

Trafficking for forced labour in Europe

Forced labour in Europe is mainly an outcome of human trafficking. Trafficking in persons is a truly global crime that can be seen as the underside of globalization.

While increasing numbers of people are forced to leave their country in search of decent work, legal channels for migration remain restricted, especially for low-skilled and women migrant workers.

Traffickers have been able to respond to this bottleneck and to derive high profits from the deception and exploitation of irregular migrants especially. They often target impoverished communities, bribe law enforcement authorities and then move people into exploitative employment relationships.

But trafficking can also occur in a far less organized way, with recruiters, transporters and employers acting independently from each other and exploiting workers for short-term gain.

PROJECT BACKGROUND AND OBJECTIVES

In December 2004, the ILO, in cooperation with its partners, started a new project to combat the forced labour outcomes of human trafficking in Europe. The European Commission (AGIS Programme, Directorate General Justice, Liberty and Security) and the Department for Work and Pensions (DWP) of the United Kingdom fund the project.

Implementing partners are the Vienna-based International Centre for Migration Policy Development (ICMPD) and the German development agency Gesellschaft für Technische Zusammenarbeit (GTZ).

The project had several objectives: First, it aimed to raise the awareness of national legislators and law enforcement agencies on the forced labour dimensions of trafficking as well as to provide assistance in the drafting of appropriate legislation where relevant.

Second, it contributed to a review of legislation on and monitoring of Private Employment Agencies that may provide a

WHERE TO WE GO FROM HERE?

Forced labour as a result of human trafficking is still under-researched and less understood than other forms of trafficking. The project has contributed to raising awareness on the forms of modern forced labour in Europe but effective responses are still in a test and evaluation phase. Based on these pilot initiatives, the ILO proposes the following future activities:

- Further build the capacity of law enforcement agencies, in particular labour inspection, to detect situations of forced labour exploitation by improving their practical skills to monitor economic sectors susceptible to trafficking and forced labour.
- Foster systematic cooperation between labour inspectorates, police, tax and immigration authorities, trade unions, and NGOs across source and destination countries to ensure better victim identification and protection. Establish a network of labour inspection focal points across source and destination countries.
- Train service providers on assistance and protection programmes tailored to the needs of victims of labour exploitation, paying special attention to compensation claims.
- Further encourage and support Private Employment Agencies in the development of codes of conduct that would guide their business practice, and involve employers from relevant economic sectors in these initiatives.
- Strengthen monitoring and enforcement mechanisms, particularly targeting informal or illegal activities in the recruitment industry.

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Capacity building to combat the **FORCED LABOUR** outcomes of **HUMAN TRAFFICKING**

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Romania, Ukraine, United Kingdom



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tion. The project contributed to a stronger representation of workers' and employers' organisations in these national debates.

A further outcome of the project is strengthened cooperation between law enforcement agencies at national levels, in particular between labour inspectors and the police. Europol and the International Association of Labour Inspection (IALI) were involved in some activities in order to strengthen dialogue and cooperation at the international level. An agreement with IALI was reached to further cooperate on training of labour inspectors on the detection of possible forced labour situations.

A training manual on the monitoring of Private Employment Agencies has been developed and tested in selected countries, namely Moldova, Romania and Ukraine. During the project period, a new authority for the licencing of labour providers ("gangmasters") has been established in the United Kingdom, and experience from this process was shared with other countries.

Labour inspectors in Romania are involved in the monitoring of Private Employment Agencies and dissemination of information to migrant workers. Seminars have contributed to a better understanding among law enforcement authorities on effective measures to prevent abuse of migrant workers during the recruitment process.

The project also facilitated the active involvement of private business, in particular Private Employment Agencies and their business associations. During the project period, new business associations were set up in Romania and Ukraine. These associations are best placed to promote ethical standards in the recruitment industry through self-regulation.

The project helped promote the code of conduct developed by the International Confederation of Private Employment Agencies (CIETT). CIETT became an active partner in the implementation of various project activities.

cover for criminal trafficking activities. Many trafficked persons - whether they have been trafficked for labour or sexual exploitation - are lured and deceived into exploitative work by semi-legal or outright criminal recruiters.

Developing clear standards in the recruitment industry, including self-regulation can be seen as a preventive measure against trafficking and forced labour.

The project aimed to stimulate the exchange of information and good practice between European source, transit and destination countries. It was also designed to foster interagency cooperation at national level, in particular between labour market institutions and other law enforcement agencies.

Workers' and employers' organizations were actively involved in the implementation of activities.

REGIONAL CONFERENCES AND SEMINARS

Three regional conferences took place in London, Kiev and Lisbon, which brought together some 200 representatives from labour and other relevant ministries, the social partners as well as law enforcement officials.

KEY STATISTICS

- Out of 12.3 million workers in forced labour worldwide, an estimated 2.4 million have been trafficked;
- Industrialised and transition countries account for an estimated 470,000 victims of trafficking;
- 43 percent of trafficked persons are coerced into commercial sexual exploitation. 57 percent are trafficked for mixed purposes or non-sexual exploitation in various other economic sectors, such as domestic service, construction, agriculture, small manufacturing, restaurants and catering;
- The majority of victims are women and girls, especially in the sex industry and domestic service;
- The estimated profits derived from trafficking globally are US\$ 32 billion of which an estimated US\$ 15,5 billion are made in industrialized countries.

The purpose of each of these events was to exchange good practice with regards to legislation, monitoring and licencing of recruitment agencies as well as victim protection and assistance.

The first regional seminar in London served to find a common understanding of the key issues related to the concept of forced labour and the need to improve the protection of those who escaped or were released from forced labour exploitation.

The regional seminar in Kiev focused on the monitoring of private recruitment agencies and brought together international experts, government and law enforcement officials from project countries to develop recommendations for drafting and enforcing regulations on Private Employment Agencies.

The final conference in Lisbon served to disseminate results and good practice collected during the project to a wider European audience. It also aimed to foster debate on forced labour in the light of the newly adopted EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings.

NATIONAL EVENTS

Germany: Following new legislation on trafficking for labour exploitation, adopted by the German Bundestag in February 2005, the seminar focused on interagency cooperation in order to facilitate the detection and prosecution of forced labour exploitation as well as the protection of victims.

Moldova: Following the adoption of a new licencing law on Private Employment Agencies, the seminar brought together Government officials, the social partners and NGOs in order to develop an effective monitoring and enforcement mechanism. Labour inspectors and officials of the general prosecutor's office from regional offices were given the opportunity to share their experience and discuss modes of future cooperation.

Poland: Participants at the seminar came from the police, work police and labour inspection of different regions (Wojewods) to discuss the regulatory and administrative framework to combat trafficking for forced labour exploitation as well as concrete measures to identify and assist victims of forced labour exploitation.

Portugal: Two national events focused on legislation relevant to prosecuting trafficking for forced labour in light of the pending revision of the Portuguese criminal code. A background report on forced labour affecting immigrants in Portugal as well as Portuguese working abroad was drafted, and recommendations from the report will contribute to further action against forced labour.

Romania: The seminar involved labour inspectors, police, Government officials and the social partners, in particular representatives of Private Employment Agencies. It served to stimulate debate on the pending revision of the Romanian anti-trafficking law as well as existing regulations on Private Employment Agencies.

Ukraine: The seminar stimulated debate among Government authorities, trade unions and business representatives in view of the introduction of a new licencing law on Private Employment Agencies. Provisions were discussed in the light of the ILO Private Employment Agency Convention No. 181 and the concrete situation in Ukraine. Recommendations from the seminar will feed into the ongoing legislative process. A background paper has been prepared on the functioning of the recruitment industry in Ukraine.

United Kingdom: The seminar provided input to the ongoing consultation process to develop a national action plan against human trafficking. Recommendations focused on awareness raising among migrant workers and potential victims, strategies to reduce the demand for forced labour and the identification of support needs of victims trafficked for labour exploitation.

PROJECT RESULTS

Project activities fed into or built on legislative reform processes regarding anti-trafficking legislation as well as laws on Private Employment Agencies. During the project period, laws have been revised or newly enacted in Germany, Moldova and the United Kingdom.

Project activities provided input to the effective implementation of these new laws. In Portugal and Ukraine, draft laws are still being discussed among law making bodies. In Romania and Poland, discussions are ongoing to revise current anti-trafficking legisla-