

## NEWSLETTER NOVEMBER 2023

*La Strada International wishes to inform and update you on developments in the field of trafficking in human beings and activities of the Platform and member organisations. We welcome your feedback and input. Please [e-mail us](#).*

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### LSI NEWS

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### New guidance documents on Non-Punishment

On 23 November, LSI launched two guidance documents for anti-trafficking stakeholders to enhance the practical application of the Non Punishment principle: an [Advocacy Document on the Non-Punishment Principle](#) and an [Explanatory Brief on the Non-Punishment Principle](#).

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### Highlights from LSI Secretariat in November

Together with other EU NGO networks, LSI monitored and provided input on the revision of the EU Trafficking Directive, Victims' Rights Directive, Single Permit Directive, the draft VAW Directive and Forced Labour Ban. See here a [joint letter](#), in which we urge the Council to speed up the adoption of a General Approach on the proposed EU forced labour regulation.

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## LSI MEMBERS NEWS

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### Highlights from LSI members' work in November:

- LEFÖ in Austria co-published the report "[Promising Practices for the Employment of Live-In Care Workers in Europe](#)", which explores regulatory approaches to the integration of live-in care workers into labour law in different European countries.
  - FairWork in the Netherlands successfully negotiated for an employer to pay €4,000 in back wages owed to an undocumented Brazilian construction worker. See [more](#).
  - La Strada Moldova launched a new [campaign](#) to inform about different forms of violence and where to seek help. The campaign [video spot](#) draws specific attention to economic violence, which many women report but remains largely misunderstood.
  - [ASTRA](#) and [CCEM](#) participated in trainings for labour inspectors to enhance the identification and referral of victims of trafficking for labour exploitation.
  - La Strada Ukraine joined the Women For the Future initiative of the Ukrainian career development platform [Happy Monday](#). The platform helps Ukrainians who lost their jobs and/or income as a result of the war find new opportunities for employment and professional development. The platform has already supported over 71,000 people.
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## WHAT IS HAPPENING?

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### Revision of EU Single Permit Directive

The negotiations for the revision of the Single Permit Directive are ongoing. Points of contention remain the processing times, the right to change employer and equal treatment of workers. No political agreement has been reached yet. Together with PICUM and others, LSI [called](#) for a meaningful right to change employer and to ensure equal treatment of non-EU workers.

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### French Senate discusses new migration rules

French Senators began debates on a new draft law that would make it more difficult to regularise undocumented migrants and easier to deport foreigners who are regarded as "a serious threat to public order." See [more](#). An amendment to the bill, which seeks to remove access of undocumented migrants to free medical help, sparked protest among doctors, who [warned](#) that the measure would represent a threat to public health. LSI member CCEM expressed its concerns to MPs that this provision can hamper the identification of victims of trafficking. It highlighted that this reform could instead be an opportunity to increase protection for victims through better access to rights, multiannual residency and work permit, and social integration to reduce the risk of re-trafficking.

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## New OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

On 30 October, Dr Kari Johnstone took up her position as the new OSCE Special Representative and Co-ordinator for Combating Human Trafficking. Prior to joining the OSCE, Dr Johnstone worked as Senior Official, Acting Director, and Principal Deputy Director of the Office to Monitor and Combat Trafficking in Persons (J/TIP) in the US Department of State between 2014-2023. See [more](#). While La Strada International regrets that the position was not filled by a European candidate, we congratulate Dr Johnstone with this appointment and look forward to working with her on promoting a human rights approach to human trafficking, with a focus on access to rights, unconditional support, residence, and non-punishment.

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## ECHR: Victims of trafficking must be able to claim compensation from traffickers for lost income

On 28 November, the European Court of Human Rights ruled in favour of a Bulgarian victim of trafficking who was trying to obtain compensation for lost earnings from her trafficker. The Bulgarian courts had refused compensation, stating she had been engaged in prostitution and returning the earnings from that would be contrary to "good morals". See [more](#).

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## UK Supreme Court strikes down Rwanda plan

The UK Supreme Court unanimously ruled that the government's plans to send refugees and asylum seekers to Rwanda is illegal. The Court stated that there was a risk of claims being wrongly determined in Rwanda, resulting in asylum seekers being returned to their country of origin. See [more](#). LSI members FLEX and Anti-Slavery International welcomed the ruling. FLEX [called](#) it "a win for victims and survivors of modern slavery across the UK". ASI [added](#) that "this is just one policy in an ecosystem of policies that hurt survivors of modern slavery".

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## New Seasonal Worker Interest Group launched to tackle exploitation in UK agriculture

On 6 November, key civil society organisations, including LSI member FLEX, and trade unions supporting migrant agricultural workers in the UK launched the Seasonal Worker Interest Group. This group aims to secure immediate improvements to the Seasonal Worker visa to safeguard all migrant seasonal workers. It will also serve as a dialogue forum and a platform for engagement

with Government, Industry and the wider public about the treatment of migrant workers in agriculture, the design of the Seasonal Worker visa and its oversight. See [more](#).

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## UN SR VAWG seeks input for report on violence against women and prostitution

The UN Special Rapporteur on violence against women and girls has published a [call for input](#) for a report on prostitution and violence against women and girls to be presented to the Human Rights Council session in July. The deadline for submissions is 31 January. We encourage civil society, especially sex workers rights defenders, to submit contributions.

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## Damages for family of the Essex tragedy

A French court awarded damages to families of some of the 39 people who died in a refrigerated lorry while smuggled into the UK in 2019. This is a [landmark decision](#) which sets a precedent in recognising that victims of migrant smuggling organisations should receive reparations and effective remedy. LSI member PAG-Asa [assisted Essex victims](#) in court procedures in Belgium.

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## ITUC promotes ratification of ILO Convention 190

To mark International Day for the Elimination of Violence against Women, ITUC [highlighted](#) how trade unions around the world are successfully campaigning for the ratification and implementation of [ILO Convention 190](#) and [Recommendation 206](#). Since its adoption in 2019, 36 countries have ratified C190, and the ITUC expects another 20 ratifications in 2024.

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## Missing Children Europe launches holiday campaign to combat child sexual abuse

This holiday season, Missing Children Europe campaigns to combat child sexual abuse and calls upon individuals to make a meaningful impact and support the fight against CSE. See [more](#).

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## African HR Commission publishes guiding principles on human rights of migrants

The African Commission on Human and Peoples' Rights published its recently adopted [Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers](#). Although not legally enforceable in national courts, the principles apply to African countries like Tunisia, Libya and Morocco from where many migrants travel to Europe. The principles call for equal protection, labour and social rights for migrants, non-criminalisation and detention of irregular migrants, and rights for migrants to form trade unions in the destination countries. European bodies should take these guiding principles into account, when defining European migration policies.

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## US Government to promote workers' rights globally

On 16 November, US President Joe Biden issued a ["Memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards Globally"](#). This means that US agencies and representations in countries around the world will work with international organisations, government institutions, and civil society to promote labour standards, worker organising and remedies for victims of abuse, including forced labour, in companies' global supply chains.

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## WHAT IS NEW

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### Asset recovery and compensation for victims forced labour and human trafficking

[A new report](#) by Finance Against Slavery and Trafficking (FAST) argues that the use of forced labour import bans and anti-money laundering laws can support greater compensation for victims of human trafficking and forced labour. It also stresses that access to financial products and services in the form of bank accounts and accounts from other regulated financial institutions is essential for victims and survivors to securely receive compensation, and as a means of enabling their financial inclusion.

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### Policy brief on assistance to trafficked persons

This [Policy Brief](#) by the Modern Slavery and Human Rights Policy and Evidence Centre synthesises findings and identifies promising practices and recommendations emerging from seven research projects funded by the Centre on the theme of assistance to trafficked persons. It also identifies ongoing evidence gaps and reflections on where next for research on this topic.

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### Ensuring an effective EU Forced Labour Ban

The Danish Institute for Human Rights published an [analysis](#) of the EU Commission's proposal for a Forced Labour Ban. It argues that the Ban should align with the Corporate Sustainability Due Diligence Directive; take a human rights-based approach with a view to improve the situation of victims of forced labour; and ensure that companies bear the burden of proof that goods are not made with forced labour where these products stem from a high-risk area.

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### Input requested for EUAA Asylum report 2024

The [EU Agency for Asylum \(EUAA\)](#) is in the process of producing the Asylum Report 2024, which will present a comprehensive overview of developments in the field of asylum at the regional and national levels. They [invite](#) civil society organisations, academia and research institutions, to contribute to this year's edition.

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## Input US TIP report

The US government is beginning work on the 2024 Trafficking in Persons Report (TIP Report) and are seeking insight to better understand the current trafficking situation on the ground. Anti-trafficking stakeholders can submit input, see guidance [here](#). The deadline is 1 February 2024.

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## Impact of strategic litigation on corporate behaviour

The Freedom Fund published a [report](#) on the multifaceted effects of strategic human rights litigation on corporate behaviour and the relationship between legal proceedings and corporate actions on labour exploitation in their operations/supply chains. It introduces an original Impact Framework to assess both positive and negative impacts of litigation, and provides recommendations for initiators of human rights litigation, corporations, governments, and donors.

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## Migration and the global tomato trade

A new feature series on Beyond Trafficking and Slavery describes how cheap agricultural imports from Italy destroyed the livelihoods of Ghanaian farmers and forced them to migrate to Europe. There, they were subjected to exploitation and those who were identified as victims of abuse felt forced to accept "assisted voluntary return", which did not guarantee sustainable livelihoods. See the introduction and interviews with six returning migrants [here](#).

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## UPCOMING EVENTS

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- **4–5 December** – European Migration Forum (EMF), Brussels, Belgium. See [more](#).
- **5 December, 10 am CET** – Webinar on Joint industry efforts towards remedy. See [more](#).
- **5–6 December** – UNODC Regional Expert Group Meeting (REGM) on child trafficking in South Eastern Europe. For more info, contact [UNODC](#).
- **6–7 December** – OSCE “International Conference on Preventing trafficking in human beings and increasing identification of and assistance to victims amid refugee flows from Ukraine: the role of civil society and anti-trafficking hotlines”, Vienna, Austria.
- **7 December** – ESWA, "Towards improved health outcomes for sex workers", Brussels, Belgium. Register [here](#).
- **7–8 December** – CBSS, “European Forum against Human Trafficking for Forced Labour and Labour Exploitation”, Stockholm, Sweden. See [more](#).
- **10 December** – Human Rights Day and 75th anniversary of the Universal Declaration of Human Rights. See [more](#).
- **11–13 December** – FRA and European Commission, "Annual EU Charter X Change - An online forum to pool knowledge to implement fundamental rights". See [more](#).
- **18 December** – International migrants Day. See [more](#).
- **15–26 January** – Tilburg University and IMPACT, Online course "Justice for victims of conflict-related sexual violence and human trafficking?" See [more](#).

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## Support us

La Strada International is fully dependent on donations and subsidies. By making a [donation](#), you will help us continue our monitoring and advocacy work to ensure accountability for the effective implementation of European anti-trafficking policies and the support to trafficked persons.

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