

The Global Initiative to Fight Human Trafficking (UN.GIFT)

The Global Initiative to Fight Human Trafficking (UN.GIFT) aims to mobilize state and non-state actors to eradicate human trafficking by reducing both the vulnerability of potential victims and the demand for exploitation in all its forms; ensuring adequate protection and support to those who fall victim; and supporting the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons.

In carrying out its mission, UN.GIFT will increase the knowledge and awareness on human trafficking; promote effective rights-based responses; build capacity of state and non-state actors; and foster partnerships for joint action against human trafficking. For more information on UN.GIFT, please go to: <http://www.ungift.org/ungift/index.html>

1) The Vienna Forum to Fight Human Trafficking

Under the framework of UN.GIFT, the Vienna Forum to Fight Human Trafficking was held in Vienna from 13 to 15 February 2008. The Forum offered a unique opportunity to bring together representatives of Member States, United Nations entities, non-governmental and international organizations, the business community, academia and civil society.

The Vienna Forum was a step towards generating consolidated support and political will behind the goals of UN.GIFT. Its aims were to raise awareness of all forms of trafficking, to facilitate cooperation and partnerships among participants, to take stock of progress and to set the directions for follow-up measures to prevent and counter human trafficking. The Forum also provided an opportunity to assess lessons learned regarding the dimensions of the issue and current actions being taken in response to trafficking in persons. The full report of the Vienna Forum can be viewed at: <http://www.ungift.org/docs/ungift/pdf/vf/ebook2.pdf>

1.1 Private sector involvement during the Vienna Forum

During the Vienna Forum, there were five sections addressing private sector involvement in the prevention and combating of human trafficking. The sessions were:

1. Supply Chain Management – Eliminating the Risks of Forced Labour and Trafficking
2. Demand for Forced Labour and Sexual Exploitation – How and Why it Fuels Human Trafficking
3. The Roles of Employers' Organisations, Businesses and Trade Unions in Combating Trafficking for Labour Exploitation
4. The role of the private sector (sessions 1 and 2)

Each session addressed specific elements of human trafficking and the summary of the discussions were:

a) Panel: Supply Chain Management

Context and objective:

The panel built on innovative initiatives in Corporate Social Responsibility (CSR) that have emerged in the private sector in recent years. The overall objective was to demonstrate the role that businesses

could play at different levels of their management and operations in identifying, combating and preventing forced labour. While many individual companies and business associations have addressed forced labour in their codes of conduct, these organizations face a myriad of challenges translating them into practice. What are the distinctions between substandard working conditions and forced labour? How are workers trafficked into forced labour? What role is played by private labour recruitment agencies in this process? How can responsibilities be delineated between suppliers and buyers? What are the industries that are most at risk?

Themes:

Speakers addressed the following themes:

1. The risk of trafficking and forced labour in global supply chains;
2. The experiences of business, challenges it faces and lessons learned;
3. The role of social dialogue and stakeholder engagement in combating forced labour and trafficking in the supply chain;
4. Law and public policy initiatives to support private action to combat forced labour.

Summary and key findings:

Speakers highlighted the risk of forced labour and trafficking in global supply chains, strategies of risk management and the challenges that lay ahead. The workshop included presentations from representatives of employers' organizations, businesses and trade unions, and the results would feed into an ILO-led expert group on supply chain management organized under UN.GIFT.

The panelist representing an employers' organization pointed out the challenges of speaking to national associations of employers in a way that made human trafficking a real issue for them and to address companies who felt that they were not touched by that crime.

Another panelist, from an industry trade union organization, called forced labour "the underbelly of globalization" and outlined a number of actions that were needed to combat forced labour, such as effective labour inspectorates, clear employment contracts between workers and employers and the right to freedom of association and collective bargaining.

The panellist from Manpower emphasized the need for regulation and enforcement by Governments to combat forced labour and trafficking in recruitment systems. He also talked about the need for industry bodies to "police" their own industries, for instance by setting common principles that must be adhered to by all member companies.

Anti-Slavery International used the example of its partnership with Manpower to illustrate how businesses and NGOs could engage constructively through synergies of expertise, and also emphasized the potential for such coalitions to result from UN.GIFT.

The Gap, Inc., highlighted its membership in the Ethical Trading Initiative, which worked on purchasing practices and addressed supply chain working conditions. The Gap representative noted, however, that while such efforts were making small dents in the formal economy, the informal sector needed to be examined as well. The limits of the traditional social audit approach were pointed out, including the dangers of making policy decisions at the highest levels of management, which risked driving questionable practices underground, out of sight of auditors.

The importance of the role of International Labour Organization (ILO) was emphasized in identifying best practices to protect workers in host countries and to develop standards for the private sector,

such as providing guidance on recruitment fees, among other issues. There was agreement on the need for strong government policies, including making links to trade policy and bilateral trade agreements to address the issue of migrant workers. There was also general agreement that, while the public had a role, boycotts and consumer action could have a detrimental effect because of the negative impact on the economies of developing countries. However, at least one panelist contended that boycotts could be useful if consumers were properly informed.

Proposals for future action and recommendations:

The following proposals were made:

(a) There is a need for clear legislation and stronger regulation and enforcement, for example through strong labour inspection systems;

(b) Partnerships and cooperation must be used to tackle trafficking through businesses, employers' and workers' organizations and civil society working together;

(c) The complexity of managing the risks of forced labour in global supply chains must be recognized, in particular in view of the conditions in the informal economy. Specific guidance and tools addressed to businesses must be developed;

(d) There is a need for immediate action and impact on the issues of forced labour and trafficking within the context of a broader, longer-term and sustainable approach;

(e) ILO needs to encourage Governments to sign, ratify and implement relevant conventions. It also has an important role to play in educating and raising awareness among its constituents and business actors.

Speakers:

Moderator: Mr. Roger Plant, Head, Special action programme to combat forced labour, ILO

- Mr. Brent Wilton, Deputy Secretary-General, International Organisation of Employers
- Mr. Neil Kearney, General Secretary, International Textile, Garment and Leather Workers' Federation
- Ms. Lakshmi Bhatia, Director, Social Responsibility, Gap, Inc.
- Mr. David Arkless, Senior Vice President of Global Corporate Affairs, Manpower; with Ms. Klara Skrivankova, Trafficking Programme Coordinator, Anti-Slavery International
- Mr. Ian Spaulding, Former Director of Global Compliance, Sears
- With comment by: Mr. John Morrison, Director, Business & Human Rights Associates

b) Panel: Demand For Forced Labour And Sexual Exploitation – How And Why It Fuels Human Trafficking

Context and objective:

Anti-trafficking advocates have consistently called for more effective action to curb the demand that underpins human trafficking. But what exactly does “demand” mean in the context of human trafficking? Does it refer to the end-users of services that are provided by trafficked persons, to the consumers of products that were produced by trafficked persons or to the demand of cheap and exploitable labour more generally? Or can it also refer to the underlying systemic factors in labour

markets, the economy or society at large that fuel human trafficking? What is the role of intermediaries, labour recruitment agents, or other agents that are the link between supply and demand?

The purpose of this panel was to examine the issue of demand for all forms of forced labour and sexual exploitation, how demand drives the crime and what can be done to reduce it.

Themes:

Speakers focused on the following themes:

1. Underlying factors that create a breeding ground contributing to trafficking for sexual and labour exploitation
2. Consumer-led initiatives to prevent forced labour and trafficking
3. Labour market regulations and links to human trafficking
4. The perspective of trade unions on assessing demand for cheap and exploitable labour.

Summary and key findings:

During the panel, the case was made for reducing human trafficking by addressing factors that fuelled demand for vulnerable and exploitable workers as well as for commercial sexual services. According to the panelist from the United States Department of State, this meant, among other things, sensitizing men to the effects of prostitution and the idea that prostitution was not a victimless activity but a crime. Other methods to reduce demand for sexual exploitation included stronger penalties and aggressive prosecution for child sex tourism. To clean up supply chains, the United States Department of Labor was drawing up a list of products that might be tainted by forced labour, with plans to publish that list in 2009. The companies and products concerned would not be embargoed, but highlighting offenders was intended to influence business practices by influencing consumer behaviour.

Another panelist mentioned the need to understand how the current form of globalization influenced supply and demand for human trafficking. The competitive nature of globalization put pressure on wages, increasing employers' demands for a flexible workforce that could be retained or easily disposed of. As a result of those conditions, human trafficking could occur within the migration process, so both legitimate and illegitimate migration must be examined. All potential victims should be protected, regardless of their immigration status.

It should be noted that there was a strong divergence of opinion among participants on appropriate responses to the sex industry. Some panelists believed in abolition, while others asserted that regulation and recognition of collectives of sex workers was inevitable. Demand and supply were interconnected. Systemic deregulation of labour markets created regulation gaps that allowed exploitative and coercive labour practices to flourish, and some sectors, such as domestic and sex workers, were largely unregulated, making them especially susceptible to trafficking.

Proposals for future action and recommendations:

The following proposals were made:

(a) Trafficking must be placed within the context of the ways in which the globalized economy generates supply and demand for all forms of trafficking;

(b) Emphasis should be placed on the value of a rights-based approach. Forced labour must be contextualized within human and labour rights, especially in relation to the need for collective bargaining to allow vulnerable workers to assert their rights;

(c) National approaches must be used to tackle employer-driven demands for exploitative labour through rigorous inspection, the naming of specific companies and broad-based business coalitions;

(d) Much more consensus is needed on whether and how awareness-raising activities should target users of the sex industry to inform them about the violence and exploitation faced by many prostitutes as a strategy to reduce or eliminate demand.

Speakers:

Moderator: Ms. Beate Andrees, Anti-Trafficking Programme Officer, ILO

- [Ambassador Mark P. Lagon](#), Director, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State
- [Ms. Nicola Phillips](#), Professor, Director of the Centre for the Study of Political Economy, University of Manchester
- [Mr. Simon Steyne](#), International Officer, EU & International Relations Department, Trades Union Congress
- Ms. Andrea Bolzon, National Project Manager, Project to Combat Human Trafficking and Forced Labour, ILO Brazil

c) The Roles of Employers' Organisations, Businesses and Trade Unions in Combating Trafficking For Labour Exploitation

Context and objective:

Forced labour needs to be addressed through alliances. Working with labour market stakeholders is a logical step when discussing trafficking for labour exploitation and identifying possible points of synergy between the organizations representing labour and business, their past experiences and future plans.

The panel discussion was intended to allow participants to explore opportunities for cooperation and alliances. It also offered an overview of policy positions and the experiences of employers' and workers' organizations in fighting trafficking and forced labour.

Theme:

Speakers addressed the following issues:

1. Current action, lessons learned and the challenges ahead;
2. Major policy concerns for trade unions and employers;
3. How to link the fight against trafficking to the broader objectives of decent work; and
4. International cooperation of workers'/employers' organisations

Summary and key findings:

Panelists representing trade unions pointed out that trafficking for forced labour called for the active involvement of labour market actors. Trade unions approached creating decent work opportunities by supporting workers' rights to organize and by pushing for effective labour legislation. It was also

asserted that where independent trade unions existed and people had the right to organize and bargain collectively there was limited or no forced labour.

Emphasis was placed on the need for policy coherence within the United Nations, the need for Governments to support the creation of decent work and the need for trade unions to organize vulnerable groups of people to lobby for appropriate labour laws and rehabilitation services. International framework agreements between global companies and trade union federations were an effective instrument to monitor supply chains. Governments should also speed up their ratification and implementation of relevant ILO conventions.

Representatives of employers' groups discussed the need for and capacity of Governments and businesses to develop comprehensive victim services and preparation and training for reinsertion of victims into the legitimate labour market. Human trafficking occurred mostly in the informal economy and employers' organizations should support government efforts to formalize the informal economy and to prevent people from looking for work there. Employers' organizations had a role to play in supporting government efforts to safeguard the workforce and create legitimate jobs with decent remuneration.

Proposals for future action and recommendations:

As a result of the panel discussions, several recommendations for confronting forced labour emerged from one or more of the presentations:

(a) Effective social dialogue and the involvement of social partners (such as NGOs) are needed to tackle labour market issues, especially to ensure that the efforts of trade unions and employers' organizations complement each other. The only sustainable way to eradicate labour exploitation is the creation of decent work to prevent people from being forced to migrate in search of a livelihood;

(b) Policy coherence is necessary between labour market regulations, migration policies and criminal legislation in the United Nations as well as at the national level. Additionally, labour law has to cover all workers, including in the informal sector and migrant and domestic workers;

(c) Trade unions should organize groups among populations and industries where forced labour occurs;

(d) More services for victims and mechanisms for their reinsertion into the labour market are necessary. Employers' organizations can be partners in the prevention of trafficking and the reintegration of victims into the labour market;

(e) Training and education about forced labour is needed for trade unionists, businesses and employers' organizations.

Speakers:

Moderator: Zsolt Dudas, Chief Technical Advisor, ILO Anti-trafficking Project Caucasus

- Mr. Volodymyr Gryshchenko, Director General, Federation of Employers of Ukraine
- [Mr. Aniano Bagabaldo](#), Vice President, Employers' Confederation of the Philippines
- [Ms. Binda Pandey](#), Deputy Secretary General, General Federation of Nepalese Trade Unions (GEFONT)
- Mr. Francis B. Wangara, General Secretary, Union of Sugar, Plantation & Allied Workers, Kenya

d) The Role of the Private Sector

The business community can play a crucial role in combating human trafficking by ensuring that commercial activities comply with national laws and international instruments that criminalize trafficking in persons. Businesses can also address and reduce the factors that allow trafficking to be a profitable crime and that create the demand for goods and services produced by trafficked persons.

The Vienna Forum provided opportunities to identify and promote positive action through specially convened sessions for the private sector and by involving the business community in the broader discussion and development of partnerships to fight human trafficking.

Session I. Engaging the private sector in actively fighting human trafficking: opportunities and challenges

Context and objective:

Human trafficking is a cross-cutting developmental problem with wide-ranging social, economic and legal implications affecting all segments of society. Employers in many industries are increasingly aware that their supply chain is vulnerable to unlawful practices, including human trafficking and forced labour.

Some companies seek to protect their supply chains by adopting codes of conduct to eliminate trafficking in persons for the purposes of forced labour and/or sexual exploitation. While such self-focused measures are important and legally mandatory in many countries, some corporations are going beyond mitigation and awareness-raising efforts. Yet few businesses are actively involved in the front lines of the fight against human trafficking, compared with their involvement in other issues.

This session explored the challenges in engaging more in-depth involvement of the private sector and examined how to increase the dialogue between the private sector, Governments and NGOs.

Summary and key findings:

1. Companies needed to have a sense that NGOs and programmes against human trafficking were sustainable and designed using successful models;
2. There needed to be a focal point for anti-human trafficking activities. UN.GIFT could serve as such a focal point to coordinate and bring together all segments of society.
3. The agenda of corporate social responsibility was crowded and businesses chose to engage in issues that they knew could have an effective impact. Human trafficking was an issue where too little was known and too few facts were available, leaving it a vague and difficult area to address.
4. While there were private sector companies actively engaged in anti-human trafficking efforts, there was a lack of knowledge and awareness of the issue in much of the business community and those companies that were active received little positive recognition for their efforts. Indications were that few businesses were involved in anti-human trafficking efforts and there was a need to increase the involvement of more companies. The current dearth of knowledge and activity created

the impression that the private sector was stuck in the nascent stages of the fight against human trafficking.

5. A business case needed to be made for private sector engagement that would give corporations an idea of the extent of the problem, efforts already under way and the gap that must be bridged between the problem and effective action. Industries needed to develop, agree upon, implement and monitor a code of conduct that went beyond legal mandates and applied ethical standards.

6. Businesses were ready to engage and contribute resources to fighting human trafficking, but they needed some assurance that their partners in non-governmental and international organizations could make a positive impact both efficiently and in a sustainable manner.

Private sector participants were also concerned that, in many countries where human trafficking was rife, only 20 per cent of businesses constituted the formal sector, while 80 per cent operated in the informal sector. That circumstance called for greater regulation and monitoring efforts by governmental institutions to fight trafficking in the informal sector.

7. Panelists agreed that significantly more resources must be mobilized than were currently available through UN.GIFT for anti-trafficking efforts to bear substantial results.

Proposals for future action and recommendations:

The following proposals were made:

(a) The private sector panel agreed that UN.GIFT needed to become an effective focal point for businesses and other segments of society. In that role, UN.GIFT should convene more multilateral meetings with the aim of disseminating information on best practices and ongoing initiatives in the private sector, accurate statistical data and other relevant information. UN.GIFT needed to use the knowledge available to help develop business cases for private sector engagement in the fight against trafficking in persons;

(b) Panelists agreed that UN.GIFT needed to be a repository of information and a common platform for multilateral solutions to prevent and fight human trafficking;

(c) Despite much effort by various actors, business representatives believed that the public was still relatively unaware of the widespread nature of human trafficking and that massive awareness-raising campaigns were necessary;

(d) Another step that industries could take was developing, adopting, implementing and monitoring a code of conduct related to ethical business practices.

Private sector session II. Resource mobilization and gathering information: the role of foundations and private companies in anti-human trafficking

Context and objective:

Employers and private sector companies must comply with legal regulations and adhere to ethical considerations related to trafficking in persons. However, it is not uncommon to find that companies do not know how to address the issue because of a lack of knowledge and data on human trafficking and how it may affect commercial activities and the individuals and communities associated with

those activities. At the same time, a lack of corporate focus and resources tied to anti-human trafficking activities contributes to the information void.

The second private sector panel was intended to discuss the relevant companies in the collection and analysis of data, as well as the role of financial capital organizations and foundations in resource mobilization to fight human trafficking.

Summary and key findings:

Participants agreed that the issue of human trafficking had not caught the attention of the private sector compared with other development issues because of a lack of information, knowledge and compelling facts on the crime and its effects on society at large, including the business sector.

The criticism was voiced that while businesses suffered the constant fear of being shamed publicly for failures in their processes that might relate to trafficking in persons, there were no incentives for the private sector to engage in anti-trafficking efforts.

Among other reasons participants gave for not mobilizing resources to fight human trafficking was the sentiment that there was too little knowledge and coordination among the private sector on the issue. More awareness and research-based information was needed to understand issues such as which sectors were more susceptible to trafficking and what measures must be put in place by private companies to prevent and help fight it.

The resources that private sector companies could contribute to fighting human trafficking were people, expertise, skills training and creative partnerships for real change and not just short-term financial contributions. Marketing research associations could work as partners with UN.GIFT to help provide research to address the supply and demand side of this crime and to develop communication and branding for UN.GIFT to maximize the impact of private sector engagement. The private sector needed to pool its resources and have access to and share information on the issue with all multilateral partners.

Proposals for future action and recommendations:

The following proposals were made:

(a) Private sector participants requested that UN.GIFT serve as a multi-stakeholder coalition to facilitate private sector engagement in fighting human trafficking;

(b) The case must be made for private sector engagement through facts and research-based information on how the current scenario will affect the future of businesses;

(c) Regulations need to be developed and enforced to put companies engaging in human trafficking out of business. Governing bodies need to provide incentives, such as positive recognition, for those companies that are working actively to prevent and fight trafficking in persons;

(d) Information on trafficking in persons needs to be made easily accessible and aggressively communicated to the private sector to increase awareness and understanding of the issues, challenges and opportunities for successful impact;

(e) Participants also agreed that the issue needed aggressive media engagement to better inform the private sector and the public and to promote greater attention and resources to the issue of trafficking in persons;

(f) Another important incentive to get businesses involved is to measure the effectiveness of anti-human trafficking programmes so that resources can be directed towards successful initiatives with proven impact;

(g) Private corporations must play a critical role in sustainable livelihood programmes for victims and other vulnerable people to help prevent this crime.

A variety of initiatives were announced and partnerships offered to UN.GIFT, including:

(a) The European Society for Opinion and Marketing Research had agreed to become the “knowledge partner” of UN.GIFT, bringing the resources of its members to the United Nations, and to provide a scientific approach in building a business model for a human trafficking-free brand;

(b) A draft code for safe and honourable tourism in India had been developed to begin the process of establishing a new set of standards and incentives for the Indian tourism industry in conjunction with WelcomHeritage Hotels and UNODC;

(c) Twidox, an online library resource, was launching a specialist human trafficking platform for individuals and organizations to upload, share and find documents on human trafficking and to act as a unique repository of market and opinion information;

(d) The Gap, Inc., was a member of the Ethical Trading Initiative, which worked on purchasing practices and addressed supply chain working conditions, especially related to child exploitation in India and South Asia.

You can find all speeches and presentations at <http://www.ungift.org/>