

Meeting the Challenge

Proven Practices for Human Trafficking Prevention
in the Greater Mekong Sub-region

International Labour Organization

CHINA

EDUCATING EMPLOYERS

How awareness leads to self-monitoring

THE PROVEN PRACTICE:

An employers' association makes a pioneering move to mobilize its members against labour exploitation and human trafficking and begins to build up an anti-trafficking network among them to initiate self-monitoring, particularly in specific sectors where young female migrants are most vulnerable.

Employer organization's participation in trafficking prevention in Kunming City, China

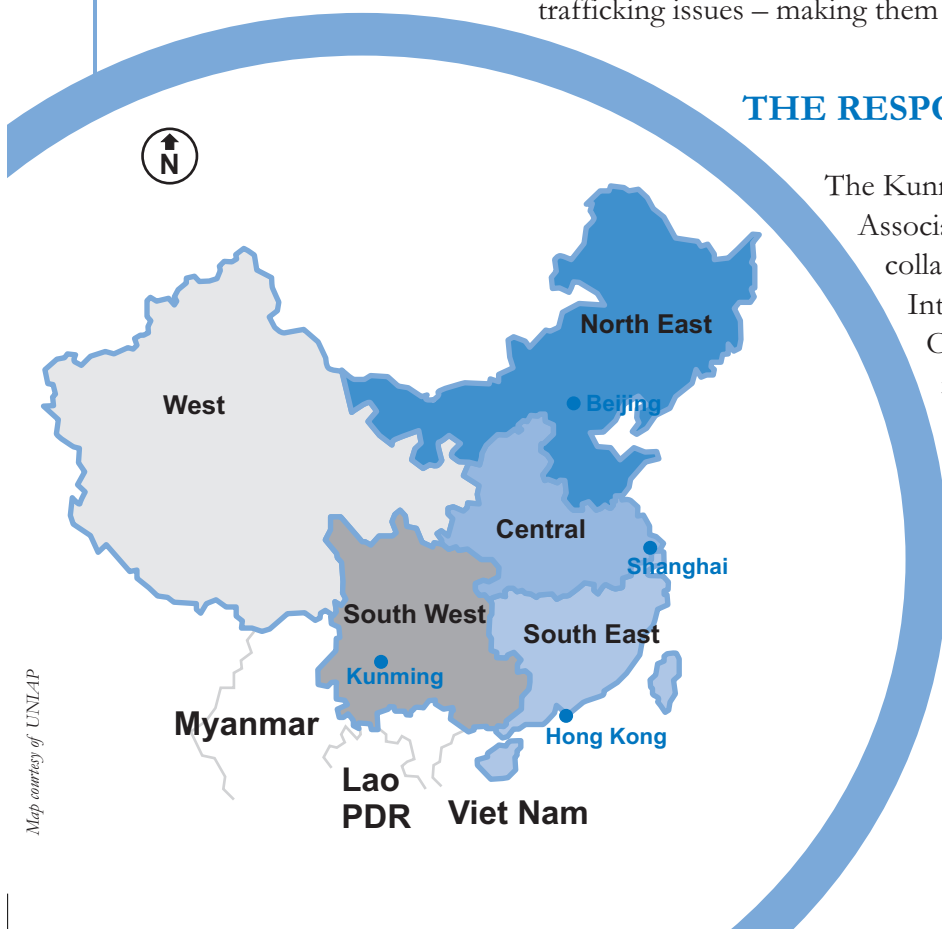
THE INITIAL CHALLENGE:

Rural surplus labour situations are forcing many people to migrate to cities and non-agriculture industries throughout China. But they are encountering many problems and abuses: They find little or no protection in their workplace; payment of wages is delayed; fees are collected illegally; employers confiscate their ID cards, thus limiting their freedom of movement; they are forced to work long hours; some are forced to do jobs they don't want. Many opt to leave these situations, only to find themselves worse off.

A study of employers in Kunming City revealed a tremendous lack of awareness on labour laws and proper employment practices as well as human trafficking issues – making them a part of the problem.

THE RESPONSE:

The Kunming City Private Economy Association (KMPEA), in collaboration with the International Labour Organization's Mekong Sub-regional Project to Combat Trafficking in Children and Women (ILO-TICW), decided to educate its members on the negative impact of human trafficking and labour exploitation and thus



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mobilize the private sector in Yunnan province to take up a role in the prevention of exploitative practices. This initiative, which lasted 2005-2006, was the first of its kind by an employers' organization in China. Based on that modicum of success, the project has moved into a second phase (2007-2008) to target employers in specific sectors where young female migrants are particularly vulnerable to exploitation and trafficking with awareness on the importance of proper employment practices.

The KMPEA is a mass organization consisting of more than 500,000 private business employers. It has 14 branches at the district, county and city levels, and 2 branches in Kunming City.

THE PROCESS:

To influence its members, the KMPEA first arranged a two-day information and training workshop in 2005 for 75 of its staff members working at all levels and whose role was to communicate with the many branches. At the end of the workshops, the participants were asked how to improve the training course for association members.

Some 820 employer members from geographical areas and business sectors known to employ a large number of migrant labourers were then invited to join one of four one-day training workshops organized between May and October 2005.

To encourage members to participate, the KMPEA outlined the business case for not exploiting vulnerable workers and instead treating them in line with the labour laws. Prospective participants were told employee turnover was costly in terms of training new workers and the loss of production skills and that turnover was strongly linked to poor working conditions or exploitative labour practices. They were also told that labour exploitation domestically is a cause for consumer boycotts internationally, and if Chinese employers want to participate in global competition, they will need to satisfy different labour standards: Consumers are paying more attention to labour malpractices, including child labour and lack of social security for workers, and they are looking to buy products from enterprises that treat employees decently.

The awareness strategy used in the workshops concentrated on broadening employers' understanding of what actually constitutes trafficking and the various ways they can help prevent abuses and protect workers. Generally, people in China believe trafficking refers to the kidnapping and selling of babies for adoption and women for marriages. The aim of the training was to make the participants see that trafficking is a much wider concept involving economic and sexual exploitation and that under certain conditions an employer can be defined as a trafficker.

In addition to the awareness-raising content, the workshops re-emphasized the business case against labour exploitation and discrimination by explaining that employers need a stable and secure society that provides a "safe space" for business trade and maximum profit. Thus, human trafficking and other illegal employment activities are detrimental to social stability and security and inevitably will work against employers' profit goals. And further, because of their close proximity to the problems, they can play an important and necessary role in safeguarding a stable and secure society.

The workshops also included discussion on feasible strategies for preventing trafficking in women and children. Among the many responses were suggestions for further participation in social services, more assistance to poor people to improve their living situations, helping children go to school, establishing trade unions and women's organizations in private business sectors to educate and help migrant labourers and better protect their legal rights, encourage better labour practices among employers, create an easy employment environment for employees, provide more employment opportunities, improve the wages and welfare of employees and wider awareness-raising advocacy on trafficking prevention among employers.

The workshops followed the "cascade" approach: The participants were trained to then transfer their knowledge to other employers.



Upon completion of the workshops, the employers agreed to form a trafficking-prevention network to better support each other and the aims of combating human trafficking and labour exploitation. They agreed on a code of conduct that was then circulated as a “commitment letter” among private enterprise employers throughout Kunming City:

- Employers must hire employees through legal channels, follow the labour laws and avoid hiring trafficked persons, directly or indirectly.
- Employers have a responsibility to inform employees about human-trafficking risks and prevention.
- Employers must abide by laws to guarantee employees’ wages, decent work time, labour security and to protect their legal rights.
- Employers should check an employee’s identity with original papers and registration.
- Employers should respect moral employment practices.
- Employers are requested to set up a mechanism for employees to stay connected with their families and have decent working conditions.
- Employers must report on any illegal employment practices of other employers.

Seventy-four influential employers signed the commitment letter, entitled “Better Self-Monitoring, Follow the Labour Law, Eliminate Gender Discrimination, Stop Illegal Employment and Exploitation and Contribute to the Efforts of Preventing and Combating Trafficking”.

The KMPEA then developed and printed 11,000 copies of an employer’s handbook on trafficking, labour exploitation and gender issues for distribution among private enterprise owners. With material from the ILO, the Provincial Women’s Federation and Kunming City Women’s Federation, the handbook introduces the TICW project, the situation of trafficking in women and children, definitions and relevant labour laws. The signed commitment letter was included in the handbook. Another 3,000 copies of the letter were

circulated among employers in Kunming City.

CD-ROMs containing a copy of a television programme that featured the training workshop initiative and a PowerPoint presentation on trafficking prevention were distributed to KMPEA branches. Staff in those branches also posted



awareness-raising information on wall newspapers, in radio messages and in their meetings with members. Local media were approached to cover the KMPEA's trafficking-prevention activities.

Enlightened by the project, the KMPEA organized an "investment" field trip for owners and managers of 45 large-scale enterprises to an area with a serious unemployment problem to inspire them to provide more job opportunities and thus aid in trafficking prevention.

The KMPEA collaborated with the Kunming City Women's Federation's Education and Labour Bureaus to organize public awareness events on human trafficking prevention during the International Women's Day on March 8 and the World Day Against Child Labour on June 12 during the project period of 2005-2008. Staff members distributed information material on trafficking and legal labour migration. Media coverage helped to spread awareness among employers and to encourage their support in anti-trafficking efforts.

To develop case studies and help employers understand the negative impacts of labour exploitation, the KMPEA invited 30 young women working in the restaurant and service sectors to talk with staff about their reasons for migrating and their employment experiences. Their experiences also were used to guide decisions regarding the planning of activities.

In the project's second phase (2007-2008), the KMPEA organized workshops to educate an additional 50 of its own staff on trafficking issues. It reached out to some 500 employers in other workshops with sensitizing on the importance of good employee-employer relationships in sectors where young female migrants that are vulnerable to exploitation seek jobs, such as service (restaurants, catering) and labour-intensive manufacturing (garment production, shoe making). The mutual-support, trafficking-prevention network has expanded to include employees, members of trade associations and trade unions, labour department staff and the wider community to take action against trafficking and labour exploitation.

The code of conduct that was produced during the first phase was revised in a consultative process, and 150,000 copies were distributed among KMPEA members.



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OUTCOMES:

- 125 staff members of the KMPEA learned about human trafficking and labour exploitation issues and how to advocate and conduct training courses to inform other employers on the business case against it.
- 1,320 private enterprise employers in Kunming City participate in awareness training workshop on the trafficking prevention, labour laws, gender equality and decent work goals.
- 30 case studies of young women migrants working in Kunming City, highlighting their views and experiences.
- More than 11,000 brochures and handbooks on trafficking and legal labour migration distributed.
- A code of conduct, which was revised in 2007, has been printed and distributed among 150,000 employers.

The project is seen as having impressed upon employers an awareness that human trafficking takes place around them and that it is not only the responsibility of the security forces to police it but that employers can get involved by abiding all labour laws and reporting any illegal activity. Many employers noted that the practice of “self-education, self-management and self-service” as advocated by the KMPEA will promote the mainstreaming of trafficking prevention. Employers even asked for continuous training to reach more employers.

Said Zhang Liuying, General Manager of Baotaixiang Industry and Trade Company of Kunming City, “I have a new understanding toward labour exploitation, which not only includes wage reduction but also safety protection, sanitary conditions, social security and physical punishment.” Anti-trafficking efforts, she noted, cannot be carried out by one individual agency but requires a comprehensive response. “The best way is ... a joint enforcement team composed of different agencies to inspect the employment situation of enterprises.”

Zhang Guoxiang, owner of Haohong Costume Shop, said that when he talked with other employers about the trafficking problem after attending the workshop, most thought he was referring to selling of women to be wives and boys to be sons. “They didn’t know that labour exploitation is a trafficking behaviour,” he explained. He strongly recommended more follow-up trainings, especially because the messages might fade over time.

In 2008, a self-monitoring mechanism staffed by KMPEA staff was formed to carry out unannounced workplace visits. As of March, only a handful visits had been conducted, but they were effective in identifying malpractices and guiding employers on how to implement corrective action.

KCPEA recently became a member of the China Employers Confederation (CEC) and is now exploring ways to promote its experiences in anti-trafficking work through the CEC networks.

ONGOING CHALLENGES:

- Some employers are not interested in issues related to human trafficking or fail to see the relevance to their work and are reluctant to participate in trainings.
- The training workshop conflicts with employers' work schedule demands.

LESSONS LEARNED:

- Based on the actual situation of the target groups, future advocacy and training in various forms should take into consideration participants' expectations, scale of enterprise, business sector and workplace. To be most effective, different methods are needed when working with different groups of employers.
- Follow-up activities, such as additional trainings, are necessary to ensure the sustainability of the project.
- Because of the newness of this kind of participation, further training is needed to improve the capability and increase the knowledge of the employers' association staff.
- Up-to-date information from trafficking prevention experiences and good practices used in other countries is extremely useful.



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