



# **SPECIAL ACTION PROGRAMME TO COMBAT FORCED LABOUR**

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## **TRAFFICKING FOR LABOUR EXPLOITATION: ILO APPROACHES**

**Statement to OSCE Human Dimension Implementation Meeting,  
Working Session on Trafficking in Human Beings  
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### **Distinguished delegates,**

I would like first to congratulate OSCE and ODIHR for devoting this session to the important matter of labour trafficking, asking such key questions as to the measures taken by States to combat trafficking for labour exploitation, the features of labour markets that might lend themselves to such exploitation, and who are the key civil society partners for effective action against this form of trafficking.

These questions have been at the heart of the ILO's approach, since almost six years ago we first began to do systematic work on this problem, and to bring our research findings to the attention of such key international partners as the OSCE. I am glad that we have been able to participate actively in the two high-level OSCE meetings on this concern, in 2005 and 2006. Moreover, we have increasingly moved beyond research and awareness raising to practical cooperation on the ground. In January this year we commenced a new project – with the OSCE and the International Centre for Migration Policy Development as our principal partners, and funded by the EU TACIS programme – to develop a comprehensive

anti-trafficking response in countries of the Caucasus. It aims to contribute to the prevention and elimination of all forms of trafficking in this region by improving anti-trafficking responses, and by systematically including labour market issues in national programmes.

I shall not say much today about concepts of forced labour and trafficking, or about the facts in individual OSCE countries. These have been amply covered in our 2005 global report, *A Global Alliance against Forced Labour*, and in the more recent *Eradication of Forced Labour* report presented by the independent Committee of Experts on labour standards to this June's annual ILO conference. The Committee concludes that: "The increasing trend of the trafficking in women and children, as well as men, for the purpose of forced labour stands out as the most urgent problem of the twenty-first century in relation to Convention No. 29" (the ILO's principal instrument against forced labour, now ratified by almost all member States). It calls for an effective judicial system to prosecute traffickers, strict application of penal sanctions, as well as prevention measures, together with effective protection of the victims of trafficking which can itself contribute to law enforcement.

Initial research by the ILO and others has now done enough to capture basic trends of labour trafficking. It is present throughout the OSCE region, as either sender or destination countries or a mixture of both. It affects in particular irregular migrants (mainly women as domestics or entertainment workers, mainly men in construction, both sexes in a range of other sectors including agriculture, textiles, restaurants, food processing or cleaning). While most likely in the underground or informal economy, it is also penetrating mainstream economic sectors such as supermarkets, particularly when there are recruiting intermediaries and subcontracting chains with inadequate licensing or other regulations. Open violence and physical coercion are rare. But a host of subtle mechanisms, such as document confiscation and false contracts, are used to abuse the vulnerability of persons in irregular status, and deprive them of a fair if any wages for their hard work.

What are we doing about this?

**Data collection and surveys.** After the 2005 global estimate on forced labour and trafficking, priorities are now moving to the national level. It is essential to move beyond anecdotal information, and raise understanding of forced labour incidence in different sectors. Pilot programmes are under way in several OSCE countries, assisting governments to include questions on forced labour and trafficking in household survey, labour migration or other relevant modules attached to Labour Force Surveys.

**National Action Plans.** Training activities are under way in different OSCE countries, on the design and implementation of such plans against forced labour and trafficking, ensuring that the Government agencies or ministries, employers' and workers' organizations and other civil society actors with relevant expertise are engaged in such exercises.

**Labour inspection and law enforcement.** While both labour inspectors and criminal law enforcement need the skills to identify forced labour cases in practice, they rarely possess these and rarely combine their efforts. The ILO is developing such training materials, to be refined in inter-active sessions with these key partners. An Expert Meeting with the involvement of Chief Labour Inspectors from Europe is planned for November this year.

**Case law on forced labour and trafficking.** Increasingly, criminal law in the OSCE countries provides for the offence of trafficking for forced labour, but in most countries there have been few if any prosecutions. With the growing concerns, this will be a challenge for judges and prosecutors. A collection of case law is now being developed, examining how judges in different jurisdictions have interpreted such concepts as force, menace or vulnerability, and also the extent to which the ILO's forced labour Conventions been used in judgments. The training materials, covering both common and civil law countries, will be tested at expert meetings later this year.

**Involving workers' and employers' organizations.** These have a vital role to play, in monitoring recruitment and employment practices, and in preventing forced labour practices in business supply chains. The ILO has been working with trade unions at national and

international levels, particularly assisting the International Trade Union Congress (ITUC) in a strategy for a *Workers' Alliance against Forced Labour* which will be presented to its General Council in December. I am pleased to share a brochure on this initiative, indicating the actions that ITUC affiliates are invited to take. We have also suggested ten principles for business leaders, within the framework of the UN Global Compact.

Delegates, these are some of the practical steps that the ILO and its Special Action Programme to Combat Forced Labour is now taking as part of its efforts to promote a Global Alliance against Forced Labour together with the OSCE and other international partners. We look forward to intensified cooperation, both at the policy level and through practical action through projects in OSCE countries.

Thank you for your attention.