

## Handout D3S4:

### **Labour monitoring & inspection as prevention of exploitation trafficking.**

#### **Examples of Good practices & Lessons learnt<sup>1</sup>:**

##### **Mobile inspection unit, Brazil**

One of the measures to combat forced labour in Brazil has been the creation of a Special Mobile Inspection Unit (Ordinance No. 550 MTb of 14 June 1995); a flying squad of labour inspectors and federal police officers. Both are drawn from a body of volunteers, none of whom operate in their federal state of residence for reasons of personal safety and independence from local pressures. Their job is to investigate allegations of forced labour on “fazendas” (rural farm estates or ranches). Sometimes labour judges are also part of the unit so that prosecution can be done swiftly and on the spot.

Regular evaluations of the operations of this Unit have pointed to two main criteria for effectiveness: centralized organisation and absolute secrecy in planning. Attempts to decentralize activities have proved unsuccessful in that news of inspection raids has invariably reached landowners in advance, enabling them to disperse workers or to cover up the situation.

The low-budget inter-agency team has proven crucial in the fight against forced labour. The investigative work of the mobile inspection teams has been replicated at the local and state level. The municipality of Vila Rica, in the state of Mato Grosso do Sul, set up a commission with the participation of the Mayor’s office and municipal council, and the agriculture producers’ and rural workers’ organisations. Upon receiving allegations of forced labour, the commission negotiated with local landowners and intermediaries. The very threat of calling in the Mobile Inspection Unit, and the prospect of fines, has facilitated negotiations. The Mobile Inspection Unit has only been brought in if such negotiations have broken down.

Source: Human Trafficking and Forced Labour Exploitation: Guidance for Legislation and Law Enforcement, Geneva 2005

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<sup>1</sup> Source: ILO publication: “FORCED LABOUR AND HUMAN TRAFFICKING - A Handbook for Labour Inspectors”, ILO, 2008

### **Trade union action in collaboration with labour inspectors in China**

In 2002, the All-China Women's Federation (ACWF) in collaboration with the Chinese Ministry of Social Science has set up a legal supervision system in organisations affiliated with ACWF to check working conditions of women workers. The main tasks of the trade union supervisors is to focus on gender discrimination, compliance with labour law regulations regarding women workers, arrears in wage payments, abuse of women workers, illegal child labour and employment situations without contract. In parallel, several workshops focusing on women labour rights have been organised to further strengthen legal regulations.

### **Joint inspections in Italy**

Personnel from the Carabinieri Command for the Protection of Labour operate under the Ministry of Labour to monitor the application of labour law and social security regulations. They target especially vulnerable groups of workers such as foreigners or minors. Their main task is to fight against illegal and disguised employment, exploitation of labour in "sweatshops", trafficking in human beings and the elimination of inhuman working conditions, including slavery. The detection of fraud, the illegal deduction of social contributions and the receipt of public funding under false pretences are also detected by this specialized unit.

The personnel are trained to qualify as Labour Inspectors as well as Agents and Officers of the Judiciary Police. Operations are carried out autonomously, or to support the Carabinieri territorial units or other law enforcement authorities (such as Labour Inspectorates and police) in enforcing labour legislation. The Command (including 102 local groups at district level) monitors, prevents and suppresses violations of labour and social security legislation, carries out analysis and studies on economic and labour market trends, and also provides workers with legal advice.

In 2005, the Command carried out more than 24,500 inspections (covering 128,000 workers), and denounced to the judicial authority more than 10,000 persons of which 188 were arrested, mainly for crimes linked to labour exploitation of third-national irregular immigrants. In the Operation "Marco Polo", carried out at national level, more than 90 persons linked to Chinese businesses have been arrested for offences related to the exploitation of irregular migrants.

Source: Combating human trafficking for forced labour exploitation. Good practice from Europe, ILO/ICMPD, 2006.