



Global Alliance Against Traffic in Women

Statement on the Review, Rationalization and Improvement (RRI) of the mandate on trafficking in persons especially in women and children

GAATW is an international alliance of over 90 organisations across six continents that work to promote the rights of trafficked persons, particularly trafficked women. GAATW welcomed the creation of the mandate for a Special Rapporteur on trafficking in persons, especially in women and children as a vital tool in raising international awareness of the human rights violations associated with trafficking, and for advocating for policy changes to protect the victims of trafficking. Likewise, we value the Review, Rationalization and Improvement (RRI) process as an opportunity for GAATW to share its recommendations for improving the mandate and increasing its effectiveness.

We are concerned that the current mandate could provide more clarity and specific guidance to the Special Rapporteur. In past years, reports of the Special Rapporteur could have done much more to clarify the human rights concerns based on international law, and the findings and recommendations based on information gathered directly from individuals whose rights have been violated.

Recommendations for new provisions for mandate

- Require that the Special Rapporteur's report be based on the core human rights instruments, including specifically the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- Recommend that the Special Rapporteur's actions and reports be guided by the Office of the High Commissioner for Human Rights' (OHCHR) Recommended Principles and Guidelines on Human Rights and Human Trafficking and the Palermo Protocol.
- The Special Rapporteur to monitor state efforts to combat trafficking and their impact on the human rights of trafficked persons and other groups; to ensure that all anti-trafficking work complies with human rights principles, including the Office of the High Commissioner for Human Rights' (OHCHR) Recommended Principles and Guidelines on Human Rights and Human Trafficking.
- Include a provision for examining the root causes and consequences of trafficking, and how violations of human rights make people vulnerable to trafficking.
- Include a requirement that the Special Rapporteur investigate the linkages between migration, trafficking and slavery in all work sectors, with specific reference to the impact of migration and labour policies in both origin and destination countries.

Recommendations for improving existing provisions (*in italics*)

(b) To request the Special Rapporteur to submit an annual report, commencing with the sixty-first session of the Commission, together with recommendations, on measures required to uphold and protect the human rights of the victims, *such as mechanisms for identification of trafficked persons, access to justice and compensation, protection and support of trafficked persons*;

(c) That the Special Rapporteur may, as appropriate, and in line with the current practice, respond effectively to reliable information on possible human rights violations with a view to protecting the human rights of actual or potential victims of trafficking;

Recommendation: *Specify how information should be collected and that reliable information must come in such forms as empirical research and specific case studies drawn directly from affected communities. Clarify what is meant by “protecting the human rights of actual victims or potential victims of trafficking”.*

(d) To request the Special Rapporteur to cooperate fully with other relevant special rapporteurs, in particular the Special Rapporteur on violence against women, *the Special Rapporteur on the human rights of migrants, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the Special Rapporteur on the sale of children, child prostitution and child pornography*, and to take full account of their contributions to the issue;

(e) To request the Special Rapporteur to cooperate with relevant United Nations bodies, *in particular the Committee on the Elimination of Discrimination against Women (CEDAW), Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW), Office of the High Commissioner for Human Rights (OHCHR), and the United Nations Office on Drugs and Crime (UNDDC)*, regional organizations and *trafficked persons and organisations that work with and/or on the behalf of trafficked persons*;