

GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN



An NGO in Consultative Status with the Economic
and Social Council of the United Nations

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Oral Intervention on Agenda Item 3(a)

Thank you for giving the Global Alliance Against Traffic in Women (GAATW) a second opportunity to make a statement, this time on protection and assistance to victims of human trafficking.

As we mentioned yesterday, GAATW is a membership alliance of 80 autonomous organizations in six continents who have considerable experience in providing assistance and services to trafficked persons. All of our members share a belief in centring the human rights of trafficked persons in all of their work.

Firstly, we would like to make a comment on some of the interventions by States this morning and respond particularly to the intervention from the delegate of Belgium raising the issue of de-linking assistance from cooperation in criminal proceedings. We note the important work by States in providing reflection periods for trafficked persons to decide whether to testify in a criminal case. But we note from our discussions with NGO partners that this only assists victims who investigators consider to be useful. Even if a victim wishes to cooperate, if she or he does not have information that investigators find useful, for example because she does not know relevant details, there are other witnesses, or the case is not a priority – she will still not receive assistance. So trafficked persons who may also have suffered greatly are often being deported or repatriated before they have any chance to recover. We urge governments not to link services to the criminal justice system – to recognise that all persons who have suffered a human rights violation have the right to a remedy.

Second, yesterday GAATW held a very thought-provoking panel discussion on protection of trafficked persons and we would like to share some insights from the meeting. The distinguished Director-General of UNODC welcomed the discussants who included Dr Helga Konrad, an international consultant on anti-trafficking and recently of the OSCE, a representative of Anti-Slavery International, an international organization based in London, and La Strada International, a European anti-trafficking network based in the Netherlands.

All discussants stated that although governments have taken many steps to combat trafficking and we commend states for their commitment to this issue, in practice, trafficked persons are still not receiving adequate protection in most countries. Some of the reasons that discussants presented for this included:

- Services are designed only for victims of trafficking into sexual exploitation and are not available to those trafficked into other industries such as agriculture, domestic work or manufacturing.
- Identification of trafficked persons needs to be taken much more seriously – current methods are only scratching the surface of the problem.
- Services are still island services, and more integrated service delivery needs to be offered. In particular, States should work more cooperatively with NGOs. NGOs often can provide services more cheaply and more effectively than States. We note the successful model of cooperation agreements in some local areas such as Berlin.
- States are using the anti-trafficking framework to satisfy other purposes, for example an anti-immigration agenda or a national security agenda. Exploitation, not illegal migration, is at the core of trafficking.
- Services should not be provided on a discriminatory basis but to all peoples who suffer a human rights violation. We are concerned about use of terms such as ‘genuine victims’ or ‘victims with high moral standards’ used by some States to discriminate against victims who may have, for example, previously worked in the sex industry.
- Finally, States must take up the issue of internal trafficking seriously.

The panel emphasised that a human rights approach must be based on the protection of all of the rights of all people. Protection is not just witness protection, it is all services that enable a person who has been abused to recover and go on to lead a productive life.

The following recommendations were put forward at this meeting:

- The establishment of a shadow reporting process
- That victims should be considered like a victim of any serious crime and should be provided with comprehensive services and access to compensation
- All trafficked persons should be provided with a temporary visa in destination countries, of a certain duration.
- All States, and especially countries of destination, must as a matter of priority, sign and ratify the Convention on the Rights of all Migrant Workers and Members of their Families as labour migration is at the core of the trafficking process.

Finally, we thank UNODC, particularly the Civil Affairs Officer, for their excellent support in holding this useful discussion, and thank you for your time.