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NEWSLETTER

Special Action Programme
to combat Forced Labour

It is my pleasure to introduce this first newsletter of ILO's Special Action Programme to combat Forced Labour (SAP-FL).

Never has the need for an effective global alliance against forced labour been greater. In times of crisis, it is invariably the most vulnerable, those at the bottom of the social hierarchy, who suffer most. The poorest are most at risk at times of economic downturn, and may find themselves increasingly exposed to extreme forms of exploitation in their desperate search for an income at any cost. Efforts must be redoubled to protect such workers, both women and men, to prevent them becoming victim to forced labour.

This newsletter aims to share information, news and insights on forced labour and human trafficking, and action taken by the ILO, its constituents and other partners and stakeholders to combat these continuing grave human rights violations. We would welcome suggestions from readers and contributions for future editions, and can be contacted at: forcedlabour@ilo.org. Thanks to my colleagues in SAP-FL for their work to produce this first newsletter.

Caroline O'Reilly
Head, SAP-FL

NEWS

In October 2009, the French National Consultative Commission on Human Rights (CNCDDH) and the ILO jointly organized a seminar on forced labour and trafficking in human beings.

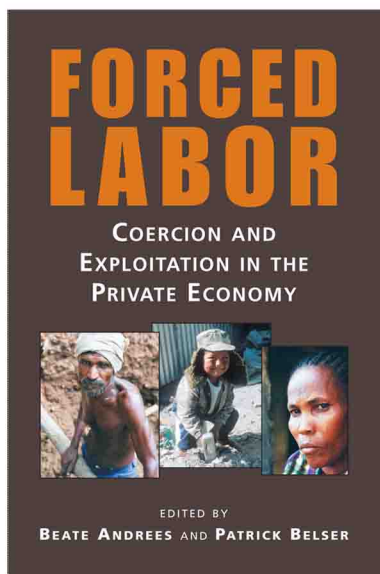
The CNCDDH has just published an assessment of France's approach to combat trafficking and exploitation and protect the fundamental rights of victims, identifying some weaknesses and ways to remedy them.

The report is available in English ([here](#)) and French ([here](#))



Programme for the Promotion of the ILO Declaration
on Fundamental Principles and Rights at Work

ILO launches book on “Forced labour”



The book offers a multi-faceted, multi-disciplinary view of modern forced labour, bringing together research carried out by authors from different regional and academic backgrounds. The first part contains case studies from Latin America, South Asia, Africa and Europe, providing in-depth analysis of deceptive recruitment systems, debt bondage and other forms of coercion that result in the economic exploitation of workers. The second part offers fresh perspectives on how legislation, policy action and statistics can be strengthened to combat contemporary forced labour. It provides a detailed analysis of how the struggle to eliminate forced labour can be rendered more effective through a combination of stronger labour inspection and labour market institutions; less ambiguous legal frameworks to criminalize and prosecute human trafficking; a more intensive use of instruments that empower communities vulnerable to forced labour,

such as microfinance; and more developed statistical tools to record cases of forced labour and serve as a compass for policy formulation and monitoring progress.

[Please click here for more information](#)

Trafficking and labour exploitation: Seminar in Netherlands

On 1 - 2 February 2010, the ILO Special Action Programme to combat Forced labour took part in the LABOREX10 seminar, in Kerkrade (Netherlands). Organised by the Social Security Intelligence and Investigation Service (SIOD), from the Ministry of Social Affairs and Employment in the Netherlands, in partnership with the National Agency Against Trafficking in Persons (ANITP), from the Ministry of Administration and Interior of Romania, LABOREX10 aimed at having a detailed look at labour exploitation within the systems of social security and law enforcement.

About 100 experts from governments, victims' assistance, international, law enforcement and scientific research organisations from different countries, had the opportunity to exchange

knowledge, experience and good practices concerning labour exploitation and develop new ideas and suggestions in the field of fighting human trafficking.

The two intensive working days were divided into lectures and working sessions on international cooperation, investigation, inspection, prosecution and demand side. Selected cases and national achievements were presented.

Experts stressed the fact that a lot remains to be done in order to effectively combat trafficking and labour exploitation, such as improving victim identification, international and national cooperation, and prosecution of cases especially regarding more subtle forms of coercion and exploitation.



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These migrants choose to emigrate, but can still end up in exploitative conditions, amounting in the severest cases to forced labour

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This book provides an overview of the migration mechanism between China and Europe, examines the situation of irregular Chinese workers in France, Italy and the United Kingdom, and provides policy recommendations for those three countries. Based on interviews with Chinese migrants in irregular situations, the book investigates the migratory process and the journey itself, working conditions in destination countries for migrants and the economic forces influencing these conditions, the factors that make some migrants more vulnerable than others to coercion and exploitative working conditions, and the reasons why migrants remain in these conditions.

The migration process involves both officially recognized and irregular channels of recruitment. Registered Chinese workers enjoy a degree of social protection, but there are also unknown numbers of clandestine Chinese migrants whose plight periodically makes the media headlines. Despite measures taken by the Chinese Government to dissuade people from migrating through irregular channels, they continue nonetheless.

[Please click here for more information](#)

European Court of Human Rights landmark decision on Human Trafficking

On 7 January, in the case of *Rantsev v. Cyprus and Russia* (application no. 25965/04), the European Court of Human Rights delivered a historic judgment for the repression of human trafficking in a case concerning the suspicious death of a 20-year old Russian woman working in Cyprus as a cabaret artiste. As a relatively modern phenomenon, human trafficking is not mentioned in the 1950 European Convention on Human Rights (prohibiting slavery, servitude, and forced or compulsory labour). Nevertheless, in *Rantsev*, the Court found that it fell within the scope of its Article 4, stating that in view of the Court’s obligation to interpret the Convention in light of present-day conditions, it is “unnecessary to identify whether the treatment about which the applicant complains constitutes ‘slavery’, ‘servitude’ or ‘forced and compulsory labour’”. The Court concludes that trafficking in human beings, as defined in the Palermo Protocol, falls within the scope of Article 4 of the Convention.”

In 2005, for the first time, in the case *Siliadin v. France*, the European Court concluded that Article 4 imposed positive obligations on states to prevent trafficking and protect victims, requiring them to put in place a legislative and administrative framework to prohibit and punish trafficking. In *Rantsev*, the Court highlighted once again the positive obligations of States to adopt appropriate and effective legal and administrative frameworks, to take measures for prevention and protection of the victims, and to investigate trafficking cases. The Court stressed that obligations involved the need for a full and effective investigation covering all aspects of trafficking allegations, from recruitment to exploitation, and applied to the various States potentially involved in human trafficking – States of origin, transit and destination.

Julia Batho

Launch of an ILO project in Nigeria and Italy to combat trafficking

The ILO is launching a new project to combat trafficking in human beings from Nigeria to Italy and other European countries, co-funded by the European Commission. This project is a follow-up to the ILO Action Programme against Forced Labour and Trafficking in West Africa (PATWA), implemented in Nigeria and Ghana.

Nigeria is a source, a transit and a destination country for human trafficking. Many women and children are trafficked from Nigeria to Europe and the Middle East for forced labour and commercial sexual exploitation.

The main objective of the project is to progressively reduce trafficking through improving cooperation between Nigeria and Italy to prosecute traffickers, protect and re-integrate victims as well as prevent trafficking.

Specifically the project aims at (a) supporting cooperation between Italian and Nigerian law enforcement agencies so as to increase prosecution of trafficking offences, (b) developing a comprehensive knowledge base including statistical data and qualitative studies, (c) facilitating the identification, assistance, readmission and reintegration of victims, and (d) enhancing awareness among at risk groups of trafficking risks and alternative employment and migration options.

ILO will implement the project in close partnership with the Department for Equal Opportunities (DEO) and the Counter Trafficking Commission of Italy. Other key stakeholders include the Nigerian National Agency for the Prohibition of Trafficking in Persons (NAPTIP), the Nigerian Ministries of Labour, Foreign Affairs, Women Affairs, Youth and Social Welfare, and the Italian Ministry of Foreign Affairs, employers' and workers' organizations, and national and international NGOs.

Goder Yohannes

Brief News

On 29 March 2010 the European Commission tabled a proposal for a new Directive on trafficking in human beings, aimed at improving legislation and penalties, ensuring successful prosecution, better protection of and assistance to victims, and prevention of trafficking. The ILO contributed to the meetings to prepare the proposal which, if approved, will replace current EU legislation dating from 2002.

Investigations have been launched into the Serb Azcompany case, which involved the trafficking of 700 migrant construction workers alleged from Bosnia Herzegovina, Serbia and Macedonia to Azerbaijan. Workers first arrived with tourist visas and had to hand over their passports once in Azerbaijan. Since summer 2009, their salaries had been unpaid or reduced. They lived in appalling conditions, with no food or water or medical care and suffered physical and psychological violence reportedly. The ILO, the OSCE, BWI and ITUC took part in a meeting in Sarajevo in April 2010 together with trade unions and NGOs to produce an action plan to prevent future trafficking cases in Eastern Europe, including through the establishment of a network to exchange information. With the support of BWI, a cooperation agreement was also signed between unions from Bosnia Herzegovina and Azerbaijan to protect migrant construction workers.

In March 2010, over 500 experts from the Arab world and international organisations, including the ILO, took part in a two-day forum organised by the Qatar Foundation for Combating Human Trafficking. The Doha forum was the launch of the Arab initiative to build national capacities for combating human trafficking.

More information at <http://www.qatarfcht.com/en/>



NEWS FROM THE FIELD

Interview with Sanna Saarto, Lima, Peru

Can you briefly describe your work?

Currently I act as a focal point for the ILO Special Action Programme to combat Forced Labour (SAP-FL) within the ILO Regional Office for Latin America and the Caribbean, providing technical assistance to governments and social partners in designing and implementing measures to combat forced labour and discrimination in the region, particularly in the Andean countries.



What does the term "forced labour" refer to in Peru?
Which are the different forms it takes? What are the specificities of the situation in the region?

In Peru forced labour is understood as a violation of the freedom of work, and the definition of ILO Convention 29 is generally used. Latin America accounts for the second largest number of victims of forced labour in the world after Asia. The most common form of forced labour in the region is a system of debt bondage that is found in rural areas and affects especially indigenous peoples.

Workers are recruited through intermediaries and induced into artificial and endless debts through manipulated loans or wage advances. Agriculture, cattle raising, fishing, logging, mining and other extractive industries are some of the sectors where debt bondage can be found.

Domestic workers are exposed to many forms of abuse and can be trapped into situations of forced labour through diverse means of coercion. More modern forms of forced labour in urban areas have increased as informal manufacturers demand cheap labour and migrant workers search for opportunities in big cities, within and across the borders of their home countries, often exposing themselves to risk and precarious conditions. Latin America is the most unequal region in the world, and forced labour practices form part of the vicious circle of discrimination, poverty and patterns of exclusion.

What actions have been undertaken in order to prevent people from being trapped in forced labour? To help victims to escape their situation and return to normal life?

Targeted prevention and rehabilitation measures require an integral approach that takes into consideration the specificities of each context and profile of the workers. For example, in the Chaco region of Bolivia, where some of the worst forms of forced labour in the region have been identified among indigenous Guaraní workers, the ILO's economic entrepreneurship programme for indigenous peoples has been adapted to the reality of the Guaraní people. Families are being freed from 'haciendas' where they have lived and worked in forced servitude for generations, and alternative productive opportunities accompanied by a comprehensive capacity building programme are required, among other measures, to assure the families' future in freedom.

What do you think are the main challenges to address this scourge?

Many problems are being faced, such as the lack of awareness regarding workers' rights, impunity, corruption and absence of government authorities in the rural areas. However, the biggest challenges in the region are the underlying causes of forced labour: the very unequal access to decent work opportunities and discrimination against indigenous peoples, afro descendants, women and rural populations.

How long have you been working for the ILO? When you look back on your experience, is there any particular highlight that you would like to share with us?

I have worked with the ILO for six years; four of them for DECLARATION and its Special Action Programme to combat Forced Labour. In this kind of work the results are not immediate and the pending task is still enormous. But, looking back, it is satisfying to see how many positive changes have taken place over the last few years. Eradication of forced labour is now a national priority in all the countries we have worked in, national action plans are being implemented, alliances and coordination mechanisms have been established, and concrete measures are being taken by a wide range of actors. It is especially gratifying to see the ILO constituents taking ownership and working towards this objective. An innovative example is the forestry sector trade unions which now implement their own project to combat forced labour in the Amazon rainforest.

