

18th July 2011: General Discussion on the Protection of Women's Human Rights in Conflict and Post-Conflict Contexts.

Mme Chair, members of the Committee, distinguished delegates and colleagues from civil society, GAATW a network of 107 anti-trafficking organisations in 43 countries in Asia, Africa, the Americas and Europe, is deeply concerned that responses by countries of destination to influxes of migrants fleeing conflict are not only contributing to trafficking in women; but also re-victimising trafficked women as well as leaving them un-identified and unable to seek remedies.

Transit and destination states for migrants fleeing conflict often seek short-term extreme policy fixes to restrict influxes of migrants such as temporary severe border restrictions or visa regimes; readmission agreements with countries which do not respect international refugee law and human rights standards; heightened surveillance and security measures; and mass detention and processing centres. Such measures impact negatively on women's exercise of their human rights and in particular result in failures to identify and offer support to trafficked women.

The High Commissioner for Human Rights noted (Opening address: HRC 17th Session) that many migrants fleeing the recent North African conflicts 'have faced unimaginable suffering while stranded between borders' and highlighted one consequence of States protection failings as migrants' falling 'prey to traffickers and other criminal gangs'.

GAATW's specific concerns relate to Articles 2, 6 and 12 of CEDAW:

- Failures to take positive steps to protect women migrants from exploitation in States of transit and destination directly contribute to women's vulnerability to physical and sexual violence and result in inadequate anti-trafficking prevention and protection frameworks;
- Stigma and discrimination against women reduce their ability to seek information, assistance and remedies for harms committed against them including human trafficking;
- Heightened border security as well as a high prevalence of reported discrimination against women and physical or sexual violence including rape by immigration officials causes migrant women to seek assistance from third parties in order to circumvent restrictions, leaving them open to human trafficking and other forms of exploitation;
- Immigration detention has severe health consequences for pregnant and lactating women for whom facilities are rarely adequate, and prolonged detention and isolation causes women to suffer severe mental health problems: vulnerability to trafficking is increased.

Transit and destination states for migrants fleeing conflict should ensure female migrants' human rights are respected, protected and upheld by, *inter alia*:

- Adopting comprehensive gender sensitive migration protection policies;
- Providing gender and human rights training to border and immigration officials;
- Ceasing all arbitrary detention of migrants and ensuring that detention establishments are not used to house pregnant or lactating women;
- Ensuring adequate identification and processing measures are in place for cases of trafficking, asylum claims and refugee status including prohibiting the use of unmanned aerial vehicles for border security;
- Forging bilateral and multilateral migrant protection agreements between sending and receiving states, which take into account the gender specifics of migration particularly in conflict contexts;
- Fostering contact and collaboration between women migrants fleeing conflict in order that they might support each other to avoid exploitation; and
- Addressing discrimination, xenophobia and prejudice in societies, which can impact most on female migrants.

Thank you, Mme Chair

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