



Best practices and challenges and the roll of the NGO in a multidisciplinary-action approach in protecting victim's human rights



The purpose:

Sharing the best practises in protecting
Human rigths for victims in Spain

Where is Wally?



2005 RECTP was founded

(for 8 NGO, and international org.)

Why for?

We need to understand what was going on in our country, we need to looking for answers.



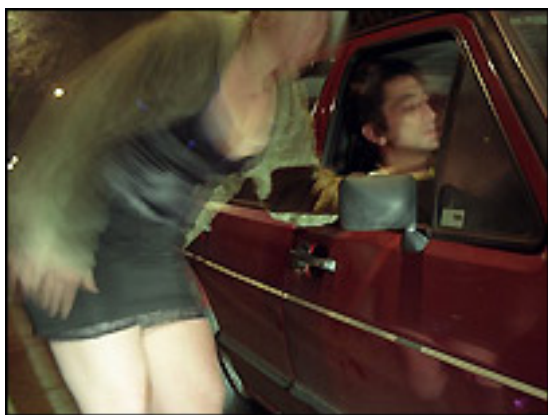
What about victims?



National Human Rights structures?



2005 How was the protection of the human rights of the victims?



LEGAL ANSWER

Penal Code> trafficking was confused with smuggling
Spanish: trata/ tráfico

Immigration law> 59 art. Some protection conditioned to
collaboration with authorities

POLICE ANSWER

Under a migration control

NO PROTECTION

NO MEDIA AND SOCIAL ATENTION

NO POLITICAL WILL



1st good practice > Our NETWORK

- **25 recognised NGO**
- **multidisciplinary and multisectorial approach**
- **under a common human rights approach**
- **OUT of prostitution debate**





2010 How IS the protection of the human rights of the victims?



2008 Spain ratified the European Convention

2009 Integral Plan against Sexual Trafficking

2009 Immigration law

2010 Code Penal

2009 Asylum law

2009 Social Forum against trafficking

From 2009 awareness actions

2010 1st oficial DATA and studies

2010 policies training plan

2010 resources from victims mapping

What about the impact on the victims?



Looking for the good practices





International framework human right

European Convention against Human Traffin

OSCE

UE Directive

UN special repourter > complains; CEDAW

Comparative with another countries



May be it is not a NATIONAL BEST PRACTICES BUT IT IS ESENCIAL FOR
ADVOCACY and improving the HR of the victims



2nd good practice > Ombudsman Office

Supporting our public denounces

Collaborating with cases

Making an specific report



ACTUALLY THE UNIQUE HR NATIONAL STRUCTURE THAT WE CAN RECOGNIZE



3th good practice > informal collaboration with the police

Asking for supporting to the victims

We can provide > information

shelter

CONFIDENCE

The progressive supporting to the victims



**THE MORE COLLABORATION THE MORE HR PROTECTION AND THE MORE
CRIMINAL PERSECUTION**



4th good practice > law enforcement training plan

Training provided by NGO

HR Approach

How to collaborate with NGO

Understanding trafficking

2010 A National police plan



Informal collaboration and limited to specific areas and low enforcement



5th good practice > collaboration in REPATRIATION

IOM Special Program Voluntary repatriation

Trafficking victim has priority in case of repatriation
(from a week to a month)

Sometimes and in some countries it's taken into
consideration the risk assessment and our NGO can
facilitate local NGO contact to the victims.

Embassy collaboration: Rumania

Informal collaboration and limited to specific areas and low enforcement



SHOULD BE A GOOD PRACTICE: PROTOCOL OF COLLABORATION WITH NGO IN THE IDENTIFICATION

It's written in law but not implemented

The unique responsible for the identification is the
POLICE

An informal collaboration is still working based on the confidence between the specific police and
NGO

GOVERNMENT HAS A STRONG DISTRUST OF THE NGO BECAUSE OF A POTENTIAL ABUSE TO OBTAIN THE RESIDENCE PERMISSION



**SHOULD BE A GOOD PRACTICE:
SOCIAL FORUM AGAINST SEXUAL TRAFFICKING**

Members: Government (9 Ministries; 2 regional Gov, Municipality Federation and civil society)

It's supposed to be a coordination tool

Spanish network proposed a working group to analysis how to implement the new law through the main difficulties for the victims

NOW IT IS JUST USEFULL FOR THE GOVERMENT, NETWORK IS ABOUT TO GIVE UP



SHOULD BE A GOOD PRACTICE: DATA ABOUT TRAFFICKING

2010 1st official data

Police data: 1.300 victims; 6.000 potential victims, origin countries
(Rumania, Brasil, xxx detentions)

No single indicator about protecting human rights

WITHOUT DATA INDICATOR ON HR IS NOT POSSIBLE TO KNOW THE REAL VICTIM PROTECTION



SHOULD BE A GOOD PRACTICE: NEW ASYLUM LAW

2009 new asylum law recognizes the possibility to ask for international protection based on gender.

Trafficking is a reason to ask for protection in certain cases based on a personal situation of the victim.

All cases are denied before admitting

GOVERNMENT HAS TO CLARIFY THE INTERPRETATION OF THIS LAW



SHOULD BE A GOOD PRACTICE:

NEW IMMIGRATION LAW: NGO AND DETENTION CENTERS

- 2009 Immigration law recognized the NGO right to enter in the detention center.
- No jet implementing (It needs to development in a regulation)
- In Madrid center all women come from raids in prostitution
- Mostly of them are under risk of expulsion without guarantees.
- New police indication for the reflection period: a possible victim should not be in a detention center...

DETENTION CENTER IS A IMPORTANT PLACE TO IDENTIFIED AND SUPPORT VICTIMS. THE NGO SHOULD BE WORKING THERE



SHOULD BE A GOOD PRACTICE:

THE COORDINATOR ROLL OF THE MINISTER OF EQUALITY

Integral plan against sexual trafficking is coordinated by the Equality Ministry

It's a new Ministry without resources

Equality is the contact for us but decision maker are in Domestic Affair Ministry

THE ADD VALUE OF THE EQUALITY MINISTRY MUST BE MORE CLEAR AND IMPORTANT



CHALLENGES



NGO COLLABORATION PROTOCOLS:

-IDENTIFICATION

-COORDINATION FOR AN INTEGRAL SUPPORT VICTIMS

specific resources for MINORS



SOCIAL FORUM AGAINST TRAFFICKING

- as a real and effective coordination tool



SISTEMATIC TRAINING

-To the law enforcement and all actors involved



OUR ROLL DEFENDING HUMAN RIGHTS OF VICTIMS

1^o BEING CLOSE TO THE VICTIMS

providing information and support

In a necessary confidence atmosphere

Improving coordination among our NGO and local NGO for prevention and reintegration into society

NGO must collaborate with the law enforcement under a common human rights approach



OUR ROLL DEFENDING HUMAN RIGHTS OF VICTIMS

2^o DEFENDING HR OF VICTIMS

NGO has to remember to
Government its duty about HR

Whatching and asking for data

Figthing for cases

Public denounce



advocacy



OUR ROLL DEFENDING HUMAN RIGHTS OF VICTIMS

30

AWARNNESS ACTIONS

Before a lack of a will political it's necessary to involved the society

campaigning

**MIÉRCOLES
6
MAYO
18 hs**

**BASTA DE
TRATA**

MARCHA - COLON Y CANADA



Exigimos

- *Registro público de mujeres, niños y niñas desaparecidas/os
- *Que toda denuncia de desaparición se trate como posible caso de Trata de Personas

¡TE PUEDE PASAR A VOS!

EN CORDOBA OPERAN REDES DE TRATA
¡SI SE LLEVAN A UNX, NOS LLEVAN A TODXS!
¡SU LLANTO NO PUEDE PERDERSE EN EL SILENCIO!

**¡LAS ESTAMOS BUSCANDO,
LAS QUEREMOS CON VIDA!**

Comisión Basta de Trata bastadetrata@hotmail.com

