



Summary of Proceedings

ILO Regional Tripartite Conference on Human Trafficking in the Middle East Amman, 9 – 10 April 2013

The ILO presented during a regional tripartite conference in Amman the results of its new study on human trafficking in the Middle East, based on interviews with 653 migrant workers and key informants. During two days, more than 90 participants and speakers debated in seven panel discussions on the processes of human trafficking for forced labour, as well as strategies in the region to prevent it. The conference brought together Government officials, workers' representative and employers' representatives, as well as civil society representatives to discuss complex challenges that human trafficking presents for both labour administration and law enforcement officials around the world.

Opening Speeches

Mr. Frank Hagemann, Deputy Regional Director, International Labour Organization

Welcomed participants from 10 Arab countries and key partners to the first tripartite conference on human trafficking in the Middle East. Also thanked a number of distinguished guests, both from the region and from far away countries such as Ireland, Nepal, the Philippines and the United States. He then provided a global overview of ILO's work on forced labour, explaining that forced labour is defined in the ILO's first Convention on the subject, No. 29 of 1930.

In brief, people are in a forced labour situation when they enter work or service against their freedom of choice, and cannot leave it without punishment or the threat of punishment. The ILO Committee of Experts commented in its General Survey of 2007 on the links between forced labour and human trafficking, and said that the notion of exploitation of labour is inherent to the definition of trafficking, and allows for a link to be made between the Palermo protocol and Convention No. 29. As such, human trafficking can be regarded as forced labour. The only exceptions to this are cases of trafficking for organ removal, forced marriage or adoption, unless these practices result in forced labour.

ILO's new Director General, Mr. Guy Ryder, has reaffirmed the ILO's commitment to working on eradicating forced labour and identified eight areas of critical importance for the Office. One of these areas focuses on the protection of workers from unacceptable forms of work that deny fundamental principles and rights at work. The Office will therefore focus its ongoing and future work on providing empirically based police advice to identify and address gaps of protection, and it is precisely in this spirit that the ILO convened this regional conference.

Mr. Scott Portman, Senior Technical Advisor on Trafficking, Heartland Alliance

Presented an overview of the work of Heartland Alliance. Referred to the first report that Heartland Alliance had produced on human trafficking in the Middle East, published in 2007, which focused primarily on sexual exploitation in Iraq. Emphasized the need to do a lot more research to know the scope of the problem the prevalence, extent and the key points of pressure can be addressed to improve protections.

Panel 1: Exploring the links between labour migration and human trafficking

The panel, moderated by Mr. Frank Hagemann, included Ms. Manuela Tomei, ILO Director of the Conditions of Work and Equality Department, Mr. Mohammed Mattar, Executive Director of the Protection Project at Johns Hopkins University, Ms. Beate Andrees, Head of ILO Special Action Programme on Forced Labour and Mr. Azfar Khan, ILO Senior Migration Specialist.

This panel provided a snapshot of the global and regional situation of forced labour and human trafficking. It also aimed at placing the issue in a broader context of labour migration, highlighting the need to examine failures of labour market and migration governance systems in order to effectively address trafficking. Mr. Khan spoke about “trafficking as migration gone horribly wrong.”

Panel 2: Presentation of the methodology and findings of the study

Speakers included Mr. Ramzi Ben Achour, Regional Director of the Middle East Program at Heartland Alliance, Dr. Michaelle De Cock, ILO Senior Research Consultant and the two authors of the ILO study *Tricked and Trapped: Human Trafficking in the Middle East*, Ms. Hélène Harroff-Tavel, ILO Programme Officer and Ms. Alix Nasri, ILO Consultant.

The speakers shared the objectives of the joint research project undertaken by the ILO and Heartland Alliance, and presented the methodology and results. The study explained why low-skilled migrant workers in various economic sectors are the most vulnerable to human trafficking in the Middle East. It also identified striking similarities of trafficking processes in the Middle East despite variations in each country. The “kafala system” was identified as a practice that can potentially create a situation that is conducive to the exaction of forced labour.

Panel 3: National responses to human trafficking

The panel, moderated by Mr. Houtan Homayounpour, ILO Programme Officer, included Dr. Saeed Al-Ghufli, from the National Committee to Combat Human Trafficking of the UAE, Dr. Ali Al-Museimi, from the Anti-Human Trafficking National Committee of Jordan, Ms. Elizabeth Sioufi, Director of the Institute for Human Rights of the Beirut Bar Association in Lebanon and Mr. Mick Quinn, Department of Justice in Ireland. Panelists were asked to introduce the most effective responses within their national contexts to the problem of human trafficking.

The speakers provided an overview of national responses to combat trafficking in the region. Great emphasis was placed on inter-ministerial cooperation mechanisms as well as collaboration with key stakeholders in order to implement anti-trafficking laws and action plans. Heads of national committees to combat trafficking insisted on the need for greater understanding of the different aspects of the crime of human trafficking as a first step towards comprehensive prevention, protection and rehabilitation of victims.

Panel 4: The role of workers’ organizations in combating human trafficking

The panel was moderated by Mr. Mustapha Said, ILO Bureau of Workers’ Activities, who started by introducing the panelists of the session, and involved Mr. Abdel Rahman Al-Ghanem, Head of Migrant Workers’ Unit, Kuwait Trade Union Federation, Mr. Fathalla Omrani, President of the General Trade Union of Workers in Textile, Garment and Clothing Industries in Jordan, Mr. Umesh Upadhyaya, Secretary General of the General Federation of Nepali Trade Unions, Mr. Wassim El-Rifi, Project Coordinator of Building and Wood Workers’ International and Mr. Luc Demaret, ILO Bureau of Workers’ Activities.

This session reflected the workers' organizations point of view on the subject of human trafficking and highlighted their role in combatting trafficking. Various initiatives carried out by trade unions in the region were discussed, including partnerships involving trade unions in the Middle East and in countries of origin. The ratification of ILO Conventions, in particular Conventions No. 87 and 98, was underscored as a prerequisite to enable workers to claim their rights.

Panel 5: The role of employers' organizations in combating human trafficking

The panel discussion was moderated by Mr. Philip Fishman, General Manager of Better Work Jordan, and involved Mr. Mohammad Khourma, from the Jordan Garments, Accessories & Textile Exporters' Association (JGATE), Mr. Tristan Forster, CEO of FSI Manpower Agency, and Mr. Henrik Moller, ILO Bureau for Employers' Activities.

This panel discussed what can be done to combat human trafficking and forced labour from an employers' perspective. Reference was made to the Better Work Jordan programme which has significantly contributed to a reduction of forced labour in the garment industry in Jordan. Examples were given of misconceptions and malpractices previously considered as standard practices, such as the confiscation of passports that has distinctively changed and compliance has increased six years later. The role of Ministry of Labour and labour inspectorate in the implementation of the laws was commended.

This panel also highlighted several innovative practices to prevent situations of forced labour, including business models of ethical recruitment and management practices currently piloted by one company called FSI based out of the United Arab Emirates. The company promotes the enforcement of a model of ethical recruitment of workers through training and mobilization and promotion of the enforcement and implementation of a zero fees policy for the migrant workers.

Panel 6: Access to justice for victims of human trafficking and forced labour

This panel discussion was moderated by Ms. Youla Haddadin, Office of the High Commissioner for Human Rights, and involved Mr. Mohammed Mattar, Executive Director of the Protection Project, Judge Samer Younes, Attorney General at Beirut Court of Appeal in Lebanon, and Mr. William Gois, Regional Coordinator, Migrant Forum Asia from the Philippines.

The panel focused on access to justice and raised questions about the relatively low number of prosecuted trafficking cases in the region. Panellists identified poor identification and referral to the judiciary as a key gap in prosecution. Other obstacles included misconceptions of the judiciary regarding certain groups of vulnerable workers (e.g. domestic workers or men workers who are rarely considered as victims). Cooperation between labour and criminal courts, as well as the revision of some national legal frameworks to include better protection of victims were identified as a means to improve access to justice and redress for victims.

Panel 7: Identification and protection of victims of trafficking in the Middle East

This panel discussion was moderated by Ms. Sarah Craggs from the International Organization for Migration, and involved Mr. Adnan Rababa, Head of Labour Inspection Department in Jordan, Mr. Mohannad Dweikat, Head of the Anti-Human Trafficking Unit in Jordan, Colonel Elie Asmar, Human Trafficking Unit, Internal Security Forces in Lebanon, Ms. Najla Chahda, Director of the Caritas Lebanon Migrant Centre in Lebanon and Ms. Afra Al-Basti, Executive Director of the Dubai Foundation for Women and Children in the UAE.

The panel presented government and civil society responses to the identification and protection of victims. Several measures to ensure better protection of victims were discussed including the establishment of

governmental shelters to support women, children *and* men victims of forced labour. Deficits in labour law coverage were also identified as an element which reinforces the vulnerability of migrant workers in certain sectors, such as domestic work.

The **closing session** of the conference highlighted potential areas for follow-up action, such as the development of national statistics on forced labour and human trafficking, support for the organisation of workers, sensitization of business and promotion of good practices, review of legislation and policies with a view of strengthening effective identification of victims, prosecution, prevention and protection measures. The need to build stronger partnerships, including with source countries of trafficked victims, was a recurrent theme of the conference which should be addressed through follow-up activities.