref=menuside>.

[Mekong Migration Network and Asian Migrant Center \(2008\) Migration in the Greater Mekong Sub-region: Arrest, Detention and Deportation](#), Hong Kong: MMN and AMC.

Criminalising measures of arrest, detention and deportation (ADD) feature often in migrants' journeys in South-east Asia. This study covers Burma, Cambodia, Thailand, China, Laos and Vietnam detailing national ADD practices and makes recommendations to governments in the region to cease the criminalisation of migrants; eliminate restrictions which lead to abusive and exploitative working conditions; and reform ADD procedures to ensure they are humane, transparent and subject to legal oversight.

Overview

http://www.mekongmigration.org/?page_id=126

International Law - for Reference

[Protocol against the Smuggling of Migrants by Land, Sea and Air](#), 15 November 2000, General Assembly resolution 55/25, United Nations Convention against Transnational Organized Crime.

The Smuggling Protocol forms the template by which many states are forming national law, or are adjoining smuggling legislation to anti-trafficking legislation. It is worth reading along with the [ICHR report](#) mentioned above which outlines aspects of the Smuggling Protocol relevant to human rights protection. When states are considering new anti-smuggling legislation, advocates can ensure that rights obligations are not forgotten or sidelined.

Videos (available for viewing/streaming online)

Kingsley's Crossing, Jobard, O. (2006)

A journalist follows (literally travelling with) migrant Kingsley from his home in Cameroon through North Africa, on a boat and finally to France. The video gives an insightful and rare portrayal of the strength, fears and dangers on the journey. The full film is online.

<http://mediastorm.com/publication/kingsleys-crossing>

Crossing Arizona, Matthew and DeVivo (2006)

Showing US-Mexico border issues from the point of view of migrants, coyotes, ministers, ranchers and border patrol, the film gives honest portrayals of political opinions, of why people move and of dangers. Excerpts are on YouTube.

<http://www.youtube.com/watch?v=QqJko5yfIXs>

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e-Bulletin



Global Alliance Against Traffic in Women

October/2011

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"So far, evaluation has been little more than an afterthought and at best conceived as self-edited reporting on project outcomes by governmental and non-governmental actors alike. This is not enough. What is needed, is independent external objective evaluation; evaluation that is based on professional methodology and standards, informed by trafficking expertise."

*Dr Helga Konrad
[Feeling Good about
Feeling Bad](#)*

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Dear Members and Friends,

Greetings from GAATW International Secretariat.

The theme of this e-bulletin is ACCOUNTABILITY and how we work to achieve it within the anti-trafficking sector.

Accountability is a difficult and sometimes foggy concept in anti-trafficking. For all too long many anti-trafficking actors have considered it unnecessary to establish accountability processes, apparently confident that all those working in this field must be seeking to do good, therefore why submit to further interrogation?

A recent upsurge in 'survivors panels' and other survivor centred approaches begs the question: How can we deepen our understanding of what survivors want? And what are the huge physical and psychological obstacles preventing us from gaining a clear, accurate and ethical picture of their wishes and needs.

In 2007, when GAATW published the report 'Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World' we noticed a pattern occurring in each of the 8 countries featured. In both the global North and South it seemed governments, national human rights institutions, NGOs, inter-governmental organisations alike were suffering from an accountability deficit. For example, stakeholders weren't held to account for human rights violations occurring as a result of repressive anti-trafficking measures. We therefore set about seeking a means of holding all anti-trafficking actors to account in a way which would regain some credibility and transparency for the sector as well as improving anti-trafficking responses across the board.

Our main action in this regard has been to seek a Review Mechanism to the international treaty governing human trafficking, the UN Convention against Transnational Organised Crime and the protocols thereto, including the Human Trafficking Protocol (UNTOC). We believe that if an inclusive and transparent review mechanism to this treaty were instated, this would ultimately assist States and all anti-trafficking actors in catering for the diverse, complex and critically important needs of trafficked persons in anti-trafficking responses.

We hope that this e-bulletin serves as a useful summary of various means and methods chosen by GAATW IS and Members around the world of holding anti-trafficking actors, including ourselves, to account.

Warm regards,

GAATW International Secretariat

REGIONAL/MEMBER UPDATES

AFRICA

Kenya: CRADLE and FIDA KENYA

In Kenya, there have been exciting developments with respect to human trafficking. GAATW members CRADLE and FIDA Kenya have been at the centre of policy developments which have led to increased accountability of the Kenyan government to civil society. On 14th July 2010, the Kenyan Parliament enacted the Counter Trafficking in Persons Bill 2010, introduced to the House by the founder of CRADLE Ms Millie Odhiambo, now an MP, as a Private Members Bill. The preamble states that the Bill intention is to implement Kenya's obligations under the United Nations Convention against Transnational Organized Crime, including the Human Trafficking Protocol. The Bill also comprehensively covers the offence of trafficking in persons and other related offences, modalities of trial of offenders and an elaborate system on victim assistance. It further establishes a fund for victims of trafficking.

The Kenyan National Steering Committee (NSC) to combat trafficking in persons is comprised of civil society and government line ministries whose main aim is to oversee anti-trafficking efforts in reference to the Counter Trafficking in Persons Bill and the Kenyan National Plan of Action for Combating Human Trafficking. In conducting oversight the NSC has identified a number of gaps in assistance to victims of trafficking, including the lack of a formal referral system, inadequate access to assistance for victims and gaps in awareness of formal judicial processes amongst service providers and law enforcement.

EUROPE

EUROPE: La Strada International

In Europe, the first round of review of States Parties to the Council of Europe Convention on Combating Trafficking in Human Beings by the Group of Experts on Action against Trafficking in Human Beings (GRETA) has been underway with a number of country reports having been published including: Slovak Republic, Austria and Cyprus as well as its General Report. See the GRETA website for reports:

http://www.coe.int/t/dahl/monitoring/trafficking/default_en.asp

These reports assess measures taken by States to implement the Council of Europe Convention on Action against Trafficking in Human Beings and make proposals concerning the way in which the relevant authorities may deal with the problems identified. In the course of report preparations GRETA engages in dialogue with the authorities and NGOs. NGO engagement has been largely instigated and progressed by a group of three Europe based NGOs: La Strada International (LSI) together with Amnesty International (AI) and Anti Slavery International (ASI) have followed GRETA's work closely from the Convention's draft stages.

Before the GRETA was formed LSI, ASI and AI made recommendations to the Council of Europe Committee of Ministers (the main Convention policy body) on the necessary procedures to follow to ensure the election of independent experts of the highest calibre to monitor implementation. Once these selection procedures were established, LSI, ASI and AI sought engagement from NGOs in the nominations of candidates for GRETA. Once GRETA was established in 2009 again LSI, ASI and AI advocated for close engagement with civil society in all its work. When GRETA announced the first ten countries it was going to evaluate, LSI, ASI and AI began a process of advocacy to national NGOs for their engagement in the process through GRETA's country consultations as well as drafting their own shadow reports.

At the tenth meeting of GRETA invited LSI, ASI and AI for an informal discussion on NGO involvement and in September the three organisations presented at a CoE seminar on cooperation international organisations in the field of anti trafficking. LSI, AI and ASI now plan to join members of GRETA in evaluating the process of engagement with NGOs so far in order to ensure that future country reviews are as NGO centred as possible.

Austria: [LEFO](#)

LEFO contributed to GRETA's investigations in respect of Austria [UPLOAD LEFO REPORT TO WEBSITE AND LINK HERE] making specific reference to articles of the CoE Convention on which it felt that there were gaps in Austria's implementation. LEFO's report focussed on identification, reflection period, residency, employment rights, access to healthcare, compensation and non-punishment of victims. LEFO works with women in order to facilitate their access to services, justice and compensation. They based their report on their work at the national level and their assessment of the needs of trafficked women in Austria. The report was delivered to GRETA and the Austrian government which also consulted LEFO in its own preparation of its country report.

Italy: [On the Road](#) and European NGOs Observatory on Trafficking Exploitation and Slavery (E Notes)

Through E Notes, Associazione On the Road (Italy), ACCEM (Spain), ALC (France) and La Strada International (Netherlands) sought to establish a Europe-wide, reporting mechanism that would allow the situation in different countries to be compared. The reporting mechanism would also be implemented by the NGO community, focussing on policies and interventions to enhance and support the protection of and assistance for trafficked persons. This project was co-funded by the Prevention of and Fight against Crime Programme of the European Commission (DG Home Affairs).

E Notes assesses anti-trafficking policy and practice in the EU, revealing that there are substantial discrepancies between EU Member States on fundamental aspects of anti-trafficking policy and practice within the EU. These include national legislation to prohibit human trafficking and definitions of trafficking, the existence of coordinating bodies and the process to identify trafficked persons. Several provisions of international and national legislation aimed at protecting the rights of trafficked persons still exist only on paper in the majority of EU Member States.

The report notes that further monitoring and evaluation of anti-trafficking policy and action is essential, both at EU and national level. Independent National Rapporteurs or other equivalent mechanisms should be established and fully functioning in all 27 EU Member States. They should share standardised terminology, statistics and ways of measuring, and cooperate with the GRETA, in order to avoid unnecessary overlap in monitoring activities. Finally, the report contains recommendations for both governments and the European Union as a whole. A summary of the report is also included in each of the EU's national languages. See Resources section for a link to the report

ASIA

Singapore: Transient Workers Count Too

In July 2011 GAATW IS and Singaporean Member Transient Workers Count Too (TWC2) jointly reported to the Convention for the Elimination of all forms of Discrimination against Women (CEDAW) Committee. Our [report](#) had two main foci: trafficking and discrimination against female migrant workers. One core goal was to highlight certain issues on which TWC2 has been working for years, particularly concerning the rights of domestic workers. In this regard TWC2 hoped that this report would set a marker for future advocacy efforts. With respect to anti-trafficking, TWC2 and GAATW IS hoped to urge Singapore to broaden its narrow definition of trafficking to the definition of trafficking contained in UNTOC and to ratify UNTOC and the Human Trafficking Protocol.

This year, there was a change of policy. It was announced that the anti-trafficking protocol's definition was being used as the operational basis for countering trafficking. An anti-trafficking task force was established. The CEDAW report therefore had a very immediate role as part of a conversation about a new policy on trafficking that ought to be supportive of trafficked people and directed against those who benefit by exploiting them. It is likely to take two or three years to fully implement a re-oriented anti-trafficking policy, but the change is likely to have far-reaching consequences for the better.

Elsewhere TWC2 took part in a delegation of Migrant Forum in Asia to the International Labour Conference, June 2011, where the **Convention Concerning Decent Work for Domestic Workers** was adopted. It will come into force twelve months after two International Labour Organisation (ILO) member states have ratified it. The convention sets out rights and protections for workers who are among the least recognised and lowest paid in the world and who number, according to the ILO, at least 52.6 million and possibly as many as 100 million. This will be an important Convention against which all GAATW members and allies can hold governments to account for their treatment of migrant workers.

Indonesia: Solidaritas Perempuan

In an effort to monitor the implementation of Anti-Trafficking regulations in Indonesia, Solidaritas Perempuan (SP) has been actively involved in national and regional advocacy alliances. At the national level, SP has conducted advocacy to improve the government's treatment of trafficked women and children through amendments to legislation and engagement with Women Empowerment and Child Protection Ministry which chairs the Task Force to Combat Trafficking.

SP also facilitates local community monitoring efforts of anti-trafficking policies in the area of Makassar and Karawang through research using an anti-trafficking policy impact assessment for human rights of the affected groups. The result from this research helps to draw attention to the cause and consequences of debt bondage. Furthermore, it can influence local policy and help coordinate action to combat human trafficking.

THE AMERICAS

BRAZIL- Observatório Brasileiro do Tráfico de Pessoas

The Observatório Brasileiro do Tráfico de Pessoas is a network of Brazilian civil society organizations (including six GAATW member organisations) monitoring the Brazilian government public anti-trafficking policies. In addition to Monitoring and Evaluation the Observatório also focuses on advocacy (for example to the 2nd national Anti-trafficking plan) and research.

Its main principle is to ensure human rights and freedom of choice of individuals, regardless of their immigration status and occupation.

Facebook: observatório brasileiro do trafico de pessoas

PERÚ-CHS Alternativo

CHS Alternativo has developed two tools to monitor and evaluate anti-trafficking policies.

The first one, called "RETA System", was initially developed to record trafficking cases and has subsequently become the official national registry recording data about complains, victims, routes, traffickers and cases of trafficking. The RETA System is now managed by the police.

The second tool, called "Mirada Ciudadana" has developed into a network of organizations covering ten regions in Perú. "Mirada Ciudadana" is mandated to evaluate and disseminate the State's anti-trafficking policies effectiveness. It is intended as a mechanism for social audit of the public administration, and as such monitors the government implementation of anti-trafficking public policies, including whether there is enough budget and tools to implement them. "Mirada Ciudadana" methodology includes: Social audit (so far two assessments of the State's level compliance with its anti-trafficking policies has been produced); Research (so far, two reports have been produced, one on Public Perceptions of Trafficking in Perú, and the other on Irregular Migration to Europe), Case compilation and the production of statistics about trafficking; Assistance to strategic cases: Advocacy (in partnership with the National Ombudsman Office and the National Congress) and Awareness raising and Media campaigns.

USA: [Safe Horizon](#)

Since 2000, the Trafficking Victims Protection Act (TVPA) has given children, women, and men victimized by human trafficking emergency assistance and ongoing support. Through this law, the TVPA established human trafficking as a federal crime, funded assistance programs for survivors, and established a mechanism to obtain visa protection for trafficked persons left vulnerable without immigration status. Every three years the United States Congress must reauthorize TVPA to continue the funding.

For the last ten months, Safe Horizon with national networks the Freedom Network USA (FN) and The Alliance to End Slavery and Trafficking (ATEST), outlined desired additions and edits they hope to see reflected in the Trafficking Victims Protection Reauthorization Act of 2011. These changes would improve relief for victims and ensure better trafficking prevention methods, all from a rights-based perspective. To this end, they advocated with key congressional staff and government agency representatives in more than 50 meetings in Washington DC. They also developed an online letter campaign where more than 25,000 Safe Horizon supporters urged their representatives to co-sponsor the reauthorization.

Additionally, Safe Horizon has co-hosted national calls educating organizations across the country about network efforts to advance the TVPRA 2011 and to encourage wide spread support for their package. To date, the TVPRA 2011 has been introduced in both the House of Representatives and the Senate, earning bi-partisan support in both cases. Many of Safe Horizon's recommendations have been incorporated but they are still working to ensure the inclusion of numerous other key provisions.

UPDATES FROM THE SECRETARIAT

In the past 6 months, the IS has represented GAATW at the **AU COMMIT** meeting in Tanzania and the 49th CEDAW Committee Session in New York to: advocate for greater accountability of state and non-state actors, and to speak about monitoring, evaluation and accountability frameworks as critical to anti-trafficking responses.

With partner research institute, PRAXIS India, GAATW IS has been working on a **pilot research project on participatory monitoring and evaluation** at the community level. Working with our members in the Odisha State in Eastern India we have been developing a joint participatory monitoring and evaluation framework for assessing the anti-trafficking response in their context. A baseline research prepared on the Indian anti-trafficking response will be used as a benchmark for the basis of monitoring and evaluation.

Efforts conducted over the past 3 years towards lobbying policy makers to support a **review [victim-centered mechanism](#) to UN Convention on Transnational Organised Crimes and its protocols including the Human Trafficking Protocol (UNTOC)** continue. The Working Group meetings on the Terms of Reference for a review mechanism continue, the next taking place in January 2011. GAATW will continue to play a role in these meetings and will be working towards the adoption of an inclusive and transparent

mechanism at the 6th Conference of Parties to UNTOC in October 2012.

Also, GAATW's new journal, the [Anti-Trafficking Review](#), attracted many submissions on Accountability, further information is available on the website of the Journal (www.traffickingreview.org). The inaugural issue of the [Anti-Trafficking Review](#) will be published in March 2012.

RESOURCES

E-Notes

European NGOs Observatory on Trafficking, Exploitation and Slavery aims at establishing a Europe wide permanent monitoring mechanism (Observatory) and a comparable reporting mechanism implemented by the NGOs community and network on measures against trafficking, exploitation and slavery in Europe in order to enhance and support public institutions' policy in the field of protection and assistance of trafficked persons.

UNTOC Review Mechanism Terms of Reference - GAATW document

In October 2010 at the UNTOC 5th Conference of Parties States debated a possible terms of reference for a review mechanism to UNTOC. GAATW was heavily involved in discussions, particularly to insert elements of our 'model terms of reference for a review mechanism' into States' resolution for a Terms of Reference. All relevant documents from this meeting can be found on the [victim-centered mechanism](#) website.

UNTOC Working Group documents

In its 5/5 decision, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto decided to establish an open-ended intergovernmental working group: (a) To consider and explore options and make proposals for the establishment of a mechanism or mechanisms to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto; (b) To prepare terms of reference for such proposed review mechanism or mechanisms, guidelines for governmental experts and a blueprint for the country review reports, for consideration and possible adoption by the Conference at its sixth session. The Conference also decided that the working group should meet at least twice before the sixth session of the Conference. The first meeting took place in May 2011 and the second will take place from 23 to 27 January 2012.

Find all relevant details here: <http://www.unodc.org/unodc/en/treaties/CTOC/working-group-on-review-mechanism-2012.html>

GRETA reports

GRETA is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, in force in 34 countries in Europe. Between September 2010 and June 2011, GRETA evaluated the first ten countries which became Parties to the Convention (Albania, Austria, Bulgaria, Croatia, Cyprus, Denmark, Georgia, Moldova, Romania and the Slovak Republic). The first three evaluation reports adopted by GRETA, concerning Cyprus, Austria and the Slovak Republic, are available here: http://www.coe.int/t/dghl/monitoring/trafficking/default_en.asp

LEFO's report to GRETA on Austria (Add link to GAATW website)

The UK Anti-Trafficking Monitoring Group

In June 2010, the Anti-Trafficking Monitoring Group published its first report. *Wrong kind of victim? One year on...an analysis of UK measures to protect trafficked persons* which reviews the UK government's anti-trafficking efforts one year after the entry into force of the Council of Europe's Convention on Trafficking. [Click here](#) to download the report.

US Trafficking in Persons Report

The US Government launched its annual Trafficking in Persons Report in 2003, since which time the report has been published annually with a mid year update on global progress in addressing human trafficking. There are widespread critiques of the IIS self-appointed role of anti-trafficking arbiter and many countries

reject the Report's recommendations and assessment of their individual efforts. Many GAATW members take issue with the way in which the report collects its data, the bias in reporting and the benchmarks used as guidance for its compilation, however many members continue to find it a useful means of holding their governments to account. One reason for this is the importance that many governments place on their ranking in the report, which means that it becomes a useful advocacy tool for NGOs. The 2011 report can be found here: <http://www.state.gov/g/tip/rls/tiprpt/2011/>

[King Baudouin Foundation's Trafficking Victims Re/integration Programme \(TVRP\) in South-eastern Europe \(SEE\) monitoring tool](#)

The King Baudouin Foundation has developed a useful tool for monitoring reintegration processes for trafficked persons. Re/integration refers to the process of recovery and economic and social inclusion following a trafficking experience. Given the complexity of the re/integration process, it is particularly important that efforts are made to systematically monitor and evaluate assistance programmes to assess if and how re/integration has been achieved as well as how to work more effectively towards re/integration of trafficked persons.

This manual outlines:

- 1) how to monitor individual re/integration plans and
- 2) how to monitor re/integration services

[African Union COMMIT reports](#)

The general objective of the launch of AU.COMMIT Campaign is to set the pace for the fight against trafficking in human beings as a priority on the development agenda of the continent. The launch will also put an AU publicity stamp on the different initiatives being carried out towards the elimination of trafficking in human beings. Moreover, the launch will set the tone for the different stages of AU.COMMIT Campaign and the activities provided in the Programme so that Member States and Regional Economic Communities will put trafficking at the top of national agenda. It also helps to inform policy makers and enforcement officials of Member States about the Ouagadougou Action Plan. For further details see:

[Reports from the Committee for the Elimination of all forms of Discrimination against Women](#)

Country reports and shadow reports to the Convention for the Elimination of all forms of Discrimination against Women (CEDAW) often feature sections on human trafficking and female migrant rights specifically in relation to Article 6 of CEDAW which relates to human trafficking. The recent joint shadow report prepared by TWC2 and GAATW on Singapore can be found here:

[Feeling Good about Feeling Bad](#)

In 2010 GAATW published the report '*Feeling Good about Feeling Bad: A Global Review of Evaluation in Anti-Trafficking Initiatives*' which outlines various efforts to integrate accountability processes and frameworks into anti-trafficking programmes. The report explores and assesses the evaluation of anti-trafficking policies and programmes worldwide, including three international, two regional and nine national anti-trafficking initiatives. It highlights common themes and emerging patterns between a range of approaches to evaluation in this sector and finds overwhelmingly that anti-trafficking initiatives are not being sufficiently evaluated, impeding the effectiveness of anti-trafficking responses and limiting progress in combating trafficking.

Human Rights at home, abroad and on the way

The GAATW e-bulletin is sent out to all member organisations of the Alliance as well as to many of its friends and sister NGOs worldwide. The e-bulletin is published every first week of the month. A Spanish version goes out three days after the English version. Sometimes additional follow up information and/or reminders are also sent via email to member organisations. Primarily a tool for communication between the International Secretariat and the Alliance members, the e-bulletin aims to cover a broad range of topics although trafficking related issues remain its special focus. We also use this e-bulletin to inform members about upcoming events and provide regular updates about the Secretariat. We strongly encourage members and friends to send us their input to the e-bulletin at info@gaatw.org. If you do not want to receive this e-bulletin

please send us a message at info@gaatw.org and we will delete your address from the list. Please note that we have not inserted the advertisements that may appear on this message. GAATW International Secretariat is not associated in any of these ads over which we have no control.

e-Bulletin



Global Alliance Against Traffic in Women

NOVEMBER-DECEMBER/2011

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"While accepting the need to address demand, it is important to acknowledge the limits of a term that is not properly defined, is under-researched and is still subject to debate and confusion."

- United Nations Office of the High Commissioner for Human Rights

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Dear Members and Friends,

Greetings from GAATW International Secretariat. We are delighted to share with you the year-end issue of the e-bulletin.

We would like to thank everyone who has sent their sympathies for the International Secretariat, as we cope with the recent floods in Thailand. Thankfully, everyone at GAATW is safe, although some of our homes have been affected. We would also like to send our thoughts to those affected by the flood crisis in Thailand, including migrant workers.

The theme of this e-bulletin is DEMAND and what it means in anti-trafficking efforts.

The need to reduce 'demand' that enables exploitation is widely mentioned in the anti-trafficking sector, but few have looked at 'demand' closely. There are commonly repeated catchphrases such as 'trafficking is driven by demand', 'trafficking is about supply and demand' and so on - but do these simple catchphrases help or hinder anti-trafficking efforts?

Given the appeal of the 'demand' discourse in some anti-trafficking circles, we were curious to see if it was possible to engage productively on 'demand' without perpetuating some of its most problematic and troubling aspects, such as the tendency to frame all sex workers' clients as abusers. To explore this, we synthesised the available literature on 'demand' and anti-trafficking and produced two publications - one assessing the uses and limitations of demand-based approaches in anti-trafficking, and another analyzing the supposed link between large sporting events and trafficking for prostitution (see IS Updates).

In the anti-trafficking context, 'demand' has most often focused on the demand for commercial sex (and how that may or may not affect trafficking) and the demand for exploitative labour practices in various sectors by employers, consumers, and others who benefit from workers' labour. 'End demand for prostitution'

approaches for sex work have been most heavily promoted by prostitution abolitionists who argue that penalising sex workers' clients will end trafficking (into the sex work sector). However, these approaches have been strongly opposed by sex workers rights groups and their allies, for violating the rights of women in sex work.

A more effective approach to demand might instead be to look at reducing the demand for exploitative labour practices, in whatever sector trafficking occurs (including, but not limited to, sex work). Opinions vary as to who should be responsible for, and most effective at, enforcing labour standards and improving working conditions. This includes calling on states to fulfill their human rights responsibilities, changing employer expectations by strengthening workers' rights, relying on voluntary codes of conduct in the private sector, consumer awareness initiatives, and encouraging investors to demand sound labour management, to name a few examples.

As always, we welcome discussion on this and other issues, through email at gaatw@gaatw.org, and on [GAATW's Facebook page](#).

We are also happy to present to you two [Issue Papers](#) by GAATW member organisations who participated in our call for papers in August. The two issues are now available on the [GAATW website](#).

Also, this month we bid farewell to our Programme Officers, Fleur Dewar, Nerea Bilbatua and Julie Ham. Thank you for all the amazing work and contributions to GAATW.

Before we end this year's issue, please be informed that GAATW International Secretariat Office will be closed for the Holiday Season from December 19, 2011 to January 3, 2012. We wish you all a meaningful Holiday Season and a New Year of Peace and Happiness.

Warm Regards,

GAATW International Secretariat

REGIONAL/MEMBER UPDATES

AFRICA

The [Centre for Domestic Training and Development \(CDTD\)](#) in Kenya is currently busy educating employers about what the new [ILO Convention on Domestic Workers \(2011\)](#) means for them, and helping employers understand how they can apply the new Convention without terminating their employees. CDTD's Director, Edith Murogo observed that confusion about the law could further jeopardize domestic workers' job security. To counter this, CDTD has been promoting the idea that a well-paid employee makes a good employee, and has been coordinating a job placement service as a way of engaging closely with employers. Through the job placement service, disputes are settled and employers are educated about Kenyan labour laws, respectful treatment of domestic workers, and

ethical work practices. This has started to change employers' attitudes, with more employers seeking out CDTD's services and training. For more information, contact Edith Murogo at domesticworkers@hotmail.com

ASIA

In Singapore, [Transient Workers Count Too \(TWC2\)](#), tries to change the attitudes of domestic workers' employers. One of their main activities has been campaigning to legislate one weekly day off for domestic workers. Together with UNIFEM-Singapore and the Humanitarian Organisation for Migration Economics (HOME), they surveyed 582 households, out of which 108 employed domestic workers, on their attitudes about giving domestic workers 1 day off a week, [Made to Work: Attitudes Towards Granting Regular Days Off to Migrant Domestic Workers](#). Recently, TWC2 held a public forum on October 15th, *Should Maids Get A Weekly Day Off?* to encourage discussion on how employers' expectations intersect or conflict with domestic workers' rights. On 15 November 2011, TWC2 was also able to insert their campaign messages into *Get Real!* (Channel News Asia) for a TV programme on domestic workers and their boyfriends, a contentious issue for many employers. For more information, visit TWC2's website at www.twc2.org.sg and/or TWC2's blog at <http://transientworkerscount2.blogspot.com/>

In Hong Kong and Indonesia, the [Association of Indonesian Migrant Workers or Asosiasi Tenaga Kerja Indonesia \(ATKI\)](#) has lobbied against illegal salary deductions, excessive employment agency fees, and employers' extreme control over domestic workers' movements. Although migrant domestic workers are in great demand in Hong Kong, current labour recruitment practices and immigration laws greatly increase domestic workers' vulnerability to violence, debt bondage and economic exploitation. In 2010, ATKI Indonesia conducted feminist participatory action research that explored how demand-side policies impacted migrant workers and their families, [The Impact of Excessive Placement Fees on Indonesian Migrant Workers \(IMWs\) and Their Families](#). In collaboration with GAATW, ATKI also produced a 20 minute video in 2008, *Organising for Change: Indonesian Migrant Workers Say No to Overcharging*, calling for an end to excessive placement fees in Hong Kong (email gaatw@gaatw.org for more details). For more information, contact ATKI Hong Kong at atkikhk_2000@yahoo.com or ATKI Indonesia at atki.indonesia@gmail.com.

In Cambodia, [Legal Support for Children and Women \(LSCW\)](#) has focused efforts on prosecuting middle agents (primarily recruitment agencies and brokers) that exist as legal entities but are carrying out illegal activities, such as trafficking. In November 2010, LSCW assisted four female Cambodian migrant workers who had been recruited from the Kratie Province to work as domestic workers in Malaysia, a major receiving country for Cambodian domestic workers. The 4 women had been deceived by an intermediary, a broker, into believing that they would be working in a factory for a healthy monthly salary in Malaysia. Once the four were transferred to Malaysia, one of the women informed her family in Cambodia that they had been sold to employers as domestic workers and were not receiving a salary. The case has passed the investigation stage and will proceed to trial very soon. Given the great demand in Malaysia for migrant domestic workers, LSCW argues that Cambodia and Malaysia must agree upon a Memorandum of Understanding to regulate the treatment of these migrants. In addition both countries should be encouraged to ratify ILO Convention 189 Concerning Decent Work for Domestic Workers. The Malaysian government should in particular broaden its employment laws to cover foreign migrant domestic workers. This would ensure they enjoy the same working benefits as Malaysian citizens. For more information, contact LSCW at info@lscw.org and/or visit their website at www.lscw.org.

EUROPE

[CoMensha](#), a migrant rights organisation in the Netherlands, has challenged the public's negative social ideas about undocumented migrants. An earlier public awareness campaign, "Denk eens na over uitbuiting!" (or "Do you ever think about exploitation?") reminds the public that undocumented

migrants have intrinsic human rights and that they contribute enormously to economies in both countries of origin (e.g. remittances) and destination (e.g. paying sales taxes, caregiving work, construction work). This campaign has been updated and re-named "[Don't close your eyes!](#)" which has generated a lot of public interest. For more information, visit their website <http://www.mensenhandel.nl/cms/>

A long-time GAATW member, Bonded Labour in the Netherlands (BLinN) has re-envisioned themselves as [FairWork](#), to better represent the organisation's goal: fair working conditions for everyone in the Netherlands. For more information, contact FairWork at info@fairwork.nu or visit their website at www.fairwork.nu.

[Genera](#), a sex workers rights organisation in Barcelona, recently launched an open letter in collaboration with three anti-trafficking organisations in Catalonia, "*Desde esta carta queríamos expresar nuestras razones para no dar apoyo a la convocatoria del próximo día 26N respecto a la prostitución*". The letter was drafted in response to an action that occurred 26 November, at the France-Spain border. They and their allies have called for stakeholders to include sex workers' demands and opinions when formulating anti-trafficking measures, and to recognise the difference between sex work and trafficking for sexual exploitation. For more information, visit their website at [www.genera.cat](#)

LATIN AMERICA

Hysteria about trafficking for prostitution during previous international sporting events (such as the Soccer World Cup and the Olympics) stems from the unsubstantiated idea that sporting events increase the demand for commercial sex which some fear will be met by trafficked women. Although many have de-bunked this (including GAATW; see 'IS updates'), the idea still holds great appeal for politicians and the media. In order to prevent misguided efforts around the 2014 World Cup and 2016 Olympics in Rio, the Brazilian Observatory of Human Trafficking (an anti-trafficking coalition with several GAATW members) have already started to reach out to stakeholders. In particular, they have cautioned against anti-trafficking efforts that suppress prostitution or harm sex workers. For more information, email them at observatoriobr@yahoo.com.br or visit their Facebook page: [Observatorio Brasileiro do Trafico de Pessoas](#)

NORTH AMERICA

Dr. Annalee Lepp, in collaboration with [GAATW Canada](#) will soon be releasing project findings on the impact of the 2010 Vancouver Olympics on trafficking and sex work. Considering the amount of misinformation and hype around international sporting events and the supposed 'demand' for trafficked women, her research will be valuable evidence on the actual impacts of large-scale sporting events on the lives of women in sex work. For more info, contact Annalee at alepp@uvic.ca

[FIRST](#), a sex workers ally group in Vancouver (Canada), has also critiqued approaches that call for 'reducing demand' in sex work, i.e. more criminal penalties against sex workers' clients. Their resources include a factsheet on the Swedish government's law penalizing sex workers' clients: [Swedish Model a Failure](#) (and a 2009 public forum, [Sex Workers, Clients and the Law](#)). For more information, visit FIRST's website at www.firstadvocates.org

In New York City (US), the [Sex Workers Project \(SWP\)](#) at Urban Justice has been working to counter 'end demand for prostitution' approaches that appear to be gaining popularity in the US. Unfortunately, the US government and prostitution abolitionist groups continue to argue that trafficking can be reduced by punishing or decreasing the number of sex workers' clients. In response, sex workers rights organisations and their allies, including GAATW, argue that 'end demand for prostitution' approaches can result in human rights violations against sex workers and their clients, and are unsuccessful in reducing trafficking. The Sex Workers Project has produced a number of information resources on 'end demand' approaches, including [Critique of Focus on Demand in the Context of Trafficking in Persons: The Truth About Demand and What is "Demand" in the Context of](#)

[Trafficking in Persons?](#). The Sex Workers Project works with organizations that support homeless youth, sex workers, and survivors of trafficking to critique problematic laws and policies that are currently being introduced around the country. For more information, contact Sienna Baskin at sbaskin@urbanjustice.org and/or visit their website www.sexworkersproject.org.

ISSUE PAPERS BY GAATW MEMBERS

IN HER WORDS: Case Studies Expose Problems in the Effective Implementation of Spain's Protection Policies for Human Trafficking Survivors

By Jennifer Pro, Proyecto Esperanza

The issue paper explores victims' integration process and their perspective on the response of service providers and the Spanish authorities. The paper also shares survivors' integration experiences, both negative and positive, and provide the victims' evaluation of the protection provided by support NGO's and by the Spanish authorities.

Reflections of immigrant women who suffered human trafficking

By Helga Flamtermesky, Grupo de Mujeres Inmigrantes de Sant Cugat (*Available only in Spanish*)

In this issue paper, the author presents the thoughts and experiences of trafficked women who participated in a Feminist Participatory Action Research she coordinated between 2007 and 2010. The research took place in the Philippines, the United States, Colombia and Spain and involved women from 13 countries who had been trafficked for prostitution, organ harvesting, forced marriage, begging, domestic exploitation, labor exploitation and slavery-like practices.

Through this issue paper trafficked women reflect about their role as victims, and about concepts such as agency vulnerability, resilience and coping strategies, and their evolving identities beyond their trafficking experience.

UPDATES FROM THE SECRETARIAT

GAATW IS has produced two new publications on the topic of 'demand' in the anti-trafficking context. For more information on these publications, please contact Julie Ham at julie@gaatw.org.

What's the Cost of a Rumour? A Guide to Sorting Out the Myths and the Facts About Sporting Events and Trafficking

There has been a lot published on the supposed link between sporting events and trafficking for prostitution, but how much of it is true and how much of it is useful? The fear that sporting events cause trafficking for prostitution is based on unsubstantiated assumptions that large numbers of men attending sporting events results in a larger demand for commercial sex, which will supposedly be met by trafficking women into prostitution. In this guide, we review the literature from past sporting events, and find that they do not cause increases in trafficking for prostitution. The guide takes a closer look at why this idea still captures the imagination of politicians and some media, and offers stakeholders a more constructive approach to address trafficking beyond short-term events. We hope this guide will help stakeholders quickly correct misinformation about trafficking, develop evidence-based anti-trafficking responses, and learn what worked and what didn't in past host cities.

Beyond 'Supply and Demand' Catchphrases: Assessing the Uses and Limitations of Demand-Based Approaches in Anti-Trafficking

The need to reduce 'demand' for trafficked persons is widely mentioned in the anti-trafficking sector but few have looked at 'demand' critically or substantively. Some 'demand'-based approaches have been heavily critiqued, such as the idea that eliminating sex workers' clients (or the 'demand' for commercial sex) through incarceration or stigmatization will reduce trafficking. In this publication, we take a look at the links between trafficking and: (1) the demand for commercial sex and (2) the

demand for exploitative labour practices. We assess current approaches used to reduce each of these types of 'demand' and consider other long-term approaches that can reduce the demand for exploitative practices while respecting workers' and migrants' rights (e.g. enforcing labour standards, reducing discrimination against migrants, supporting sex workers' rights).

RESOURCES

In addition to the resources by GAATW Members and the International Secretariat noted above, we also recommend the following recent resources:

On the demand for prostitution

[Seeking evidence from State Department for assertions on "fighting sex trafficking by curbing demand for prostitution"](#) by Rights Work Initiative. In October, a group of 15 academic researchers and advocates sent a letter to the US Office to Monitor and Combat Trafficking in Persons' Ambassador CdeBaca questioning the US government's approach of "fighting sex trafficking by curbing demand for prostitution." Researchers are arguing that basing US anti-trafficking policy on unsubstantiated assumptions about prostitution "threaten to divert precious resources from protecting victims of trafficking who urgently need help into a politically contested and futile anti-prostitution campaign."

[When Purchase of Sex is a Crime: About New Legal Measure and its Impact on Harm Reduction Among Sex Workers in Sweden and Norway](#) by Sandra Thing (Rose Alliance), Pye Jakobsson (Rose Alliance) and Astrid Renland (PION). This paper, presented at the *International Harm Reduction Association's 22nd International Conference* (3-7 April 2011), discusses how Sweden's Sex Purchase Act (legislation based on reducing 'demand' for prostitution) has compromised public health efforts with sex workers in Sweden and "turned harm reduction measures such as condoms and lubricant into evidence of crime".

[The Swedish Sex Purchase Act: Claimed Success and Documented Effects](#) to by Susanne Dodillet and Petra Östergren. This paper, presented at the conference, *Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges* (3-4 March 2011) assesses the effects of Sweden's Sex Purchase Act, which criminalises the buying of sexual services, ostensibly as an anti-trafficking strategy. Largely based on a review of Swedish government reports, authors conclude that Sweden's Sex Purchase Act has not reduced trafficking or sex work, but has negatively impacted the rights, safety and well-being of women in sex work.

[GAATW Briefing Paper on Trafficking in Persons and the 2010 Olympics](#)

In February 2009, GAATW International Secretariat responded to Canadian GAATW Members' who were concerned that misinformed ideas about trafficking and the Olympics were fuelling stigma and abuse against sex workers, in a misguided attempt to prevent trafficking. This briefing paper outlined evidence that showed previous events did not result in increased trafficking or sex work, and offered recommendations for anti-trafficking stakeholders in host cities.

On the demand for exploitative labour practices in various sectors (including, but not limited to, sex work)

[Who Needs Migrant Workers?](#) by Martin Ruhs and Bridget Anderson

From the COMPAS website: "Are migrant workers needed to 'do the jobs that locals will not do' or are they simply a more exploitable labor force? Do they have a better "work ethic" or are they less able to complain? Is migrant labor the solution to 'skills shortages' or actually part of the problem? This book provides a comprehensive framework for analyzing the demand for migrant workers in high-income countries. It demonstrates how a wide range of government policies, often unrelated to

migration, contribute to creating a growing demand for migrant labor. This demand can persist even during economic downturns. The empirical chapters include in-depth examinations of the nature of staff shortages and the use of migrant workers in six sectors: health; social care; hospitality; food production; construction; and financial services."

Servant, Daughter, or Employee? A Pilot Study on the Attitudes of Lebanese Employers towards Migrant Domestic Workers by KAFA (enough) Violence & Exploitation

Based on surveys, focus groups and interviews with domestic worker employers, this report explores how employers justify and normalize human rights violations against migrant domestic workers. While many employers said they abhorred the gross physical and sexual abuses against migrant domestic workers in Lebanon, employers normalized other rights violations (withholding identity documents, locking domestic workers in the house, denying workers days off) as ways to 'protect' domestic workers or to protect the family from the worker. Employers' methods to control workers' movements also extended to workers' private and social lives. Employers preferred domestic workers who had little social contact with other workers, and expressed disproportionate fears that workers with boyfriends and social networks could have catastrophic social consequences for the employer's family.

Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises [A/HRC/17/31]

In 2011, the UN Special Representative on Business and Human Rights, Dr. John Ruggie, presented the *Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework* to the UN Human Rights Council. These principles are based on 6 years of extensive research and offer insights that may be useful to anti-trafficking stakeholders' efforts to reduce the demand for exploitative labour practices. The report also outlines the dual responsibilities of governments to *protect* human rights, and businesses to *respect* human rights. On June 16, 2011, the UN Human Rights Council unanimously endorsed the Principles.

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