

Webinar: Ending trafficking and violence against girls and women in the context of global migrations

FINAL REPORT



ENDING TRAFFICKING AND VIOLENCE AGAINST GIRLS AND WOMEN IN THE CONTEXT OF GLOBAL MIGRATIONS

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Ms Hajar Mohammadi **Ms Dalia Leinartė** **Ms Dubravka Vranjanac** **Ms Despina Syrri**

Webinar for civil rights defenders and CSOs representatives, active in the thematic areas of migration, women's, child and human rights, preventing violence and trafficking



On June 10, 2021, NGO Atina organised a webinar entitled “*Ending trafficking and violence against girls and women in the context of global migrations*”. This event was carried out as part of the project NGO Atina implemented in partnership with Women in Development Europe+ (WIDE+) entitled *Expanding spaces for capacity building and exchange to strengthen women migrant movement building across Europe 2021*, with financial support of the Open Society Foundations (OSF).

The main intention of the webinar was to gather civil rights defenders and CSOs representatives from Serbia and abroad, active in the thematic areas of migration, women's, child and general human rights, preventing violence and trafficking, with a specific goal to understand UN CEDAW¹ documents in this respect and utilise them for advocacy actions, with a particular emphasis on the CEDAW General recommendation No. 38 and migrant experiences of the Balkan route countries. At the same time, the

¹ CEDAW – Convention on the Elimination of All Forms of Discrimination against Women.



intention of this event was to indicate practical obligations of the states parties, individual institutions and organisations regarding this CEDAW recommendation. The shared knowledge was to help organisations exert pressure and improve advocacy aimed at state authorities to intensify efforts in prevention and suppression of trafficking in migrant women and girls residing in their territories. Another issue tackled by this webinar was related to the obligations of the states in the context of the enlargement of the European Union, given that many countries in the region are in various stages of pre-accession negotiations.

Speakers at the event were **Dalia Leinartė**, former chair and member of the UN CEDAW Committee, professor at Vytautas Magnus University, and fellow commoner at Lucy Cavendish College, University of Cambridge; **Hajar Mohammadi**, Women's rights advocate from Sweden, who had personal experience of migrations; **Dubravka Vranjanac**, Programme Coordinator in Save the Children, Bosnia and Herzegovina, and **Despoina Syrri**, Founder of the Symbiosis-School of Political Studies from Greece. Facilitator of this event was Milan Aleksić, from NGO Atina. The webinar gathered 115 participants, representatives of relevant international and local organisations, competent national institutions and other individuals active in the area of supporting refugees and migrants and fighting for women's rights and human rights in general. **The event was also livestreamed on NGO Atina's Facebook profile, where it reached 3,954 persons and had 408 engagements (<https://fb.watch/dNxENZadji/>).** Speakers were selected to cover different aspects of women and girls in migrations and to reveal challenges encountered on the ground in the countries of the Balkan migration route. Dalia Leinartė was invited to provide an in-depth view of the work of the CEDAW Committee and deep dive into the General Recommendation No. 38.

At the beginning of the webinar, Milan Aleksić, an activist from NGO Atina, introduced the topic of the event, the speakers, as well as the general work and mandate of the UN CEDAW Committee, as the Committee is mandated by article 21 of the Convention to develop general recommendations with the aim of clarifying states parties' obligations to combat discrimination against women and girls. General recommendation No. 38, which was adopted in late 2020, contextualises the implementation of states parties' obligations to combat all forms of trafficking as stipulated in Article 6 of the Convention, in the context of global migration. This recommendation sets out practical guidance on implementing anti-trafficking interventions that are based on a gender transformative and intersectional approach, with the focus on realising women's and girls' human rights as a strategic priority for achieving sustainable development. This is why it was important to hear about this document and how to utilise it in the field. After the introductory remarks, Mr Aleksić invited **Hajar Mohammadi**, psychologist and women's rights activist, who before moving to Sweden, was a TV presenter in Afghanistan., to address the audience and tell more about her own perspective of a woman in migration.

Hajar Mohammadi, said that "many people ask her what it is like to be born and raised as a woman in Afghanistan, and that her answer is always the same and simple: **every fight is your fight** - you have to fight and conquer all your basic rights, even though they should be guaranteed to you. One has to fight for the right to education, the right to decide, the right to work, the right to choose a husband, or, in other words, a woman in Afghanistan has no right to make decisions about her own body". She stressed that "a



woman there is a property and not a person, and when war and insecurities are added to that, it no longer makes sense to be strong and to fight; one must escape and save her own life”.

Hajar Mohammadi shared her personal experience of migrations, travelling from Afghanistan all the way to Europe. She emphasised that migrations and their consequences became a major challenge for many, and that various dimensions of the migration flows have affected different parts of their lives. Mohammadi said that at the end of 2015, she was forced to migrate from her home country, and that this journey became a two-year experience of a dangerous migration path (instead of having a 6 hours flight as people usually do). During that period, she experienced numerous situations, saw different people, and witnessed different stories of other women on the move. According to her experience, the worlds of migrations from the inside and outside are two completely different stories. She illustrated this with the following words: **“When you meet a migrant woman, she will talk to you and share her experiences, thoughts and feelings through the narrative that you can handle, but her unique experience is deep inside her, it is written in every step she has taken in order to be where she is now, it is written in her dreams and her fears which were not shared, in every breath she took before she fell asleep in an unknown place on the road while she was scared of being raped, robbed, or separated from her family.”** Mohammadi emphasised that she personally felt terrible fear during her stay in the reception centre, when someone told them that the door lock was broken, which meant that someone could enter the room while they were sleeping.

She also spoke about the consequences of violence and behaviour of women after they experience violence. In this respect, she said that **when abuse occurs, women and girls in many cases do not seek help due to lack of resources and support systems.** She witnessed situations where family members of migrant women and girls made decisions for them that further endangered their lives and well-being. What she learned, and what must be understood is that these women and girls also have plans and ideals to achieve, that they hope for better conditions to study or work in the destination country, they hope to have equal rights and decide for themselves, and that is what’s keeping them alive and moving. At the same time, the migrant road is covered with many obstacles for all women and girls, and every battle on that road is still their battle, not only in Afghanistan or Iraq or Syria, but also in Serbia, Sweden, or in any other country. They are faced with multiple discrimination based on their origin, ethnicity, or gender. **“Migrant label” follows these women and is sometimes directly linked to a situation of social isolation, stigma or violence they are facing. Hajar Mohammadi concluded by saying that migrant women and girls need strong allies all over the world, from every field – they need governments not only to adopt the strategies but also to implement them, international bodies and mechanisms to find ways to monitor those improvements, and to define sanctions. Migrant women also need CSOs and women activists to fight with them in conquering their social, economic, and political rights all over again, and prevent the neglect of these rights by the system and its structure. Finally, they need every woman in the world to see and understand them as a woman.**

After her inspiring speech, the audience was addressed by **Dalia Leinartė**, a CEDAW Committee member and expert in this field. At the beginning of her presentation, she expressed her thanks to NGO Atina for the

format of the event which enabled understanding different aspects of the issue, but also to Hajar Mohammadi, for sharing her experience within migrations. Because of this, she said, it is easier for her to connect it with the efforts made by the CEDAW Committee. Dalia Leinartė introduced the UN CEDAW convention, as well as the work of the CEDAW Committee. She said that this convention was adopted in 1979 and that its shortest article, number six, is of particular importance for the webinar, as it states, „*Take all appropriate measures including legislation to suppress all forms of traffic in women and exploitation of prostitution of women*“. She explained that never before in CEDAW’s history, or in any legislative history of any country, has this sentence been more developed and more explained than in **General Recommendation no. 38 on trafficking in women and girls in the context of global migration**. Leinartė said that the CEDAW’s General recommendation No. 38 is very complicated at the first glance, but its essence is very simple. She said that **this document is aimed to identify root causes of trafficking in women and to address them. These root causes, according to the document, are socio-economic injustices, situations of conflict and humanitarian emergencies, discrimination in asylum regimes, demands that foster exploitation and increased use of digital technology in trafficking.** Dalia Leinartė explained that the idea behind the General recommendation No. 38 was to suppress trafficking in women and girls through improving victim identification, supporting them, and enabling protection services in all stages of migration. At the same time, this general recommendation also calls state parties to take the following actions: investigate, prosecute, and convict all perpetrators involved in this crime, including those on the demand side; bring perpetrators to justice and secure adequate financial remedies for victims; In this regard, she underlined that General recommendation No. 38 recognises prostitution as gender-based violence against women, and added that their stance is that it should be abolished or fought and never recognised as a job.

After being asked why the topic of combating violence against women and girls is more important today than ever before, and why it resulted in adopting this General recommendation, Dalia Leinartė explained that the necessity to address this topic was evident for many years, however, CEDAW Committee started thinking about ways to develop new and particular general recommendation for this issue in 2017. There were three topics suggested by all members of the CEDAW Committee in this respect – cultural stereotypes, indigenous women, and trafficking in women and girls in the context of global migration. The topic of trafficking in women and girls was selected as the first priority, and they agreed to elaborate Article 6 of the Convention in more detail. Dalia Leinartė reminded that, every four years, governments write to the CEDAW Committee in Geneva and report on the implementation of the Convention. **She said that in regard to the Article 6, state parties were stressing in their reports that they have national laws regarding traffickers, that human trafficking is criminalised, that they have strategies, action plans, some funding, commissions created on a very high level, to combat trafficking, etc. However, she added that when they were asked about the number of perpetrators they brought to justice in the 5-year period in their countries, they would say only 2, 3, 5, which is basically nothing.** Furthermore, through these national reports, the CEDAW Committee saw that the language used in the reports on Article 6 was gender neutral, and nobody talked about trafficking in women and girls, or about trafficking in migrants, only about a general concept of trafficking in human beings. **At the same time, it must not be**

forgotten that trafficking for the purpose of sexual exploitation of women and children makes around 80% of this form of trafficking. Therefore, it was clear that new conceptual approaches should be made, and this is why the CEDAW Committee decided to develop a new general recommendation to particularly tackle this issue.

Dalia Leinartė was then asked to reveal the role of civil society in drafting this general recommendation, as the CEDAW Committee had invited interested organisations to submit their comments and inputs, and possibly make this document better and more accurate. By answering this question, Leinartė said that after their initial work on developing the document, they asked interested public, governments and civil society for their comments, and that was the first time that CEDAW Committee asked for such comments. They received over 200 written submissions, and after studying all of them from different angles, they incorporated different approaches into the first draft, after which it was open for a one-day general discussion which was also opened for civil society and governments through their missions accredited to the UN in Geneva, Switzerland. All in all, CEDAW Committee received around 300 written submissions and comments during this process. Leinartė said that in some of them, for instance, the Committee was asked not to talk about prostitution, but to focus only on trafficking of women in migration, or to split Article 6 into two parts and design General Recommendation No. 38 only to cover trafficking in women and girls by using economic concept of trafficking and connecting it to the labour market. However, the CEDAW Committee refused to reshape the draft, stating that Article 6 cannot be split into two parts. In this respect, Dalia Leinartė concluded that the essence of the General recommendation is primarily based on the CEDAW Convention itself, then on the 1949 Convention on abolishing prostitution and combating trafficking in human beings, UN Palermo Protocol, and on other relevant documents. Leinartė also provided insights into the very content of the General Recommendation No. 38 by saying that the issue of assistance and protection of victims is particularly stressed in the document and that special attention is paid to the gender perspective.

After this detailed presentation on the work of the CEDAW Committee regarding the General Recommendation No. 38, **Dubravka Vranjanac** from Save the Children's office in Bosnia and Herzegovina spoke about the current situation in the country. She explained that, for the last couple of years, Bosnia appeared to be among the most exposed countries on the Balkan migration route, being the exit post for migrants travelling towards the European Union. At the beginning of her speech, Dubravka Vranjanac spoke about the general migration situation in Bosnia, which began emerging in that country in 2018. Since then, around 75 thousand refugees and migrants officially transited through Bosnia, but there is no available information on how many among them were women and girls. According to her, accurate and continuous data on gender in migration is not available in many countries in the region, not only in Bosnia and Herzegovina. She pointed out that there are around 7,000 refugees and migrants currently staying in Bosnia. A significant number of them reside outside the reception centres, and many of them are actually women and girls. At the same time, while staying out of the reception centres, many of these women and girls do not have access to necessary services, nor protection, as they mostly stay in unsafe, private accommodation and in abandoned houses.

Dubravka Vranjanac then said that Bosnia and Herzegovina is considered a transit country and that almost everybody from the migrant population tried to rapidly leave by crossing the border with Croatia, and pass to the EU. This also means that these migrants (women and girls included) are also trying to avoid the officials and go through the country undetected. **They choose to cross the borders through hidden and invisible posts and paths, and are mostly travelling in groups among whom are often smugglers as well, which represents an issue in itself. In this respect, Dubravka Vranjanac mentioned the research *Girls on the move* which Save the Children realised in Serbia, BIH and Greece, which revealed that migrant girls were travelling with smugglers at least in one part of their journey. According to this research, smugglers are perceived by these girls as very powerful figures whom their lives depend on during the journey.**

This led the discussion towards other challenges faced by migrant women and girls and by supporting organisations. Dubravka Vranjanac said that one of the major challenges is the identification, as most refugees and migrants come without any personal documents, and because family profiling procedures were often slow and insufficiently developed. **Even though women and girls often travel alone, they usually claim that they are accompanied by members of their families. This means that unaccompanied girls are particularly difficult to identify, as they feel better protected when travelling in groups. On the other hand, these girls are sometimes not in groups because it makes them feel safer, but rather because they are threatened and forced to claim that they are a part of the family. This opens another question: do these women and girls perceive those who should help them (police, other institutions, civil society organisations) as less powerful than the persons they are afraid of? In other words, how could actors on the ground convince them that they can provide effective protection?**

Dubravka Vranjanac also reflected on support services that should be available to migrant women and girls, including accommodation, food, and non-food items. She said that women and girls are most often prioritised over other groups because they are perceived as particularly vulnerable, and would be the first ones to be accepted in the reception centres if there is not enough space for everyone. At the same time, men are not prioritised and it is much harder for them to access the accommodation. This carries an additional risk for women, as men would try to reach services by pretending that they are travelling with their family. At the same time, Vranjanac underlined, there is a lack of specialised services for women who are identified as (potential) victims and survivors of violence, and also the lack of access to durable solutions. She concluded with some illustrative examples and said that the right to asylum is difficult to obtain in Bosnia, as is the sustainable integration of migrants. In line with this, the resettlement procedure for particularly vulnerable individuals is also not available in cases of family reunification. Consequently, family members usually do not choose to go through the legal procedure, but rather put themselves at risk and travel alone or with smugglers just to reunite with their family members in other countries.

After the detailed presentation on the situation in Bosnia, **Despoina Syrri** from Greece introduced the current migration situation in her country, which is an entry point on the Balkan migration route. She said that the issue is not only how to develop more international legal instruments to combat trafficking, but

also how to carry it out in practice, and how it would affect the lives and everyday realities of migrants and refugees, asylum seekers, trafficked women, girls, boys, CSOs representatives and humanitarians working on the ground in Greece and other countries. Syrri emphasised that the situation in the border countries in the periphery of the EU is becoming more aggravating daily. She illustrated it by the fact that only two days before, a decree in Greece was signed by two ministers, stating that asylum applicants from Afghanistan, Syria, Bangladesh, Pakistan and Somalia, which compose 70% of the asylum seeking population in Greece, will not be accepted. She added that, at the same time, Turkey is considered a safe country for asylum seekers and that this was also the cause for such a decision of the Greek government. However, according to Despoina Syrri, this was not solely a decision of Greece, but reflected the stance and policy of the European Commission as well: the EU is externalising its migration policy and making it more and more repressive.

Despoina Syrri stressed that Greece is also a destination country, and one of the European entry points for migrant women victims of trafficking who are mainly trafficked for sexual exploitation, forced labour, or forced begging. She said that most migrant women and girls report having been sexually abused during the journey and exploited for financial support or transport. **In Greece, many cases never get reported due to these women's fear of stigma or retaliation, limited access to services, but also the lack of awareness about the benefits of seeking care through reporting violence and exploitation.** There are also gaps in the provision of support services to these women: for example, survivors of intimate partner violence may not be informed about the right to have separate asylum claims from their partners, and this may force them to stay in abusive and dangerous relationships, including a trafficking situation. In the past six years (since 2015), nearly 2 million people entered Europe from Greece, and only few victims of trafficking were identified during the reception and identification process. She added that NGOs on the ground reported that many migrants were recruited by traffickers and exploited for different purposes while waiting for their asylum procedure to be completed. At the same time, frontline workers lack experience to deal effectively with gender specific needs and require additional support to incorporate GBV awareness, sensitisation and capacity building into their programmes. There are also various other challenges encountered by refugee and migrant women: Syrri mentioned obstacles related to the lack of reproductive health services for migrant women, lack of access to other rights and services, as well as an inadequate response of the competent authorities. Finally, COVID-19 brought even more challenges in this respect - the limitation of movement, slow vaccinations of asylum seekers and refugees, etc. She underlined that civil society and media continue to report incidents in which the authorities allegedly assaulted and harassed refugees and migrants, possibly removing them to Turkey via pushbacks.

Despoina Syrri spoke about the shortages in the victim identification process. In this respect, she said that observers reported a lack of identification efforts to victims of forced labour, particularly in the agriculture sector, cleaning and domestic service, and in the tourist industry. Practical identification amongst vulnerable and accompanied children also remains inadequate, especially for those recruited for sexual exploitation. At the same time, labour inspectors reported difficulties in conducting inspections in rural areas, while migrant and refugee centres are often situated in the vicinities of small towns, often quite far away from the reach not only of inspectors, but also trained police forces. Furthermore, the government

lacks capacity, resources and space to provide assistance and accommodation. Victims wait up to two years to receive official status and court proceedings often last two to six years, which hinders cooperation from victims as key witnesses, especially if they are migrants and asylum seekers. This results in many acquittals of suspected traffickers, as victims from the migrant population often leave the country during that period. After being asked why the number of identified victims of trafficking among migrants is low, Syrri said that state authorities actually did not know how to react properly after the migrant crisis emerged in 2015 and that they are still mainly focused on its humanitarian aspect. She illustrated this and concluded her presentation with the case of a young Afghani woman who had been repeatedly raped and trafficked during her journey to Greece. As a consequence of the survived exploitation, this woman tried to commit suicide but was saved and recovering in a hospital. Syrri pointed out that authorities were busy trying to save her life, and did not provide her adequate support, nor identified her as a victim. This supports the conclusion that the response is still reactive rather than proactive.

Facilitator Milan Aleksić followed up this presentation by stating that the issue of low identification is a challenge shared by all countries on the Balkan migration route and that it was one of the issues particularly tackled by the General recommendation No. 38 and the CEDAW Committee itself. Dalia Leinartė emphasised that the issue of victims' identification is reflected in the General recommendation No. 38, but also in some other documents. She reminded that in many cases the identification process is performed only by border officials, which is not enough: it is necessary to ensure and provide an interdisciplinary team to carry out identification of women and girls who are victims of trafficking. Leinartė then mentioned a particular optional protocol issued by the CEDAW related to the victims' identification, including women and girls who experience sexual atrocities and forced prostitution. Constructive dialogues with state parties through which the CEDAW Committee is trying to convince governments to change their laws in accordance with the CEDAW legislation is one such tool. Shadow reports the Committee receives from different NGOs in various countries is another tool they rely on. She concluded by saying that through this particular work with civil society, CEDAW Committee also has a more comprehensive view on the situation in particular countries, as well as better recommendations for state parties.

Hajar Mohammadi said that it was obvious many things are difficult during migration and that it could be seen through his particular discussion as well. She reflected on her own experience by saying that she understood all the governments have different strategies. Mohammadi expressed dissatisfaction with the fact that some countries on the migrant route consider Afghanistan, her home country, a safe country and push people back, even though the situation was anything but safe. On the other hand, she pointed out that there are some people who try to help migrant women everywhere, and that the webinar also brought many new ideas on how to help these women. **Despoina Syrri said that civil society activists can strengthen the unity of different actors on the ground and that this unity can be the solution in difficult times, when democracy is threatened, but also when implementation of some international agreements such as the Istanbul Convention is under question. According to her, it is important to put joint efforts in sharing resources, knowledge and expertise, because it is far easier to work together. Also, as the webinar has shown, the involvement of migrant women and refugees in the discussion is of great importance; they should also be involved on the ground, in projects, etc.**



Dubravka Vranjanac added that there is a lot of space to improve cooperation aimed at supporting women and girls and all the others who are at risk. Unfortunately, according to her, the situation in Bosnia and Herzegovina was considered a humanitarian crisis, and the focus was on the basic needs - on provision of shelter, food items, medical support, while addressing the long-term risks and needs was neglected. There is a lot of space to start mainstreaming protection and raising awareness on the risks of trafficking and gender-based violence. There is also a lot of space to start introducing many of the capacity building initiatives, to provide different support services on the ground, and to monitor the situation. She stressed that in the coming period there should be more opportunities to discuss the protection risks that migrant women and girls are facing in Bosnia and Herzegovina, even though the general stance is that there are not many of them there, and that they would quickly leave the country.

NGO Atina is thankful to these four outstanding women, activists and fighters, and to all those who were present at this occasion and who are interested in the subject. Definitely, these elaborations show there is a lot of space for all the interested actors to work together and be united in resolving the problems and challenges mentioned throughout the discussion. This webinar for sure touched upon things that can help the professionals in their future work, but also showed how to utilise the CEDAW document in their work.