

His Excellency Mr. Baudelaire Ndong Ella

Ambassador

Permanent Representative

President of the Human Rights Council, Eighth Cycle (2014)

Avenue de France 23 (3rd Floor, Level R)

1202 Geneva

Switzerland

29 May 2014

Your Excellency,

The undersigned organisations and activists urge you to ensure that the recruitment of a new *Special Rapporteur on trafficking in persons, especially women and children* (Special Rapporteur), in addition to meeting the criteria of: expertise; experience in the field of the mandate; independence; impartiality; personal integrity; and objectivity, leads to the appointment of a mandate-holder who will be attentive to the full breadth of human rights violations associated with trafficking in persons.

The usefulness of the mandate requires that the Special Rapporteur understands to apply the human rights framework and draws on a verifiable evidence base, rather than take an ideological approach to the issue of human trafficking. This mandate speaks for a group of people that are often highly marginalised as a result of multiple levels of oppression and have little opportunity to advocate for themselves. It is critical that the Special Rapporteur is able to do this without bias.

Too often this work is riven with disagreement over the issue of prostitution / sex work. However, the adoption of the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (Trafficking Protocol) in 2000, supplementing the *Convention against Transnational Organized Crime*, created a definition of human trafficking that aimed to fit the violation: not limited to the sex industry/prostitution, it covers exploitation in any industry where force or fraud are used in recruitment. In the years since the adoption of the Trafficking Protocol, research by anti-trafficking activists has demonstrated that a narrow interpretation of the issue, focused on the sex sector, too often does not help individuals who have been trafficked and does harm to the human rights of other workers, including migrant workers. It is vital that the Special Rapporteur is able to address human trafficking wherever it occurs and respect individuals' agency and choices about their work, migration, and lives.

It is important both for the credibility of the special procedures and for the people that this mandate is intended to represent, that the new mandate holder must have at least the following qualities:

- Extensive understanding of and commitment to the breadth of the UN Trafficking Protocol and international human rights law
- Strong knowledge of and commitment to the Office of the High Commissioner's Recommended Principles and Guidelines on Human Rights and Human Trafficking
- A record of high calibre, impartial and objective evidence-based research
- A record of transparency and willingness to work with all parts of civil society, not only those organisations that share a similar position on prostitution or any other issue
- A commitment to providing a strong voice for trafficked persons and those at risk of trafficking, based whenever possible on evidence gathered directly from these affected groups
- High personal integrity

We look forward to working with the appointed candidate.

Yours sincerely,

The Global Alliance Against Traffic in Women, an international network of 127 NGOs across Africa, the Americas, Asia-Pacific, and Europe

The International La Strada Association, a European anti-trafficking network with 8 members in Europe

FairWork, the Netherlands

Ban Ying, Germany

Supporting Women's Alternatives Network (SWAN Vancouver Society), Canada

Sex Workers Project at the Urban Justice Center, USA

Centro de Orientacion e Investigacion Integral (COIN), Dominican Republic

Capital Humano y Social Alternativo, Perú

LEFÖ - Information, Education and Support for Migrant Women, Austria

Brigada Callejera de Apoyo a la Mujer "Elisa Martínez", Mexico

Associacao de Defesa da Mulher, da Infancia e da Juventude (ASBRAD), Brazil

Meena Saraswathi Seshu, General Secretary, SANGRAM, India

Esther Shannon, FIRST CO-founder, Canada

Victoria Nwogu, Nigeria

Liyana Pavon, Dominican Republic