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The Human Trafficking Legal Center and Dechert LLP Release Practice Guide
Using the Optional Protocol Under CEDAW to Combat Human Trafficking

WASHINGTON, D.C. – The Human Trafficking Legal Center and Dechert LLP today announced the publication of a new practice guide, “Using the Optional Protocol Under CEDAW to Combat Human Trafficking.”

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its supplemental treaty, the Optional Protocol, provide powerful tools to combat discrimination against women and to promote the rights of women and girls. Women’s rights advocates have successfully used CEDAW’s Optional Protocol to hold states accountable for their failure to protect women and girls from gender-based violence and discrimination.

A Dechert LLP pro bono legal team, collaborating with the Human Trafficking Legal Center, conducted extensive research on individual complaints filed under the Optional Protocol’s communications procedure since the supplemental treaty entered into force in 2000. Law students at NYU’s Law Students for Human Rights program also provided invaluable research and analysis.

Although the CEDAW Convention specifically addresses human trafficking violations, research revealed that there have been no majority opinions under CEDAW’s Optional Protocol to date that have directly addressed human trafficking on the merits. As of October 2018, trafficking survivors have filed six communications against four countries alleging violations of CEDAW’s human trafficking provision. Five communications were dismissed and one is ongoing.

Martina E. Vandenberg, president of the Human Trafficking Legal Center, said, “The CEDAW Optional Protocol has enormous potential to provide remedies for trafficked women and girls, yet it is one of the most under-used international complaint mechanisms. We hope that this practice guide will be used widely to ensure that countries prevent, investigate, and punish

human trafficking. We believe that this mechanism will be particularly useful in combating domestic servitude, a form of forced labor that harms women and girls around the globe.”

Sarah Bessell, staff attorney at the Human Trafficking Legal Center and author of the practice guide, stated, “The CEDAW Optional Protocol has been used to secure significant advancements for women in the areas of domestic violence, forced sterilization, and employment. It will also provide a powerful vehicle to combat human trafficking.”

Suzanne Turner, Pro Bono Counsel for Dechert LLP, said, “We were delighted to work with The Human Trafficking Legal Center on this project. This pro bono partnership highlights the importance and possibilities of using the CEDAW Optional Protocol to protect victims of human trafficking.”

The Human Trafficking Legal Center connects human trafficking survivors with highly-skilled pro bono attorneys, holding traffickers accountable for their crimes through civil litigation and criminal restitution. The Human Trafficking Legal Center maintains databases of civil and criminal federal trafficking cases filed in the United States. The organization conducts in-depth research on human trafficking trends and victims’ rights. For more information, please visit www.htlegalcenter.org.