

GLOBAL EYE ON HUMAN TRAFFICKING

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Compensation - A Right Not Realized

INSIDE

Feature	
Compensation - A Right Not Realized	1
Perspective	
Interview with Patsy Sorensen Director of Payoke	2
How To Make Compensation of Trafficked Persons Effective	3
Country Profile	
UAE Set To Counter Human Trafficking	4
Mozambique Now Has A Law To Prosecute Traffickers	4
Operative Center Against Human Trafficking in Colombia	5
In The News	
Athens Ethical Principles Follow Up	6
Countering Human Trafficking: Partnership for Protection and Capacity-Building	7
Child Trafficking	
Dreaming Of Becoming A Doctor Some Day	8
New Releases	
Publications	8

In May 2008, the *OSCE Office for Democratic Institutions and Human Rights (ODIHR)* published a study on Compensation for Trafficked and Exploited Persons in the *OSCE* region.¹

The study - the first of its kind - looks beneath the surface and reviews existing standards and practices related to compensation.

Compensation cannot undo the physical, psychological and economic harm suffered; it is, however, a means of empowerment and a starting point to construct a new life. It is also an essential aspect of trafficked persons' access to justice and rights. From the victims' perspective, the need for compensation is driven by more than the quest for financial justice, it is also about recognition from the society for the harm endured by those exploited.

An award of compensation may help to mark the end of their time as "victims" and offers new opportunities and hopes for the future.

Compensation is essential not only for the trafficked persons, but is also in the public interest. If society treats victims of rights abuse with indifference, and the perpetrators with impunity, more persons are likely to be victimized or re-victimized. Compensation becomes a means of protecting trafficked persons from future exploitation and therefore has a preventive impact.

In practice, however, there are few compensation claims, fewer awards and even fewer payments of compensation to trafficked and exploited persons. Fear, language barriers, reluctance to contact authorities, feelings of humiliation, insecurity about rights and immigration status, lack of information

about rights and assistance in accessing these rights often hinder trafficked persons from claiming compensation in the first place.

THE *ODIHR* assessment analyses the right to compensation for trafficked persons in international law through the lens of a wide range of relevant international standards that relate to combating human trafficking, the rights of crime victims, the rights of migrants, labour rights and the rights of victims gender-based violence.

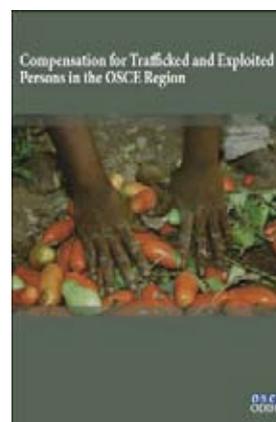
The study identifies and outlines a variety of compensation mechanisms: claims in criminal, civil and labour law proceedings, as well as through state compensation funds.

The study also provides a country specific analysis of the right to compensation in law and practice in eight *OSCE* participating States: Albania, France, Moldova, Romania, the Russian Federation, Ukraine, the United Kingdom and the United States.

These eight countries represent different legal traditions (common and civil law), different regions - Western Europe, Eastern Europe and North America - and, countries where victim's rights and compensation have a long history as well as countries where they are only being developed.

The *ODIHR* study highlights concrete cases as well as challenges and good practices in existing compensation mechanisms.

(Continued on p.3)



Patsy Sorensen is the founder and current director of *Payoke*; a Belgian organization set up to protect victims of trafficking and their families. Payoke's mission is twofold: To provide assistance to



Patsy Sorensen

victims through individually tailored counseling packages, which include psychosocial, administrative and legal support; to effectively combat the phenomenon of trafficking in persons. As a former Member of the European Parliament and a City Councilor for the City of Antwerp, she is both a pioneer and an untiring force in the fight against human trafficking in all its forms.

Q: How did you first get involved in Counter Trafficking Efforts?

I was living in the red light district of Antwerp; this is the center of prostitution in Antwerp. It soon became apparent that my part of town was rife with exclusion, inequality and poverty. I wanted to do something about this social injustice, so I started listening to the prostitutes; women from Belgium but also from other countries. I met and talked with them and began to realize that not all women working behind the display windows were doing so of their own will. A lot of them wanted to escape their situation, so we started searching for solutions.

With the help of others, we set up *Payoke* in 1987. At first, it was not a real NGO... we were starting from nothing!

Q: Can you describe the work you are doing with *Payoke*?

We offer direct assistance to the victims, such as legal assistance, administrative support, and psychosocial support. Since 1991, we also have our own specialized shelter that can accommodate victims of trafficking at any given time.

The shelter accommodates 12 women; but we have a network and options for more. For men, we make use of a number of shelters available through our network. Children automatically are referred to specialized centers for minors. We do, however, handle the administrative and legal cases for minors. Before the shelter, my house functioned as a drop-in center where all the victims could stay.

There was no other choice. Later on, we were able to send some women to a shelter for victims of domestic violence, but this proved unsuccessful. The situations of victims of trafficking were different; they needed a different kind of assistance. Furthermore, there were some tensions between victims of domestic violence and victims of sexual exploitation. So, with the support of the King Boudewijn Foundation and our own means, I decided to buy a house to set up a specialized shelter to assist victims of trafficking.

Working with victims of trafficking is not always easy; some suffer from psychosocial trauma and can react quite aggressively. We need to protect them from their own reactions. It is also hard for them to understand and believe that people are honestly offering help.

Payoke offers training to the students of the Royal Military Academy in Belgium as well as the Higher Institute for Defense Studies for the higher officers of the Belgian (and visiting) Military. We have also been asked to assist in the training programme on trafficking organized by the Austrian Military. We have also offered training to police services in Belgium and are regularly invited for training workshops offered under the EC Funded-AENEAS programme for civil servants and magistrates from the Balkan Region, organized by the European Law Academy.

Q: You have assisted many victims over the past twenty years. The victims you are assisting with *Payoke*, are they mainly victims of sexual exploitation or do you also assist victims trafficked for other forms of exploitation?

No, we are not only assisting women trafficked for sexual exploitation. We addressed this issue in the beginning of the 90s but nowadays we see more and more victims of trafficking for labour exploitation, it's not 50-50. It's rather 60-40%. It also changes from one year to another and we see different nationalities. Currently, the largest group of victims in Antwerp is from China, with a majority of men. They are males mainly working in the restaurant and hotel industry. This is because of the big Chinese community in Antwerp.

Q: Language barriers are obviously a massive issue. If the victims are not able to voice their own situation, do you take a translator with you?

In the beginning I was working as an outreach worker which means that I went to the streets at night and tried to talk with the girls. Most of them knew me and came immediately to let me know that someone new had arrived. In general, we didn't encounter language barriers. We had more problems when we had to explain what was going on. In this way, we were and are still looking for good interpreters; those not linked to criminal organizations. I am talking about people who want to get involved in our work for the wrong reasons; in order to be able to see and report on what we are doing.

This is a problem we face regularly. We have had different translators suspected of infiltration and that's the reason why we keep a white and a black list of interpreters. It's a pity to say, but sometimes we use translators from another origin than the one of the victim, because we have also had experience, in which interpreters were under pressure by their own community to do something for that community and this is not always in the best interests of the victim. They are working for us, for other organizations and for the police, but they are also members of their own community.



Q: What were the successful programmes within *PAYOKE*?

Our most successful project is a written proposal. The proposal set forth that our centers can ask Belgian authorities to issue short-term residence to victims of trafficking. I am very happy that we have created this as a victim needs to receive a legal status and needs to feel protected to voice her/his story and to cooperate with the police. The procedure granting a short-term residence permit forms the backbone of the Belgian approach to recognize and assist victims of trafficking. This approach also functioned as the primary model for the later EU approach.

(Continued on p.7)

¹ The interview was conducted by IOM Geneva (June 2008).

Compensation - A Right Not Realized. How To Make Compensation Of Trafficked Persons Effective (Cont.from p.1)

The ODIHR study develops specific recommendations for action for policy makers and practitioners to make access to compensation more effective.

It includes recommendations on:

- how to build a national victims' rights culture
- how to evaluate and monitor the right to compensation at the national level
- state compensation schemes
- compensation in civil and criminal proceedings
- labour/employment rights
- enforcement and asset seizure
- the right to information and assistance
- for law enforcement, lawyers, prosecutors and the judiciary
- the role of NGOs
- the role of IOs
- further research

The need to build a victim's rights culture

Accessing remedies requires knowledge and support. Information about justice measures and compensation claims is essential and needs to be made available in a creative way so that exploited persons are aware of their rights and are provided with comprehensive assistance which allows to realize them (social, legal, medical, and economic rights) in practice.

Evaluate and monitor how the right to compensation is implemented

States need to review and monitor compensation mechanisms in their country and determine whether these are delivering justice to trafficked persons. Non-governmental organizations and workers' organizations, such as trade unions, can play an important role in this and in advocating for improved access to compensation of those exploited and trafficked.

Country Case Study

United States of America

Chellen v. Pickle is the most significant trafficking-related case to date involving civil rights claims¹. In *Chellen*, more than 50 men left their homes in India to work in Tulsa, Oklahoma, at the John Pickle Company. They had visas authorizing their entry into the US for purposes of training at that company.

In 2002, 52 of these workers sued the company and Mr. John Pickle individually, alleging violations of the Fair Labor Standards Act; race discrimination; deceit; false imprisonment; and intentional infliction of emotional distress.

The Equal Employment Opportunity Commission (EEOC) subsequently brought an action on the workers' behalf for violations of the act. The complaints alleged that the company had restricted the workers' movement, communication, privacy, worship, and access to health care; had confiscated their passports, visas and airline tickets threatened to report them to law enforcement if they left the premises without permission; and hired an armed guard to prevent unauthorized departures.

After a trial, the court found for the plaintiffs on all their claims and awarded the following

- a) back pay and liquidated damages
- b) compensatory damages for emotional and mental distress (\$1,000 per plaintiff)
- c) punitive damages because of the egregious nature of the conduct (\$1,000 per plaintiff)
- d) prejudgment interest
- e) damages for the tort of deceit (wages for the ten-month period when they had been told they would be working but were wrongfully denied the opportunity to work by the defendant's conduct) and
- f) damages for the tort of false imprisonment (\$1,000 per plaintiff)

The total damages award was more than \$1.2 million (€897,464) for the 52 plaintiffs.

United Kingdom

Two young women of Romanian origin were trafficked into the UK for the purposes of sexual exploitation. Over a period of years they were subjected to persecution in the form of slavery, forced prostitution, multiple rapes and beatings.

They escaped from their trafficker in January 2006 and were referred to the *Poppy Project*. They gave evidence in a criminal case against their traffickers who were convicted and sentenced to 21 years imprisonment.

The traffickers were not convicted of trafficking but of rape and controlling prostitution. However victims were identified as victims of trafficking by the *UK Poppy Project*.

With the assistance of lawyers acting pro bono they made applications to the Criminal Injuries Compensation Authority (CICA), which administers a government funded scheme that provides compensation to victims of violent crime, on the basis that they should be entitled to compensation for sexual abuse and to compensation for loss of opportunity/income for the period of years they were falsely imprisoned by their trafficker.

After a period of communication between lawyers and the CICA, the CICA made an award of £66,000 to one claimant on the following basis:

a. For sexual abuse, of over three years, £22,000. This is the amount awarded under the standard CICA tariff for cases of sexual abuse of over three years

b. For past loss of earnings/opportunity, £40,000. This sum was a discretionary award, calculated on the basis of £10,000 per year for the duration of the period when the victim was being held against her will

Source: OSCE for Democratic Institutions and Human Rights (ODIHR).

1 EEOC itself described it as a trafficking case, although no trafficking criminal charges were ever brought. See "Judge Orders John Pickle Co. to Pay \$1.24 Million to 52 Foreign Workers in 'Human Trafficking' Case", EEOC Press Release (26 May 2006).

The UAE is committed to doing everything in its power to help stop human trafficking wherever it occurs and to aggressively interdict those who are responsible for it with the toughest possible penalties, according to the first annual report released by the UAE National Committee to Combat Human Trafficking, reports Khaleej Times.

The annual report, 'Combating Human Trafficking in the UAE 2007' released a year after the committee was formed, highlights the country's stand on the crime, the efforts to counter it, the obstacles and challenges it has encountered, as well as plans for the future.

The report, released ahead of the UAE's participation at the UN General Assembly debate on trafficking in New York in June, focuses on the measures taken since Federal Law 51 came into force. The 16-article law, effective since November 2006, spells out stiff penalties against traffickers ranging from one year to life imprisonment and fines of Dh100,000 and Dh1 million (amounting to USD 27,000 and USD 272,000 respectively).

"At least 10 human trafficking-related cases were registered by the end of 2007 under the clauses of the new law," explained the report.

"Notably, there were also convictions in at least five cases during this period, with the convicted receiving jail terms ranging from three to 10 years for committing, aiding or abetting human trafficking," it added.

According to the Minister of State for Foreign Affairs Dr. Anwar Gargash, who is also Chair of the UAE National Committee to Combat Human Trafficking, "The UAE is firm against the exploitation of human beings for any purposes and against the coercive, illegal and inhumane treatment of any individual.

The Country's resolve to fight human trafficking at home and abroad in collaboration with international partners remains central to our counter-trafficking strategy. General Shaikh Mohammad Bin Zayed Al Nahyan, Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces, has cemented this resolve with a generous donation to the UN.GIFT to establish an international network to fight this crime."

Dr. Gargash said, "The UAE is not ashamed to admit that the problem of trafficking afflicts this country as it does many other countries. It would be wrong, however, if immediate action is not taken once the crime is recognised, and the UAE is therefore pursuing an active and results-oriented strategy that aims to achieve immediate impact."

The publication aims to share "the UAE's efforts with our partners and promote dialogue, transparency and knowledge exchange in order to learn from the experiences of other nations in combat-

ing this crime." The National Committee to Combat Human Trafficking, which was established in March 2007, is committed to producing regular reports annually in order to document progress and challenges in fighting this global crime.

In parallel to the UAE's tough stand on anyone convicted of trafficking, the report also documents measures that reflect the UAE's concern about the victims of this crime and their physical and emotional well-being.

The report outlines the progress that the UAE has achieved with regards to the victim support network, noting the important work carried out by the Dubai Foundation for Women and Children and the new shelter in Abu Dhabi for victims of trafficking. Specific measures associated with the UAE's comprehensive four-pillar action plan - legislation, enforcement, victim support, bilateral agreements and international partnerships - are elaborated on through the report, which can be obtained from the National Committee to Combat Human Trafficking in both Arabic and English¹. The report concludes by emphasising that "the UAE has achieved much in a short period of time, but realises that much more needs to be done to combat the challenge. The country is committed to serving as an active member of the international community, as well as a model for change in the region and takes these responsibilities seriously."

Reprinted with permission from: Bahrain Tribune, <http://www.bahraintribune.com/ArticleDetail.asp>

Mozambique Now Has A Law To Prosecute Traffickers

In January 2008, Mozambican police intercepted a truck carrying 39 children; all of whom believed they were on their way to be educated in Koranic schools in Maputo and Tete provinces. While the Attorney General's Office concluded that all of the children were traveling with parental consent, none of the Koranic schools identified had received enrolment applications for these children. Could this have been a failed attempt at child trafficking?

Two months later, South African Police arrested a Mozambican woman alleged to have trafficked three Mozambican girls for the purpose of sexual exploitation. It is worth noting that in both cases, law enforcement officials were instrumental in reporting cases of trafficking. It is against this backdrop of increased reporting that both the Government of Mozambique and civil society saw the need to put in place specific legislation to prosecute human traffickers.

In May 2006, the Ministry of Justice, in cooperation with civil society groups, organized a meeting to discuss the need for legislation on human trafficking. In addition to IOM, participants included representatives from the Ministries² as well NGOs³. The meeting provided the foundation for the creation of a drafting committee, which produced the first draft of a specific anti-trafficking bill for Mozambique. On April 19th 2008, a revised version of the bill was passed into law.

Under the new law, anyone convicted of human trafficking can be sentenced to a maximum of 20 years in prison. The new law also allows the State to confiscate all property that has been acquired through criminal activities, and for victims of trafficking to receive compensation for the harm they suffer. To complement the enactment of the new legislation, the Government has committed to building two shelters to provide safe and secure

accommodation for victims of trafficking.

The Government and civil society are conscious of the challenges that lie ahead in implementing the law. In addition to the need to address the root causes of trafficking, including the issue of demand, there is a need for further research of the problem, increased training for law enforcement officials, and improved protection of those persons identified as victims.

Effective prevention of human trafficking is also a challenge, and given the high levels of illiteracy in Mozambique, it will be particularly important to devise creative ways of reaching out to rural communities where awareness levels are comparatively lower, and where certain population groups may face a greater risk of being targeted by traffickers.

Source: IOM Maputo, Mozambique.

¹ The report can be viewed at <http://www.google.ch/search?hl=de&q=Combating+Human+Trafficking+United+Arab+Emirates+Annual+Report+2007&btnG=Google-Suche&meta=>

² Ministry of Interior, Ministry of Education, Ministry of Women and Social Welfare, Attorney General's Office.

³ Women's Forum, Women Law and Development, Foundation for Community Development, Souther Africa Network Against Trafficking and Abuse of Children, Save the Children Norway, Terre Des Hommes.

Operative Center Against Human Trafficking in Colombia

To talk about slavery nowadays would make most people remember their history lessons in school. Modern day slavery, however, does not require the use of chains and whips to take away freedom and dignity from its victims; such is the case of human trafficking. The conditions of uncertainty in which the migratory process often develops, as well as the desperate need to find opportunities the migrant lacks at home, will often leave potential victims vulnerable to this heinous crime.

According to the United Nations, Colombian is the third most common nationality among victims of trafficking identified worldwide. Structural factors in the country play an important role in this phenomenon. Internal armed conflict, for example, has led to the displacement of many communities, making their members vulnerable to trafficking; hence, it has become more common for Colombian men, women and children to be trafficked, both internally and abroad, for the purpose of sexual exploitation and forced labour. Furthermore, insurgent and paramilitary groups forcibly recruit thousands of child soldiers to partake in the current civil war.

According to Colombian authorities, numerous transnational organized crime groups collaborate with national criminal networks in order to recruit and transfer victims. Members of these organizations convince victims to leave their homes by promising them a better life in a distant place. Upon arrival at the point of destination, which may be in another country, the victim is alone and helpless. Once in this vulnerable position, it is harder for the victim to reject assigned duties, demand a fair wage or seek help. Moreover, trafficked persons are often deterred from escaping their exploitive conditions because of an absence of reasonable socioeconomic options in communities of origin.

Colombia's National Campaign against Human Trafficking

A great obstacle in the fight against human trafficking in Colombia has been society's lack of awareness of this phenomenon and its different modalities. One particular issue of concern is the discrepancy between the numbers of trafficking cases reported to the authorities and official estimates of victims.

The Colombian Security Department (DAS) and Interpol estimate that approximately 50,000 Colombian women have been trafficked abroad for the purpose of sexual exploitation. These agencies also estimate that every day between 2 to 10 Colombians travelling abroad fall prey to traffickers. However, only 211 victims of trafficking were registered in Colombia between 2002 and 2004. It is probable that this gap results from the fact that many individuals are not conscious of their condition as victims, thus interpreting their terrible situation as a normal event in their migratory process.

For this reason, authorities in Colombia have launched a massive media campaign in order to generate awareness among all sectors of society. Its main objective is to educate and inform about the distinct modalities of human trafficking, its seriousness as a social problem and the important efforts made by the Colombian state to fight it.

Guillermo Prieto La Rotta, better known as "Pirry, is a key collaborator in the National Campaign against Human Trafficking. This entertainer and documentary film maker uses his television show "The World According to Pirry" as a platform to inform his audience about social issues that affect Colombian society. The media campaign tries to prevent further cases of trafficking by creating awareness amongst all members of society.



Guillermo Prieto La Rotta

It is, however, only one component of the government's fight against human trafficking.

C.O.A.T.

In June 2007, the authorities launched the Operative Center against Human Trafficking (COAT). COAT aims to respond to the urgent need for coordination amongst public institutions involved in the fight against human trafficking and, consequently, is viewed as one of the most ground-breaking recent initiatives to fight modern day slavery in Colombia.

Through this program, the prosecution of perpetrators, as well as victim assistance, is being harmonized in such a way that joint efforts undertaken by different institutions can become complementary as opposed to duplicative or contradictory.

In order to achieve its purpose, COAT functions under a three-dimensional task scheme. First, it serves as a joint investigation center which integrates different institutions, such as DAS, Interpol and the Ministry of Interior and Justice. Secondly, it functions as an assistance center which aims at achieving full restitution of the victim's rights. Lastly, it acts as an information center by generating statistics and data through the Human Trafficking Information System. The resulting information is used in the analysis, reformulation, and evaluation of the objectives set out by the National Strategy against Human Trafficking. These harmonized efforts are expected to allow for more effective ways in which to fight human trafficking in Colombia.

Decentralization of Public Policy against Human Trafficking: Local Treatment for a Global Disease

By taking into account the particularities of each region in Colombia, the National Strategy against Human Trafficking has become a decentralized initiative and has changed the common perception that human trafficking must be fought only by the national government. The Ministry of Interior and Justice has played an important role in these decentralization efforts by raising awareness among local administrators regarding their responsibility in the fight against this crime. Furthermore, the Ministry, in conjunction with IOM, has organized regional committees involving local authorities to identify the unique geographic, political, social and financial characteristics of the phenomenon in each region. These are then framed in local action plans that consist of policies and activities that consider these characteristics, while incorporating the expertise of national and international governmental bodies.

The National Campaign, COAT and the National Strategy against Human Trafficking reflect a real commitment by the Colombian state to fight this modern day form of slavery, and the valuable experiences gained in their implementation may inspire other affected countries, and provide good practice models to those interested in joining efforts in the global struggle against human trafficking.

Source: Ministry of Interior. The Republic of Colombia.

1 Document "Qué es la Trata de Personas" Ministerio del Interior y Justicia". www.mininteriorjusticia.gov.co/adminFiles/QUE%20ES%20LA%20

Countering Human Trafficking: Partnership for Protection and Capacity-Building

Human trafficking was again placed high on the UN agenda recently with a number of related events in early June.

The *UNITAR, UNFPA, IOM and MacArthur Foundation*, Migration and Development Series sponsored a seminar entitled “Countering Human Trafficking: Partnerships for Protection and Capacity-Building” on 2 June at United Nations Headquarters, in collaboration with *UNODC, OHCHR and ILO*.

The seminar was attended by some 60 participants of various diplomatic missions, the UN Secretariat, agencies funds and programmes, NGOs and academia.

The Series is geared towards Member States’ Permanent Missions to the *United Nations* in New York, to help stimulate analytical thinking and dialogue on key migration issues.

Evolving from the preparations of the United Nations High-Level Dialogue on International Migration and Development in 2006, the Series topics focus on migration issues of interest including those themes of the ongoing Global Forum on Migration and Development.

This seminar focused on a human-rights-based approach to human trafficking, looking at legal protections afforded to victims of trafficking while also addressing perceptions, perspectives and policies on the issue, including the demand side of human trafficking. Presenters included a mix of *UN*, non-*UN* and governmental experts on the topic bringing in various perspectives to countering human trafficking.

The “3 Ps” in fighting human trafficking were highlighted – prevention, protection and prosecution – by the various presenters, as was the need for strong partnerships and coordination amongst all stakeholders including governments, *UN* and non-*UN* agencies, NGOs, civil society organizations, donors, private sector and beneficiaries.

Structural problems such as poverty and gender inequality were seen as heightening the vulnerability of potential victims of trafficking, and greater funding and services for victims were called for.

Victims should not be seen as passive beneficiaries but also as agents of change who can best inform other counter-trafficking actors of appropriate actions.

Legal frameworks including the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children were highlighted as standards for which governments can provide protection for victims. In this regard, it was cited that states should not criminalize victims who may not have proper documentation but instead afford them the needed medical, legal and shelter services.

Prosecuting the larger criminal organizations engaged in human trafficking was seen as a necessary component in countering human trafficking, as was the need for effective legislation. Ultimately, trafficking was seen by many presenters as not simply a migration issue, but a human rights violation.

The seminar was capped by a roundtable discussion of experts on the challenges of capacity-building in regional and national action plans to fight human trafficking.

Following this seminar, a thematic debate on human trafficking was held by the *UN General Assembly* on 3 June with opening remarks given by the President of the General Assembly H.E. Mr. Srgjan Kerim, the Deputy Secretary General, Ms. Asha-Rose Migiro, and with keynote addresses by H.E. Dr. Anwar Gargash, Minister of State for Foreign Affairs, United Arab Emirates and Ms. Ashley Judd, Actress and Philanthropist.

Guest panelists from governments, *UN*, *IOM*, NGOs, the private sector and the media introduced the general themes



Ms. Ndioro Ndiaye, Deputy Director General, of International Organization for Migration speaking before the UN General Assembly.

of enhancing multilateral cooperation to prevent trafficking, to prosecute traffickers and to protect victims.

The debate attracted a majority of member states as well as other stakeholders including NGOs, civil society, *UN Secretariat*, funds, agencies and programmes, thus giving great prominence to this issue. Reference was made throughout the debate to the “4th P” needed in the “3 Ps” strategy, namely that of “partnership”.

The adoption and implementation of the relevant normative treaties were also called for as well as the needed political will of member states for an effective response. The demand for cheap labour was seen as one of the reasons for the booming human trafficking industry. Indeed the role of the private sector and consumer was highlighted throughout the debate as key actors for needed response.

The lack of public awareness, support for victims, punishment for offenders and better coordination among the various stakeholders were seen as significant areas in combating human trafficking. In their interventions, a number of member states detailed their national strategies for fighting human trafficking, such as the establishment of a national task force, the establishment of a national action plan and the approval of new human-trafficking legislation. However, several states recognized that such national efforts could only reach their full potential if supported by international efforts, including those addressing the root causes of human trafficking.

The need to improve national capacity for implementation was echoed throughout the discussion. Also it was concluded that lack of implementation was not necessarily a question of political will, but rather a reflection of the lack of necessary resources for implementation that affected many countries. International support to ensure the availability of necessary resources to implement anti-trafficking initiatives would need to be made available.

Recognizing the already existing strengths of a number of *UN* and non-*UN* entities in combating trafficking, several member states called for further interagency cooperation and assistance to member states.

¹ Source: IOM New York, Office of the Permanent Observer to the United Nations.

The increase in the number of persons identified as having been victims of trafficking for purposes of labour exploitation underscores the need to involve the private sector in developing any comprehensive counter-trafficking response.

It is within this context that the *Suzanne Mubarak Women's International Peace Movement* organized a roundtable in Athens on 23 January 2006 with representatives of the business community to adopt a set of ethical principles against human trafficking and further, to explore ways and means for their implementation.

As a follow up to the 2006 Athens roundtable, and as part of the World Economic Forum on the Middle East conference held in Sharm El Sheikh (Egypt) from 18-20 May 2008, human trafficking was included in the "Hot Topic" session as one of the region's most pressing and challenging topics of the day. The session focused on good practices and success stories in eradicating trafficking, for the private sector to eliminate this scourge within their respective areas of influence.

Traditionally, national and international counter-trafficking initiatives have sought to combat trafficking in persons by addressing the supply side, or what can be referred to as the root causes of trafficking in countries of origin, including economic inequality; gender discrimination; violence and corruption; and the lack of safe and regular migration opportunities. However, there has been

increasing international recognition that serious attention must also be given to the root causes at points and in countries of destination, and above all the demand for cheap and unprotected labour.

Irregular migration, and particularly the trafficking in persons for all forms of exploitation, cannot be separated from the process of globalization in general and the move towards a more global economy.

New labour markets emerge, creating new employment opportunities across the globe for skilled and less-skilled workers, both men and women. But such economic growth has not been matched with the evolution of safe, humane and orderly migration channels to facilitate and satisfy this demand for labour.

This tension between the growing need for labour and services on one side, and too few regular migration opportunities on the other, creates a niche for intermediaries to intervene and make profit. These intermediaries are the human traffickers who exploit, abuse and victimize the migrant workers, especially those in an irregular, and hence more vulnerable, situation.

During this event, participants exchanged views on how companies can ensure that their workforce does not include trafficked labour, what legislative and other incentives can governments provide for companies to tackle labour exploitation issues, and how consumers can be encouraged to purchase goods that have been produced through good labour practices.

The discussion concluded with a vote on the most important priorities in fighting human trafficking for labour exploitation.

By signing the Athens Ethical Principles business companies pledge to:

1. Explicitly demonstrate the position of zero tolerance towards trafficking in human beings, especially women and children for sexual exploitation.
2. Contribute to prevention of trafficking in human beings.
3. Develop a corporate strategy for an anti-trafficking policy which will permeate all activities.
4. Ensure that personnel fully comply with anti-trafficking policy.
5. Encourage business partners, including suppliers, to apply ethical principles against human trafficking.
6. In an effort to increase enforcement it is necessary to call on governments to initiate a process of revision of laws and regulations that are directly or indirectly related to enhancing anti-trafficking policies.
7. Report and share information on best practices.

In her closing remarks HE Suzanne Mubarak stressed that "this modern form of slavery is not a situation that is "far away" and "over there", it is here and now with thousands contributing to some of the wealthiest economies in the world".¹

Interview with Patsy Sorensen (Cont. from p.2)

Another successful program in *Payoke* is the emancipation project, which offers individualized assistance to every victim. It includes accommodation, administrative and legal support, but also psychological and social assistance, including sports and cultural activities.

The idea is to have them rebuild their lives as self-reliant and independent persons as soon as possible.

Q: You were an MEP for several years, do you feel that this gave you a more of voice to speak about these issues? Did it help or hinder the activist work that you were trying to undertake?

No, I started first in local politics, because it was a local problem. Originally

I was an artist and art teacher before I became a member of the council and later on, in 1994 I was elected to the City Council.

In 1999, I wanted to transfer my work to a European level and was elected to the European Parliament. At that time it was important to speak with a lot of people and reach out beyond Belgium.

I have been able to use this experience to translate the 'Payoke-system' into European policy. I tried to motivate my fellow parliamentarians to get to know more about this issue by bringing them in touch with our headquarters, our shelter and with *International Organization for Migration*.

Q: Did your work involve any threats in your personal life?

Yes I've had direct threats to my life before. It is not very optimistic, but I am an 'expert' in 'bulletproof jackets'. This is one of the problems which made me think of what I am doing and what I have to do, because if there are people who want to kill me, these criminals will maybe also kill someone else close to me.

Q: Did you ever think of stopping your activities in PAYOKE, because of these threats?

No, stopping would be a bad signal to give. What we try to do is to discuss with people and try to bring as many people as possible on board. We can handle it so far. We have a lot of support as well.

¹ Source: End Human Trafficking Now! Campaign Campaign. The Suzanne Mubarak's International Peace Movement Initiative, Geneva Office, Switzerland.

Mariam* lives in the western part of Kabul, sharing a small house with her family of 10. When asking for her age, she said, "I am 13 or 14. I think 14," - a typical answer for Afghanistan where only six per cent of children less than five years of age are registered at birth.

At her young age Mariam understands her responsibilities as a member of her family and follows an uneasy daily routine. Early in the morning, she takes her sick mother to a nearby hospital and then goes to school until 11 am, after which she attends to the numerous chores waiting at home for her, including cleaning and helping with the preparation of meals. When the chores are finished, Mariam takes her 11-year-old brother to Wasir Akbar Khan, a fashionable area in central Kabul where many wealthy business people, government officials and politicians are known to live.

Mariam says it is for her work. By work, she means begging. The two usually stand in the street for hours until they have collected 200 to 300 Afghanis, (4 to 6 USD), a salary which makes them the most dependable breadwinners in the family.

Their life is not easy. It costs the family as much as 6,000 Afghanis for the rent of their house, for which the monthly salary of 2,000 Afghanis that her father makes

as a guard is by far inadequate. Therefore, responsibility to fill the gap falls on Mariam and her younger brother's small shoulders.

One day, while working in the street, a man without legs approached her and three other children. Preying on their desperate desire to increase their families' meagre incomes, he promised them better employment opportunities. Imagining they would be working as domestic helpers for rich families, Mariam and the other children followed the man to the northern city of Mazar-i-Sharif, approximately 550km away from Kabul.

Instead, the children were received by a criminal gang and forced into prostitution. Mariam served clients all day long and was then forced to sexually serve the trafficker at night. Two weeks after their arrival, the flat that Mariam and the other children were sharing was raided by the police, thanks to a report made by suspicious neighbours.

Upon the safe return of Mariam and the other trafficked children to Kabul, IOM provided assistance to their families, including daily necessities such as firewood, clothes, fuel and food. Preparations have also been made for the provision of health assessments and medical assistance for these children as well as alternative livelihood assistance to reduce their risk of being re-trafficked.

The hardships of Mariam's family do not only stem from poverty, but also from the loss of family members killed during the conflict. She said, "The Taliban came and shot two of my brothers and one sister. I was still a small baby then but my mother went crazy due to these events. As a result, our family is facing big problems."



© IOM 2007 Photo by: Barat Ali Batoor

Mariam talks about her dream of becoming a doctor, "I want to help sick people like my mother in the future." Behind her cheerful smile, however, she still suffers from the flashbacks of her recent ordeal and has difficulties sleeping at night.

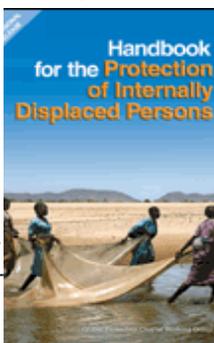
Even after her horrifying experience, Mariam still commutes to Wasir Akbar Khan and carries on with her daily routine to support her family, in the hope that she can pursue her dream of becoming a doctor¹.

*Real name has been changed.

Publications

Handbook for the Protection of Internally Displaced Persons

"This Handbook, which is the result of a collaborative effort involving more than 30 human rights, development organizations provides legal and operational guidance on protection in complex emergencies, in particular in situations of internal displacement. It could also prove useful for protection efforts in other humanitarian settings.



The Handbook is primarily intended for use by staff of international or national organizations, non-governmental organizations and United Nations agencies, particularly

particularly working in the field"².

The report is available at:
<http://ocha.unog.ch/humanitarianreform/Default.aspx?tabid=294>

The Countertraffickers: Rescuing the Victims of the Global Sex Trade

The New Yorker Magazine published an article which tells about counter-trafficking activities in Moldova and those who rescue and assist these victims of trafficking. The article gives an insight into the work of a reintegration officer in Moldova working for IOM³.

Due to Moldova's economic situation, hundreds and thousands of people migrate from and within the country in search of a better livelihood for them-elves and their families. The conditions are favourable for human traffickers, taking into account

the flow of migrants, omnipresent unemployment and poverty.

The article can be viewed at:
http://www.newyorker.com/reporting/2008/05/05/080505fa_fact_

NEW RELEASES

The *Global Eye on Human Trafficking* is a quarterly newsletter published by



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1 Source: IOM Kabul, Afghanistan (May 2008).

2 Global Protection Cluster Working Group. (2007). Handbook for the Protection of Internally Displaced Persons. p2.