

# RESOURCES AND CONTACTS ON HUMAN TRAFFICKING

#### **COMPILED BY**

### THE INITIATIVE AGAINST TRAFFICKING IN PERSONS

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This document contains references and contacts that the Initiative has found useful or important. It is updated periodically and is also posted on the Global Rights website, with hyperlinks for easy access to documents.

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### Report of the Experts Group on Trafficking in Human Beings

European Commission, December 12, 2004.

<a href="http://europa.eu.int/comm/justice\_home/doc\_centre/crime/trafficking/doc/report\_expert\_group">http://europa.eu.int/comm/justice\_home/doc\_centre/crime/trafficking/doc/report\_expert\_group</a> 1204 en.pdf

"This report is the result of a year's work of the Experts Group on Trafficking in Human Beings. The main assignment of the Experts Group is to contribute to the translation of the Brussels Declaration into practice, in particular by submitting a report to the European Commission with concrete proposals on the implementation of the recommendations of the Brussels Declaration."

National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook, Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (2004) (English and Russian) http://www.osce.org/odihr/?page=publications&div=intro&subdiv=refmech

"This handbook provides guidance on how to design and implement sustainable structures that aim both to prosecute traffickers and to provide support to victims. It addresses the main political, legal, and practical elements to be considered when creating an NRM. Furthermore, this handbook defines suggested roles for governmental institutions and civil society in an NRM, as well as describes the types of programmes and services that should be available to trafficked persons."

Manual for Rapid Assessment: Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine, prepared by Fafo Institute for Applied International Studies for ILO/IPEC (2004) <a href="http://www.ilo.org/public/english/standards/ipec/publ/download/traf\_fafomanual\_2004.pdf">http://www.ilo.org/public/english/standards/ipec/publ/download/traf\_fafomanual\_2004.pdf</a>

#### Women and Migration Interim Report on Trafficking in Women

By Annette Lansink (*Rapporteur*) International Law Association, Berlin Conference (2004) Committee on Feminism and International Law <a href="http://www.ila-">http://www.ila-</a>

hq.org/pdf/Feminism%20&%20International%20Law/Draft%20Report%202004.pdf

"This Interim Report builds on the Preliminary Report on Women and Migration by this Rapporteur that was presented at the 70th International Law Conference in New Delhi, India in March 2002. The Interim Report, part of a series of reports on various forms and aspects of migration, focuses on trafficking in women and the creation of an international human rights framework to combat trafficking in women. The Interim Report examines the possibility of setting up a more sustained human rights framework that can guide national legislators and policy makers in the drafting or improvement of anti-trafficking laws and policies. This approach centres the human rights and interests of women and moves beyond a crime prevention and criminal justice framework. The main objective of this Report is to subject the UN Trafficking Protocol to a critical analysis from a human rights, migration and gender perspective. In doing so, the Report examines how the international law of trafficking can be progressively developed so as to promote the achievement of human rights standards and the incorporation of perspectives of women. Anti-trafficking measures and strategies can be situated within different and, to a certain extent, overlapping frameworks: a migration, criminal law, labour law, gender, human rights, and/or (sexual) morality framework. The context within which trafficking is primarily located determines the strategies and measures designed to

address trafficking. The Report argues for a gender and a broad human rights-based approach to trafficking that situates trafficking within the desire or need of women to migrate."

### **Ethical and Safety Recommendations for Interviewing Trafficked Women**

World Health Organisation (2003)

http://www.who.int/entity/gender/documents/en/final%20recommendations%2023%20oct.pdf

#### Forced Labour Outcomes of Irregular Migration and Human Trafficking in Europe

International Labour Organization, Special Action Programme to Combat Forced Labour (2003) <a href="http://www.antislavery.org/homepage/traffic%20news/Irregular%20Migration%20and%20human%20trafficking%20in%20Europe.pdf">http://www.antislavery.org/homepage/traffic%20news/Irregular%20Migration%20and%20human%20trafficking%20in%20Europe.pdf</a>

**Travel Agency:** A Critique of Anti-Trafficking Campaigns, Nandita Sharma, Assistant Professor, Department of Sociology and Anthropology, University of Windsor, Canada (Refugee Journal Vol. 21, no. 3. <a href="http://www.yorku.ca/crs/Refuge/Abstracts%20and%20Articles/Vol%2021%20No%203/sharma.pdf">http://www.yorku.ca/crs/Refuge/Abstracts%20and%20Articles/Vol%2021%20No%203/sharma.pdf</a>

"Abstract: This paper offers a critical evaluation of anti-trafficking campaigns spearheaded by some in the feminist movement in an attempt to deal with the issues of unsafe migrations and labour exploitation. I discuss how calls to "end trafficking, especially in women and children" are influenced by – and go on to legitimate – governmental practices to criminalize the self-willed migration of people moving without official permission. I discuss how the ideological frame of anti-trafficking works to reinforce restrictive immigration practices, shore up a nationalized consciousness of space and home, and criminalize those rendered illegal within national territories. Anti-trafficking campaigns also fail to take into account migrants' limited agency in the migration process. I provide alternative routes to anti-trafficking campaigns by arguing for an analytical framework in which the related worldwide crises of displacement and migration are foregrounded. I argue that by centering the standpoint of undocumented migrants a more transformative politics emerges, one that demands that people be able to "stay" and to "move" in a self-determined manner."

#### INTERNATIONAL AND REGIONAL TREATIES

#### **UN TREATIES**

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000)

<u>http://www.uncjin.org/Documents/Conventions/dcatoc/final\_documents\_2/</u> In all UN languages. (The Convention is also found at this site.)

The list of signatory countries is found at:

Protocol: <a href="http://www.odccp.org/odccp/crime\_cicp\_signatures\_trafficking.html">http://www.odccp.org/odccp/crime\_cicp\_signatures\_trafficking.html</a>
Convention: <a href="http://www.odccp.org/odccp/crime\_cicp\_signatures\_convention.html">http://www.odccp.org/odccp/crime\_cicp\_signatures\_trafficking.html</a>

The Interpretative Notes (Travaux Preparatoires) (A/55/383/Add.1 Addendum) to the Protocol <a href="http://www.odccp.org/crime-cicp-convention-documents.html">http://www.odccp.org/crime-cicp-convention-documents.html</a> - in all UN languages.

See particularly the explanation of the definition of trafficking and the list of signatory countries. The Interpretative Notes are available in other languages at the same site.

**NOTE**: The definition and its Interpretative Notes are reproduced at the end of this Bibliography.

#### The Annotated Guide to the Complete UN Trafficking Protocol

Ann Jordan, Initiative Against Trafficking in Persons, Global Rights (2002). Available in English, Spanish and German at <a href="https://www.globalrights.org">www.globalrights.org</a>.

Optional Protocol to Convention on the Rights of the Child on the sale of children, child prostitution and child pornography http://www.unhchr.ch/html/menu2/dopchild.htm

• UN Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, Juan Miguel Petit. Questionnaire to use in submitting any reliable information with regard to violations of children's rights under the Optional Protocol. http://www.unhchr.ch/children/contact.htm

Slavery Convention http://www.unhchr.ch/html/menu3/b/f2sc.htm

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery <a href="http://www.unhchr.ch/html/menu3/b/30.htm">http://www.unhchr.ch/html/menu3/b/30.htm</a>

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (enters into force July 1, 2003) <a href="https://www.unhchr.ch/html/menu3/b/m">http://www.unhchr.ch/html/menu3/b/m</a> mwctoc.htm

• The UN Special Rapporteur on Human Rights of Migrants, Gabriela Rodriguez Pizarro Questionnaire to use in submitting allegations of violations of migrants, including trafficked persons. Information about specific cases can be sent to Ms. Pizarro. The form is available in English, French, Spanish, Arabic, Chinese, Russian at: <a href="http://www.unhchr.ch/html/menu2/7/b/mmig.htm">http://www.unhchr.ch/html/menu2/7/b/mmig.htm</a>

#### INTERNATIONAL LABOR ORGANIZATION TREATIES

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour No. C182 http://ilolex.ilo.ch:1567/english/convdisp2.htm. Click on C182 in left menu.

• A Practical Guide to ILO Convention No. 182 <a href="https://www.ilo.org/public/english/standards/ipec/publ/law/">www.ilo.org/public/english/standards/ipec/publ/law/</a>

Convention Concerning Forced or Compulsory Labour No. C29.

http://ilolex.ilo.ch:1567/english/convdisp2.htm . Click on C29 in left menu.

Additional Human Rights Instruments, listed by country, name of treaty, type of treaty, reporting status, ratifications and reservations <a href="http://www.unhchr.ch/tbs/doc.nsf">http://www.unhchr.ch/tbs/doc.nsf</a> or <a href="http://www.unhchr.ch/pdf/report.pdf">http://www.unhchr.ch/pdf/report.pdf</a>

**Inter-American Convention on International Traffic in Minors** 

www.oas.org/juridico/english/Treaties/b-57.html

### LAWS AND POLICIES

#### AFRICA AND MIDDLE EAST

**Declaration on the Fight Against Trafficking in Persons** 

Economic Community of West African States (December 2001) <a href="http://www.undcp.or.at/adhoc/crime/trafficking/Declarationr">http://www.undcp.or.at/adhoc/crime/trafficking/Declarationr</a> CEDEAO.pdf

### **UNITED STATES AND CANADA**

#### **United States**

HR 3244 Victims of Trafficking and Violence Protection Act of 2000 (USA)

http://thomas.loc.gov/cgi-bin/query/z?c106:H.R.3244.ENR: Sections 1-113 Signed into law as Public Law No. 106 – 386

#### Joint Explanatory Statement of the Committee of the Conference, Concerning Division A.

The House and Senate met in a joint Conference to resolve differences between the House and the Senate trafficking bills. The following site contains the first section of the Conference Committee report. Open the site and then click on "forward" to go the next section.

http://thomas.loc.gov/cgi-

bin/cpquery/1?cp106:./temp/~cp106KFeS:e285344:&&sid=SeFK01p&&report=hr939.106&&sel=TOC \_285343&&previous\_query=&&xform\_type=1000&&hold\_doc\_count=1&&level=3&&variant=no&&item\_number=1&&bool=n&

HR 2620, Trafficking Victims Protection Act Appropriations Reauthorization Act for 2004 and 2005 <a href="http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108\_cong\_public\_laws&docid=f:publ193.108.pdf">http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108\_cong\_public\_laws&docid=f:publ193.108.pdf</a>
Signed into law December 19, 2003 as Public Law 108-193

#### Justice Department/Immigration and Naturalization Service

- T nonimmigrant status under the new trafficking law:
  - o Interim rule with request for comments, 4783–4820 [02–2186]. http://www.access.gpo.gov/su\_docs/fedreg/a020131c.html
  - Freedom Network (USA) comments to INS on Interim Rule http://www.hrlawgroup.org/initiatives/trafficking persons/
  - Application forms for T nonimmigrant status <a href="http://www.ins.gov/graphics/formsfee/forms/i-914.htm">http://www.ins.gov/graphics/formsfee/forms/i-914.htm</a>
- Section 107(c) provisions: Interim Rule, Trafficking victims; protection and assistance, 38513–38522 [01–18388]. Search for above title at: <a href="www.access.gpo.gov/su\_docs/fedreg/a010724c.html">www.access.gpo.gov/su\_docs/fedreg/a010724c.html</a>
   NGO comments on Interim Rule <a href="www.globalrights.org">www.globalrights.org</a>
- Brochures

http://www.usdoj.gov/crt/crim/wetf/trafficbrochure.pdf http://www.usdoj.gov/crt/crim/wetf/victimsbrochure.pdf

 US Attorney General Guidelines for Victim and Witness Assistance, 2000 edition <a href="http://www.ojp.usdoj.gov/ovc/infores/agg2000/">http://www.ojp.usdoj.gov/ovc/infores/agg2000/</a>

#### CENTRAL AND EASTERN EUROPE, RUSSIA

Stability Pact for South Eastern Europe, Statement on Commitments, Legislation of the Status of Trafficked Persons, December 11, 2002 <a href="http://www.osce.org/odihr/attf/pdf/tirana\_commstatement.pdf">http://www.osce.org/odihr/attf/pdf/tirana\_commstatement.pdf</a>

#### **WESTERN EUROPE**

Brussels Declaration on Preventing and Combating Trafficking in Human Beings

http://europa.eu.int/comm/justice home/news/forum crimen/2002/workshop/brusels decl en.htm

European Union Council Framework Decision of 19 July 2002 on combating trafficking in human beings (2002/629/JHA) <a href="http://europa.eu.int/eur-lex/en/dat/2002/1">http://europa.eu.int/eur-lex/en/dat/2002/1</a> 203/1 20320020801en00010004.pdf

European Commission Proposal for a COUNCIL DIRECTIVE on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who cooperate with competent authorities. Brussels, Feb. 11, 2002, COM(200) 71 final, 2002/0043 (CNS)

http://europa.eu.int/eur-lex/en/com/pdf/2002/en\_502PC0071.pdf

Communication from the Commission to the Council and European Parliament on combating trafficking in human beings and combating the sexual exploitation of children and child pornography

(Com 2000 854 final/2), January 2001. http://www.ecre.org/eu\_developments/cmtraffick.pdf

Communication from the European Commission to the European Council and the European Parliament: Combating trafficking in human beings and combating the sexual exploitation of children and child pornography. http://www.antislavery.org/archive/other/EU Framework Decision.pdf

NGO recommendations on the Communication

Human Rights Watch and Anti-Slavery International <a href="http://www.antislavery.org/archive/other/trafficking-framework.htm">http://www.antislavery.org/archive/other/trafficking-framework.htm</a>

European Court of Justice. Judgment of the Court of 20 November 2001: Prostitution is an "economic activity" and so Polish and Czech nationals can work as self-employed sex workers in EU on same basis as nationals. Aldona Malgorzata Jany and Others v Staatssecretaris van Justitie. Case C-268/99. <a href="http://europa.eu.int/smartapi/cgi/sga\_doc?smartapi!celexplus!prod!CELEXnumdoc&lg=en&numdoc=6">http://europa.eu.int/smartapi/cgi/sga\_doc?smartapi!celexplus!prod!CELEXnumdoc&lg=en&numdoc=6</a> 1999J0268

Selected European laws http://www.legislationline.org/

French Criminal Code, http://www.legifrance.gouv.fr/html/codes traduits/code penal soman.htm

### REPORTS AND ARTICLES

#### UNITED NATIONS AND INTERNATIONAL LABOR ORGANIZATION

UN High Commissioner for Human Rights, Mary Robinson

Recommended Principles and Guidelines on Human Rights and Human Trafficking
Report of the United Nations High Commissioner for Human Rights to the Economic and Social
Council (United Nations E/2002/68/Add.1) May 20, 2002
<a href="http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/caf3deb2b05d4f35c1256bf30051a003?Open document">http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/caf3deb2b05d4f35c1256bf30051a003?Open document</a>

Principios y Directrices recomendados sobre los derechos humanos y la trata de personas: <a href="http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/63898101a6a32e23c1256bf30052b9f7?OpenDocument&Highlight=2,E%2F2002%2F68%2FAdd.1">http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/63898101a6a32e23c1256bf30052b9f7?OpenDocument&Highlight=2,E%2F2002%2F68%2FAdd.1</a>

Principes et directives concernant les droits de l'homme et la traite des êtres humains: recommandations

 $\frac{\text{http://www.unhchr.ch/huridocda/huridoca.nsf/2848af408d01ec0ac1256609004e770b/bee45c5723ab3ec}{7c1256bf300522a2a?OpenDocument\&Highlight=2,E\%2F2002\%2F68\%2FAdd.1}$ 

- Women's Rights are Human Rights, Special Issue on Women's Rights Spring 2000 http://www.unhchr.ch/html/menu2/womenpub2000.htm
- **Informal Note** (relating to the negotiations on the UN Trafficking Protocol) http://www.uncjin.org/Documents/Conventions/dcatoc/4session/16e.pdf
- The Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and the International Organization for Migration

  Comments on Draft protocols on migrant smuggling and trafficking in persons <a href="http://www.uncjin.org/Documents/Conventions/dcatoc/8session/27e.pdf">http://www.uncjin.org/Documents/Conventions/dcatoc/8session/27e.pdf</a>
- Statement at Working Group on Contemporary Forms of Slavery, June 1999 http://www.unhchr.ch/huricane/huricane.nsf/FramePage/Statements?OpenDocument

# **UNICEF Guidelines for Protection of the Rights of Children Victims of Trafficking in Southeastern Europe** (May 2003)

http://www.seerights.org/data/reports/Reports/UNICEF Guidelines Trafficking Final May03.doc

#### The UN Special Rapporteur on Violence Against Women, Radhika Coomaraswamy

- Trafficking in women, women's migration and violence against women, submitted in accordance with Commission on Human Rights resolution 1997/44
   E/CN.4/2000/68, 29 February 2000
   <a href="http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/e29d45a105cd8143802568be0051fcfb?Open document">http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/e29d45a105cd8143802568be0051fcfb?Open document</a>
- Report on the mission of the Special Rapporteur to Poland on the issue of trafficking and forced prostitution of women, Special Rapporteur on Violence against Women, its causes and consequences, Ms. Radhika Coomaraswamy, E/CN.4/1997/47/Add.1 (24 May to 1 June 1996) <a href="http://193.194.138.190/Huridocda/Huridoca.nsf/TestFrame/5bd87fea5f980b1c802566b200520c02?Opendocument">http://193.194.138.190/Huridocda/Huridoca.nsf/TestFrame/5bd87fea5f980b1c802566b200520c02?Opendocument</a>

#### **International Labor Organization**

- Getting at the Roots: Stopping Exploitation of Migrant Workers by Organized Crime Patrick A. Taran and Gloria Moreno-Fontes (2003) (highly recommended) http://www.ilo.org/public/english/protection/migrant/download/pom/pom1e.pdf
- Globalization, Labour and Migration: Protection is Paramount, Patrick Taran and Eduardo Geronimi, 2003
   <a href="http://www.ilo.org/public/english/protection/migrant/download/pom/pom3e.pdf">http://www.ilo.org/public/english/protection/migrant/download/pom/pom3e.pdf</a>
- The Sex Sector, Lin Leam Lim, editor (1998)

### The International Organization for Migration (IOM) and Human Rights Protection in the Field: Current Concerns.

Submitted by Human Rights Watch at the IOM Governing Council Meeting, November 18-21, 2003. <a href="http://hrw.org/backgrounder/migrants/iom-submission-1103.htm">http://hrw.org/backgrounder/migrants/iom-submission-1103.htm</a>

"Human Rights Watch calls on member states of the Governing Council to send a clear message to IOM that is must observe international human rights and refugee protection norms in all its operations. Moreover, we urge member states to request that IOM develop effective accountability mechanisms to answer criticism and allegations with respect to IOM practice in the filed and its impact on human rights...We believe that the historic abuse of accountability for IOM for its practices in the field is at the root of continuing problems such as those detailed below."

#### **GENERAL**

**Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study**, Bridget Anderson and Julia O'Connell Davidson, for IOM (December 2003).

http://www.iom.int/iomwebsite/Publication/ServletSearchPublication?event=detail&id=2932

"Description: This pilot research stems for the ASEM Action Plan to Combat Trafficking in Persons, Especially Women and Children (2001), that has stressed the need to encourage research on the demand for the most common forms of exploitation of trafficked women and children. The multi-country study assessed attitudes of employers of domestic workers in Sweden, Thailand, India and Italy and clients of sex workers in Denmark, Thailand, India and Italy. The report suggests that three related factors are key to explaining the exploitative conditions experienced by many migrant domestic and sex workers: (a) The unregulated nature of the labour market segments in which they work; (b) the abundant supply of exploitable labour and (c) the power and malleability of social norms regulating the behaviour of employers and clients. The continued expansion of any unregulated market is likely to require and facilitate the exploitation of vulnerable labour. Both paid sex and domestic work are peculiar market segments in the sense that there is both political and social unease regarding those who buy and sell in

them as workers or consumers/employers. In both sex and domestic work, the absence of effective regulation is one of the factors that help to create an environment in which it is possible and profitable to use unfree labour."

**Against All Odds,** by Adam Hochschild. Mother Jones Magazine (January and February 2004). http://www.motherjones.com/news/feature/2004/01/12 403.html

Abstract: The first great human rights campaign – the movement to end slavery in the British Empire – had no business succeeding. But the legacy of its extraordinary achievement lives on today.

# The Migration-Trafficking Nexus: Combating trafficking through the protection of migrants' human rights. Anti-Slavery International 2003

http://www.antislaveryinternational.org/homepage/resources/PDFpublication.htm#nexus "Trafficking, smuggling and migration are separate, but inter-related issues. This publication seeks to look at the issue of trafficking within a broader migration framework and to propose policies which would be effective in reducing trafficking and in preventing the human and labour rights violations to which migrant workers are so often subjected today."

**Trafficking In Human Beings and Organized Crime:** A Literature Review, by Christine Bruckert and Colette Parent, Research and Evaluation Branch, Community, Contract and Aboriginal Policing Services Directorate, Royal Canadian Mounted Police (June 2002), <a href="http://www.rcmp-grc.gc.ca/pdfs/traffick.e.pdf">http://www.rcmp-grc.gc.ca/pdfs/traffick.e.pdf</a>

### **Human Rights Standards for the Treatment of Trafficked Persons**

www.globalrights.org and www.gaatw.org

Special Rapporteur on Violence Against Women (see her 2000 Report under UN Documents): "One of the most noteworthy products of a collaborative process by the Global Alliance against Traffic in Women, the Foundation against Trafficking in Women and Global Rights (formerly the International Human Rights Law Group) is the Human Rights Standards for the Treatment of Trafficked Persons (January 1999). "The Standards are drawn from international human rights instruments and formally-recognized international legal norms. They aim to protect and promote respect for the human rights of individuals who have been victims of trafficking, including those who have been subjected to involuntary servitude, forced labour and/or slavery-like practices." The Special Rapporteur would encourage Governments to utilize the Human Rights Standards in creating new policies and laws. She would encourage the international community to do the same." (para. 106)

#### Transnational Prostitution: Changing Patterns in a Global Context

Susanne Thorbek and Bandana Pattanaik, eds. (Zed Books 2003) www.amazon.com/exec/obidos/ASIN/1842770306/centerforimmigration

Publisher's Description: Patterns of prostitution, like so much else in our increasingly inter-connected world, are changing radically, as the investigations in this volume dramatically show. The question of migrant prostitutes in the West may be much debated, but it is little researched. This collection makes a radical break with the current media focus on human trafficking and the old habit of simply blaming the victim. What emerges is a nuanced and empirically grounded portrait of the complexities of prostitution across national boundaries today.

#### Human Traffic, Human Rights: Redefining victim protection

Elaine Pearson (Anti-Slavery International 2002)

http://www.antislavery.org/homepage/resources/humantraffichumanrights.htm

# Human Rights or Wrongs?: The Struggle for a Rights-Based Response to Trafficking in Human Beings, Gender and Development Journal,

Ann Jordan, Initiative Against Trafficking in Persons, International Human Rights Law Group (Oxfam 2002)

Unbearable to the human heart: Child Trafficking and Action to Eliminate it (ILO-IPEC 2002). http://www.ilo.org/public/english/standards/ipec/publ/childtraf/unbearable.pdf

Report from the Roundtable on the Meaning of "Trafficking in Persons": A Human Rights Perspective Ali Miller and Alison N. Stewart (Women's Rights Law Reporter 20.1:11 1998)

**Trafficking in Women: Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution, Wijers, Marjan and Lin Lap-chew (Foundation Against Trafficking in Women 1997)** 

#### Health Issues Associated with the Smuggling and Trafficking of Migrants

Brian D. Gushulak and Douglas W. MacPherson (Journal of Immigrant Health, Vol. 2, #1, 2000) Although this article does not clearly distinguish between trafficking and smuggling, it does provide an excellent overview of many of the health consequences, and causes, of trafficking and migration in general.

#### Handbooks available from GAATW: http://wagner.inet.co.th/org/gaatw/index.html

Human Rights and Trafficking in Persons: A Handbook

Human Rights in Practice: A Guide to Assist Trafficked Women and Children

The Migrating Woman's Handbook Removing the Whore Stigma

#### Redefining Prostitution as Sex Work on the International Agenda,

Jo Bindman, Anti-Slavery International, with participation of Jo Doezema, <a href="http://www.walnet.org/csis/papers/redefining.html">http://www.walnet.org/csis/papers/redefining.html</a>

### AFRICA, MIDDLE EAST

#### Middle East

Israel: Human rights abuses of women trafficked from the Commonwealth of Independent States Amnesty International, www.web.amnesty.org/ai.nsf/index/MDE150172000

#### <u> Africa</u>

Combating Trafficking in Children for Labour Exploitation in West and Central Africa: Synthesis report, ILO-IPEC, 2001. <a href="http://www.ilo.org/public/english/standards/ipec/publ/field/africa/central.pdf">http://www.ilo.org/public/english/standards/ipec/publ/field/africa/central.pdf</a>

**Nigeria: Research on Trafficking in Women in Nigeria**, Women's Consortium of Nigeria, <a href="http://www.wocononline.org/">http://www.wocononline.org/</a>

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Abstract: The human rights abuses which occur during civil conflicts pose special threats to the health and lives of women. These can include rape, sexual violence, increased vulnerability to trafficking into prostitution, and exposure to HIV infection. The long – standing civil conflict in the Shan States of Burma is investigated as a contributing cause to the trafficking of ethnic Shan women and girls into the Southeast Asian sex industry, and to the subsequent high rates of HIV infection found among these women. The context of chronic human rights abuses in the Shan states is explored, as well as the effects of recent forced population transfers on the part of the Burmese Military Regime. Rights abuses specific to trafficked women may further increase their vulnerability to HIV and other STD. The need for a political resolution to the crisis in Burma is discussed, as are approaches aimed at preventing trafficking, empowering women already in the sex industry, and reducing the risks of HIV and other STD among these women and girls.

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#### **United States**

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#### **WESTERN EUROPE**

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The page contains important information for women who want to migrate to Europe and for those who are already in the migration process. This information includes: Aliens Law, Labour Regulations, particularly those regarding sex work, Regulations for the protection of victims of trafficking in women, Social Security system and Useful Addresses. The information regards GERMANY, ITALY, THE

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Draft Recommendation: <a href="http://assembly.coe.int/Documents/AdoptedText/TA01/EREC1523.htm">http://assembly.coe.int/Documents/AdoptedText/TA01/EREC1523.htm</a>

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PREVENTION

### CONTACTS

#### TRAFFICKING LISTSERVS

#### **Stop Traffic Listserv**

 $Subscribe: \underline{\texttt{stop-traffic-subscribe@yahoogroups.com}} \ \ \text{with nothing in the body of}$ 

the message

#### **Traffickinglaw Listserv**

This listserv is dedicated to the discussion of US legal issues related to trafficking in all of its forms.

Members are US-based advocates, attorneys and service providers.

To subscribe: <u>traffickinglaw@mindspring.com</u>

#### AFRICA, MIDDLE EAST

Benin Terre des Hommes, Cotonou, <u>mailto:tdhbenen@intnet.bj</u>
Burkina Faso GRADE-FRB, Ouagadougou, grade frb@yahoo.fr

Gambia Child Protection Alliance, Serrekunda, cpagambia@yahoo.com or cpagambia@ganet.gm

**Israel** Hotline for Migrant Workers

Ivory Coast

Bureau International Catholique de l'Enfance (BICE), Abidjan, <u>bice-ci@africaonline.co.ci</u>

Niger

Bureau Exécutif National de l' Association TIMIDRIA, Niamey, <u>timidria@intnet.ne</u>

Nigeria Global Rights, Abuja <u>www.globalrights.org</u>

Gender Rights Project genderrightsproject@hyperia.net

Women's Consortium of Nigeria and Women in Law and Development-Africa, Lagos

http://www.wocononline.org/

**Togo** WAO-Afrique, Lome, wao.afrique@bibway.com or waoafrique@hotmail.com

### <u> ASIA-PACIFIC</u>

Cambodia Cambodian Women's Development Association, Phnom Penh

http://www.bigpond.com.kh/users/cwda

Cambodian Women's Crisis Center, Phnom Penh

Center Against Trafficking, Cambodian Defenders Project, Phnom Penh

http://www.cdpcambodia.org/

Hong Kong Ziteng www.ziteng.org.hk

Philippines Asian Women's Human Rights Council, Manila www.awhrc.com

Thailand Global Alliance Against Traffic in Women-GAATW, Bangkok <a href="http://www.thai.net/gaatw">http://www.thai.net/gaatw</a>

#### CENTRAL AND EASTERN EUROPE, RUSSIA AND CENTRAL ASIA

Belarus YWCA, a La Strada Partner

Bosnia & Herzegovenia -

Global Rights – Partners for Justice, Sarajevo <u>www.globalrights.org</u>

Bulgaria Animus Association, a La Strada partner, <a href="http://www.animusassociation.org/">http://www.animusassociation.org/</a>

Czech Rep. La Strada <a href="http://www.ecn.cz/lastrada">http://www.ecn.cz/lastrada</a>
Macedonia Open Gate, a La Strada partner

Moldova International Center for Women Rights Protection and Promotion Center/La Strada-Moldova,

lsmoldova@ls.moldline.net

Poland La Strada, Warsaw <a href="http://free.ngo.pl/lastrada/">http://free.ngo.pl/lastrada/</a>
Russia Association of Women's Crisis Centers, Moscow

Perm Center Against Violence and Human Trafficking, www.cavt.ru

Serbia Astra - Anti Sex Trafficking Action, Belgrade <a href="http://redirect.to/astra">http://redirect.to/astra</a>

Ukraine La Strada, Kiev http://www.brama.com/lastrada/

#### LATIN AMERICA, CARIBBEAN

Costa Rica Casa Alianza, San Jose <a href="http://www.casa-alianza.org/">http://www.casa-alianza.org/</a>

Mexico Sin Fronteras, Mexico City http://www.sinfronteras.org.mx

#### **UNITED STATES AND CANADA**

**United States** Freedom Network (USA) to Empower Trafficked and Enslaved Persons.

http://www.freedomnetworkusa.org/

Global Rights-Initiative Against Trafficking in Persons, Washington, DC <a href="www.globalrights.org">www.globalrights.org</a> Coalition to Abolish Slavery and Trafficking, Los Angeles <a href="http://www.trafficked-women.org/">http://www.trafficked-women.org/</a>

Human Rights Watch, Washington, DC/New York http://www.hrw.org/about/projects/women.html

Break the Chain Campaign, Institute for Policy Studies, Washington DC

http://www.ips-dc.org/campaign/

### **WESTERN EUROPE**

**Europe** <a href="http://www.victims-of-trafficking.org/">http://www.victims-of-trafficking.org/</a> The project is co-ordinated by the Comité Contre

l'Esclavage Moderne (CCEM) (Committee Against Modern Slavery, based in France). International Organization for Migration (IOM) (based in Brussels, Paris, Vienna, Rome, and Athens), Pag-Asa and Payoke (based in Belgium), Differenza Donna, Associazione On the

Road, and Servizio Migranti Caritas - Torino (based in Italy).

Austria Lefo, Vienna mailto:lefoe@t0.or.at

**Belgium** Pavoke, Brussels http://www.pavoke.vucom.be/

Germany Amnesty for Women, Hamburg, amnesty4women@t-online.de

Ban-Ying, Berlin <a href="http://www.ban-ying.de/">http://www.ban-ying.de/</a>

KOK-NGO Network Against Trafficking in Women, Potsdam, http://www.kok-potsdam.de/

Italy Associazione On the Road, Martinsicuro, mail@ontheroadonlus.it, street units, shelter, drop in

center, training.

Caritas Italiana, Rome, <u>rrambaldi@caritasitaliana.it</u>; shelter **PARSEC**, Rome, <u>parsec@flashnet.it</u>, shelter, social services

Netherlands BlinN/Project Bonded Labour in the Netherlands mailto:blinn@lb.humanitas.nl

Mr. A. de Graaf Foundation <a href="http://www.mrgraaf.nl/">http://www.mrgraaf.nl/</a>

Foundation Against Trafficking in Women (STV). mailto:Federatie@opvang.nl

TAMPEP International Foundation <a href="mailto:tampep@xs4all.nl">tampep@xs4all.nl</a>
Terre des Hommes <a href="http://www.terredeshommes.nl/">http://www.terredeshommes.nl/</a>

UK Anti-Slavery International, London www.antislavery.org

#### INTERGOVERNMENTAL ORGANIZATIONS

International Organization for Migration <a href="http://www.iom.int/ct/default.htm">http://www.iom.int/ct/default.htm</a>

#### **EUROPEAN INTERGOVERNMENTAL ORGANIZATIONS**

Organisation for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights <a href="http://www.osce.org/odihr/democratization/trafficking/">http://www.osce.org/odihr/democratization/trafficking/</a>

### INTERNATIONAL DEFINITION OF TRAFFICKING IN PERSONS

(including official explanation of certain terms)

#### UN Protocol to Prevent, Suppress and Punish Trafficking in Persons

"(a) 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability [footnote 1] or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation [footnote 2], forced labour or services, slavery or practices similar to slavery [with footnote on illegal adoptions], servitude or the removal or organs [with footnote explanation];

Explanation (1): "The travaux preparatoires should indicate that the reference to the abuse of a position of vulnerability is understood to refer to any situation in which the person involved has no real and acceptable alternative but to submit to the abuse involved."

Explanation (2): "The travaux preparatoires should indicate that this Protocol addresses the exploitation of prostitution and other forms of sexual exploitation only in the context of trafficking in persons. The terms 'exploitation of the prostitution of other' or 'other forms of sexual exploitation' are not defined in the Protocol. The Protocol is therefore without prejudice to how States Parties address prostitution in their respective domestic laws." {In other words, the Protocol does not define all prostitution as trafficking and so recognizes the difference between forced and voluntary participation in the sex industry by adults. Voluntary migration for sex work is covered by the Smuggling Protocol, which was developed at the same time as the Trafficking Protocol.)

"(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) shall be irrelevant where any of the means set forth in subparagraph (a) are established; [footnotes 4 and 5]"

Explanation (4): The travaux preparatoires should indicate that this subparagraph should not be construed as imposing any restriction on the right of accused persons to a full defence and to the presumption of innocence.\*\*\*

Explanation (5): "Paragraph b of this Article should not be interpreted as laying upon the victim the burden of proof, as in any criminal proceedings, it is incumbent upon the public prosecutor to prove the elements of the offense in accordance with domestic law."

[NOTE: For an extensive discussion of the UN definition, please see the Annotated Guide to the Complete UN Trafficking Protocol under UN Treaties above.]