**To CEDAW Committee**

**Call for comments:**

**Draft General Recommendation on trafficking in women and girls**

**in the context of global migration**

**Comments submitted by:**

**Cyprus STOP Trafficking**

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Dear Committee members

It is our pleasure and honor to submit this contribution to the Committee.

The contribution in brief:

⇒ A. Title reflecting the holistic approach of the General recommendation

⇒ B. Track and contextualize the evolving character of the phenomenon

⇒ C. Take into consideration the nexus between Trafficking and Asylum

⇒ D. Mainstream the role of technology

⇒ E. Enhance provisions on women and girls’ protection and recovery

**A.**

**I. Title**

Suggested title: DRAFT General recommendation on Trafficking in Women and Girls, its causes, consequences and responses in the Context of Migration

Justification on the following grounds:

- Render the need for a holistic approach visible

- Raise awareness about the need to address root causes, identify consequences and devise appropriate responses to redress the injustice/human rights violations etc.

- Keep causes, consequences and responses in the forefront in order to put emphasis on their ever-evolving character, and highlight the need for State parties to develop effective and efficient living instruments nationally and internationally

(page 1, Title)

**B.**

**II. Introduction**

We would like to invite the Committee to consider adding:

- ‘to track and contextualize the evolving character of the phenomenon’ as following:

‘failure to effectively address the root causes of trafficking in women and girls, to track and contextualize the evolving character of the phenomenon, and to discourage the demand’

 (page 1, paragraph 2, line 3)

Furthermore, to consider include the following:

- an invitation to State parties to develop relevant protocols to operationalize the suggested approach.

- develop mechanisms/partnerships aiming at identifying and coping with the evolving driving forces (Conflicts, Conflict Related Sexual Violence, Gender Based Violence, Poverty as a consequence of economic and other crises, Gender inequality, multiple and intersecting vulnerabilities, …)

- the complex matrix of social hierarchies embedded in each and every society’s institutions and processes, in which gender inequality is inherent, and constitutes an invisible obstacle to victims’ rights satisfaction.

 (page 1, paragraph 3, line 6)

**C.**

**III. Legal Framework**

(page 3, paragraph 10)

We would like to invite the Committee to take into consideration the nexus between Trafficking and Asylum and consider adding the following paragraphs or parts of them.

The large scale of refugee crisis and the negative economic consequences in many destination countries, have led people to negative and racist perception of/behavior towards refugees. Among the refugees, there are also victims of trafficking in human beings. Any behavior of racism or intolerance undoubtedly affects the victims of trafficking, especially women and girls, who remain mainly unidentified. Furthermore, the difference between trafficking in human beings and illegal immigration is not always clear among politicians/key officials.

One major issue which deserves further attention is the abuse of the victim’s identification systems by smugglers. Empirical evidence suggests that, while real victims, traumatized victims, witness difficulties in explaining their situation, smugglers guide refugees – especially women and girls – to tell a false story to the authorities about their alleged exploitation and victimization in order to be identified as victims of trafficking. Once they are identified as victims, they have access to rights provided by law, and at the same time the smuggler has time to arrange their further transition to other countries. This trend, encouraged by the smugglers, creates additional workload to the identification process by authorities, which are well aware of this phenomenon. However, this creates suspicion and a general negative attitude towards the identification of victims among refugees. The fact that both the profile of victims of trafficking and the countries of origin are constantly changing, makes identification even more difficult. As a result, the number of potential victims to be interviewed grows rapidly with tremendous effects on real victims, and when they tell their stories they face rather skeptical authorities, thus running the risk of not entering the identification process at all.

Asylum services are trying to cope with a large number of applications – which makes it almost impossible to identify victims of trafficking. Asylum services are usually among the most important first-line respondents. However, in the absence of specialization and clear guidelines, either victims remain unidentified or people with fake stories are identified as victims.

This phenomenon calls for and demonstrates the need to upgrade identification processes, the need to coordinate at the national and international level, the need to promote specialization, and the need to define trafficking in human beings as a political priority at the international level.

**D.**

**IV. Root causes and discouraging the demand that fosters exploitation through trafficking**

**⇒ Mainstream the role of technology**

The text mentions the role of technology in relation to the recruitment of victims (page 4, paragraph 12).

As technology is a key factor in every aspect, we would like to invite the Committee to consider mainstreaming the technology factor throughout the text, and not limit it to the recruitment of victims.

**E.**

**VII. Disseminating and Reporting**

**⇒ Enhance the emphasis on the Include in the disseminating and reporting part of the General Recommendation provisions on protection and recovery**

’99. State parties are recommended to include information in their periodic reports to the Committee on the legal framework, strategies, budgets and programs that they have implemented to ensure that the human rights of women are promoted and protected within policies, structures and procedures relating to preventing and combatting trafficking in women, as well as in the one relating to protection and recovery of victims.’

‘101. The United Nations specialized agencies, rapporteurs and experts to provide country and regional-specific input to the Committee on the situation of trafficking in women and girls and protection and recovery measures taken as appropriate to the State party under review.’

We would also like to bring to the attention of the Committee the following elements pertaining to the importance of the devastating psychological and other effects, often life-time effects, of the phenomenon on victims of trafficking. The role of protection and recovery is key to victims. Justification is provided and supported by strong empirical evidence collected over the years:

- Victims generally confront a hostile environment/society

- Victims are rarely in a position that allows them to satisfy even basic needs: food, accommodation, a job.

- Their psychological needs, e.g. for dignity and security, are rarely satisfied.

- In patriarchal societies, women can easily become vulnerable, and, depending on their origin, family, education, etc, some may become even more vulnerable.

- Women victims of human trafficking very often come from poor families and/or from poor countries or conflict-torn areas.

- Each victim is a special case, depending on the age she was trafficked, on the duration of the period she was trafficked, on her child experiences, her education and the strength of her character. Clients/perpetrators are also not all the same: For some, it is just business – business as usual. Others are looking for victims in order to express cruel and/or sadistic instincts.

- Each and every victim needs appropriate support, rehabilitation and empowerment to ‘stand on her own feet’ and lead her life anew.

- All victims are anxious and raise fundamental questions like ‘what I’m I going to become?’, ‘what can I do in my life?’ They all want to have a job. Nevertheless, most of them encounter enormous difficulties in adapting to the jobs they are offered and the jobs they say they want. Quite often, they have difficulties in engaging in the process, and they easily quit. They all want to get a better education, e.g. learn a foreign language or operate a computer. Nevertheless, they often lack the necessary energy to invest in their education, as a result of the psychological problems they face, and they quit after a few lessons. Victims feel ashamed of what happened to them, they feel partially guilty for that, they tend not to trust anybody, and they demonstrate a rather hostile behavior to every person that approaches them.

- We need to understand that victimhood is such a devasting phenomenon, that it makes it too difficult to lead a normal life. At least in the beginning, only in a protected environment can victims find jobs that will allow them to stand on their own. Otherwise, victims are revictimized by the same networks, since that is the only option for them to avoid starvation.

- One of the dreams victims cherish is to get married, in order to enjoy protection and security. In most cases, however, this leads to a new painful experience, since living together is a demanding solution, not a simple one.

These evidence-based conclusions illustrate the devastating effects of the phenomenon of trafficking on a victim’s life and livelihood, and highlight the need to put more emphasis on how to secure the operationalization of the protection and recovery aspects, which are crucial in terms of redressing victims’ rights (in the Draft General recommendation on trafficking in women and girls in the context of migration). For example, requiring relevant protocols to be adopted, implemented and monitored by competent authorities, obligation to report to Human Rights Treaty Bodies on them and cooperate with civil society organizations can prove to be instrumental. (page 32, paragraph 99)

Sincerely yours,

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