Workshop III

Access to Rights as Prevention of THB & Violence against Women

Friday, 20 October 2017, Hofburg, Heldenplatz, 1010 Vienna (please look at the signs indicating the rooms for the workshops)

Chair: Viola Raheb, Ass. Professor (post doc), Faculty of Protestant Theology, University of Vienna

Language: English, without interpretation

Structure: short inputs by three practitioners/academics followed by three working groups on three different sub-themes. The experts will be available as resource persons in the working groups. The outcomes of the workshop will be presented in the last panel of the conference, which takes place from 17:30 - 18:30.

Background

Migration, or movement of a person, is one element of trafficking in human beings (THB): it can occur freely or forced and through regular or irregular channels. Trafficking and migration are interrelated issues and therefore human trafficking plays against a backdrop of restrictive border systems and migration control.

Trafficked women in most cases have experienced structural violence, as well as often domestic and/or sexual violence prior to the trafficking situation. Violence has been identified as a potential driver of migration. Vulnerability is a key element of the dynamics of human trafficking and gender-based violence, and there are parallels in the ways in which vulnerability to structural, domestic and sexual violence and to human trafficking are understood. In this workshop the prevention of gender-based violence is contextualized as a preventative measure to avoid human trafficking.

As THB continues to be recognized as one of the most severe human rights violations, legal instruments to protect the rights of vulnerable persons as well as anti-trafficking legislation to prevent and combat THB were adopted. Various international agreements based on public international law have been passed over the last years aiming to protect vulnerable persons and especially women against structural, domestic and sexual violence: the Palermo protocols, the Council of Europe Convention on Action against Trafficking in Human Beings and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) a.o. States have adopted these obligations to ensure
protection. But have these international agreements been taken in to account for the development of recently introduced migration and border control policies?

In the political discourse victim protection is often framed as the protection from retribution of traffickers. A comprehensive approach to victim protection and refugee protection with extensive access to rights is a different concept that will be discussed in this workshop.

**Inputs**

1) Short input by Christine Chinkin, Emerita Professor of International Law and Director of the Centre on Women, Peace and Security, London School of Economics
2) Short input by Isaac Arinaitwe, Program Officer - Networking and Community Development, Platform for Labour Action (PLA), Uganda
3) Short input by Evelyn Probst, Head of LEFÖ-IBF - Intervention Centre for Trafficked Women, Austria

**Working group 1 with Professor Christine Chinkin**

What is the ‘field of maneuver’ if member states prioritize ‘migration control’ over the fight against human trafficking? Which human rights principles should be brought into the Women Peace and Security Agenda and how should they be made applicable to action plans of human trafficking?

**Working group 2 with Isaac Arinaitwe**

What can the EU learn from Uganda as a role model for pioneering a comprehensive approach to refugee protection? What are its potentials and limitations? How does this approach impact the vulnerability of refugees and the prevention of THB?

**Working group 3 with Evelyn Probst**

To what extent are the above mentioned international agreements on combating THB coherent/incoherent with migration and border control policies? How do these policies or political priorities impact the protection of trafficked women and their access to rights in Austria?

**Expected results**

- Participants understand the interconnectedness of international public law standards, human trafficking and migration/border control
- Participants become aware of the pitfalls of one-dimensional and short sided policy solutions and their impact on the human rights of migrants, refugees and trafficked persons
- Participants learn about Uganda’s human rights based approach to refugees with focus on the strength therein to protect them from being victims and the gaps that make them susceptible to being trafficked
- Participants become aware of the impact of gender-based violence as a factor to intensify vulnerabilities to human trafficking
- Recommendations for the implementation of international public law standards in order to prevent THB are made