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TOOLKIT FOR THE ECONOMIC SECTORS TO COMBAT HUMAN TRAFFICKING

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INTRODUCTION

The toolkit was developed within the framework of the Anti-trafficking stakeholders and economic sectors networking, cooperation to combat the business of human trafficking chain (NET-COMBAT-THB CHAIN) a transnational project implemented with the financial support of the Internal Security Fund Police Programme of the European Union. The project is coordinated by Association Pro Refugiu Romania, in partnership with Center for the Study of Democracy Bulgaria, Center for European Constitutional Law Greece, Italian Coalition for Civil Liberties and Rights, Verein für Internationale Jugendarbeit e.V. Landesverein Germany.

The toolkit provides useful information to support the economic sectors to combat human trafficking in partnership with other relevant stakeholders. Traffickers frequently use the economic sectors to achieve their objectives. They make use of the lower costs for transportation, online recruitments websites, hotels and tourism industry, make payments through private financial entities and other illicit actions. National and international companies and their employees need to be aware of the negative effects of human trafficking and make the necessary efforts to ensure that the products and services are not obtained through exploitation of persons.

It is necessary for the economic sectors to review their policy and ensure it can better mitigate the risks on long-term, to have a major contribution in eliminating human trafficking.

The business sectors can play an important role in combating human trafficking, nevertheless this issue had not been highlighted enough in the last years on the agenda of the economic sectors and this must change in order to eradicate the phenomenon which represents a violation of human rights with long-term consequences for its victims.



TOOL 1

Reference guide – Human trafficking implications on economic sectors and avenues to engage business in countering the phenomenon

Human trafficking is a heinous crime and an egregious violation of victims' human rights and society's public order. Preventing and countering trafficking has been the subject of a number of global and EU standards, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol), the Council of Europe Convention on Action against Trafficking in Human Beings and Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. As regards international trafficking, states in the world are very often subsumed under the categories of source countries, where trafficking victims come from, transit countries, through which they are taken, and destination countries where they end up being exploited, but those categories often overlap, and the situations of many states show their varying place on the trafficking routes.

Although standards regulate the criminalisation of various forms of exploitation, victims' support and protection, and corporate criminal liability for participation in human trafficking, the implications on economic sectors and avenues to engage businesses in countering trafficking remain aspects of lesser clarity, despite, among others, the postulations of the International Labour Organization on forced labour and partnerships to curb it (see, for example, the 2014 Protocol to the Forced Labour Convention). Economic actors may remain detached from the efforts to counter trafficking, assuming that it is a matter to be dealt with by law enforcement, judiciary and various controlling authorities. Moreover, legitimate businesses may, wrongfully, assume that they can never be implicated in the supply and demand chains as long as they conduct their direct activity in accordance with the law. However, the complexity of today's business world creates more and more indirect links between economic activities on furthest ends of the world and even well-established economic operators may turn out part of exploitation networks through chains of subcontracting and outsourcing.

This reference guide discusses the various implications that human trafficking may have on economic sectors and the ways and means to engage the business community in countering this criminal phenomenon. It is based on a report,¹ devoted to human trafficking and the economic/business sectors susceptible to be involved in the demand and supply chain of products and services resulting from victims' exploitation, and builds upon its most

¹ Berbec, S., Stoisavlevici, L., Ilcheva, M., Mousmouti, M., Malandraki, D., Delle Cese, F., Santoro, G., Lupascu, L., Venzke, N. (2019), *Human trafficking and the economic/business sectors susceptible to be involved in the demand and supply chain of products and services resulting from victims' exploitation*

important findings to give policy recommendations and handy reference for businesses on how to avoid situations of potential (in)direct involvement in criminal networks.



Human trafficking implications on economic sectors

Economic and institutional factors, most vulnerable economic sectors

Countries' economic difficulties are often a significant factor to populations' falling prey to labour exploitation and, respectively, to businesses' involvement into human trafficking chains.

As concerns source countries, pervading unemployment, societal instability and people's aspirations towards a better financial situation in more affluent countries are factors to make individuals follow traffickers' and middlemen's promises and fake job offers only to end up in the sex industry or in economic sectors where 'black labour' is predominant and access of authorities is more difficult. Those very often are the agriculture and construction fields, where individuals live and work in precarious or dangerous conditions, without knowledge of or opportunity to defend their rights, and under continuous threat and abuse. Other vulnerable sectors cited are hotels, au pair, transportation and various other services. Those vulnerable economic sectors are confirmed by studies in destination countries as well, where exploited workers are often found, respectively, in catering, construction, agriculture, cleaning, logistics and private households. Europol's special joint actions identify agriculture, construction, food industry, services, textile and home help, transportation, car wash, waste disposal, small commercial establishments, catering, recruitment agencies, ports, massage parlours as sectors impacted by labour exploitation and state that most suspected labour exploitation cases occur in transnational employment – both posting and sending through recruitment agencies. What unites those sectors, according to experts, is that they require low occupational and language skills, access of workers to support structures can be severely limited and access of authorities to work sites can be substantially impeded.

Destination countries display another array of economic factors to lure businesses into exploitation. By way of example, some companies in the agricultural sectors allegedly find it profitable to rely on exploited labour, because it allows them to minimise spending and place on the market products at a very competitive price. Moreover, traffickers are reported to proactively seek agricultural businesses on the brink of bankruptcy to offer them cheap, black labour.

Beyond agriculture, cost pressure is said to make some subcontractors withhold workers' wages or disregard social security contributions, while proper control by main contractors would cost them too much money and effort.

Public procurement procedures are also blamed to indirectly contribute to exploitation, as they often use the lowest price as sole criterion.

Efforts have been made, e.g. in Greece, to regulate the situation of seasonal workers by setting maximum quotas for seasonal employment and/or providing workers with temporary permits, but those may prove insufficient to curb growing demand. Other

specific measures in Italy have included organising free transport of agricultural workers to work, implementing pilot projects for the temporary use of state-owned properties for the reception of seasonal workers, establishing information points for the supply of housing services, and promoting language courses and job training, but their effects are still to be studied in detail.

The role of recruitment agencies

Studies in both source and destination countries emphasise the role of recruitment agencies in facilitating the transfer of workers (to be exploited) abroad. In fact, agencies can be instrumental in the transportation of victims, or arranging their (fake) documents. Efforts have been made to introduce adequate licensing procedures and public registers of licensed agencies, but those have not stopped illegal activities so far. They are said to be needed as intermediary entities between the unemployed and the organisation or company offering the (exploitative) job, especially in seasonal work, where employers and workers might not speak the same language. Non-national workers are more likely to rely on these agencies, as they are not familiar with the legal framework of the destination country and lack language skills. Recruitment fees, including travel, visa or even further charges such as high interest, are said to put victims into an even more vulnerable position.

A particular form of (illegitimate) labour brokerage is the Italian figure of *caporali*, who are said to be very much involved in putting workers to live and work in inhumane conditions.

Positive examples, where recruitment agencies are used as avenues to reach businesses and inform them of the dangers of getting into exploitation networks exist in some countries, but are still scarce.

Subcontracting and posting of workers

Today's complex transnational economic activity, often requiring subcontracting and various forms of posting of workers, may turn legitimate business structures into parts of trafficking chains.

Subcontracting is said to play a major role in 'hiding the trail' of exploitation and hindering authorities from revealing exploitation networks. Through chains of subcontracting, with no limitations on the number of actors involved, responsibilities are concealed and investigating authorities can often only identify the last link in the sub-contractual chain, which is an easily replaceable entity or even a letterbox company.

Another way to evade labour and social security requirements is said to be the posting of workers. Employee status may also be concealed by bogus self-employment or drawing up several contracts for works and services to deny employees' rights and evade social security contributions.

The impact of the Internet and mobile technologies

The evolution of technology and Internet access are said to facilitate the activity of traffickers. They use online advertisements, job offers, as well as websites which promote various types of services, including sexual ones. Internet and mobile applications are reported to largely facilitate the recruitment process, allowing traffickers to have easy access to potential victims, regardless of their location, and to communicate easily, and at

lower cost, with them, as well as among themselves. The digital space also allows traffickers to customize their messages to better influence vulnerable populations who have not usually had experience with living or working in another country. The Internet allows the disguise of offers from individuals as offers from businesses, and the mix of completely bogus offers with genuine ones behind which traffickers operate. Thus, digital service providers may find themselves implicated in facilitating trafficking, while duties as to who should control the content of advertisements remain largely unclear.



Avenues to engage business in countering human trafficking

Enhancing information provision to businesses and citizens

Practitioners and scholars alike cite the enhancement and diversification of information for both citizens and businesses as the first major avenue to engage business in countering human trafficking and raise awareness about implications on economic sectors.

Websites of institutions, recruitment-specific information or campaigns of limited duration may be insufficient to achieve full engagement on the matter. It is recommended that citizens be informed about proper employment procedures, contracts, rights and obligations, while businesses be motivated to show zero tolerance towards illegitimate employment.

Companies must be provided with concrete guidelines on how to monitor and prevent loopholes and deficiencies, both in their own establishment and in their demand and supply chains. With regards to subcontractors, contractual obligations and monitoring of minimum labour standards are recommendable.

EURES advisers, labour attaches, labour and social security offices, both in country and at diplomatic and consular representations abroad, have proven to be useful channels to inform citizens about their rights and obligations when working outside of their home state and provide counselling and mediation services. Chambers of commerce and employers' unions should not stay outside of those information efforts and should consult citizens and non-nationals alike on legitimate labour relations and ways to defend workers against exploitation.

Training and awareness raising programmes among economic actors

Apart from information provision, training and awareness raising programmes among economic actors are highly advisable. Thus, companies' representatives will learn about the specific crime of trafficking in human beings and will be aware of their (potential) participation, even though the demand and supply chains are difficult to trace. They will therefore be sensitized to the issue and will better co-operate with institutional and non-institutional actors, by reporting on and contributing to the investigation of human trafficking cases.

Training target audiences include management, personnel with direct contact with clients, employees' councils, legal and compliance departments, human resources managers. Programmes could be delivered by topic experts and/or trade unions, could cover indicators of human trafficking in various contexts and could include real-life

examples and court cases. The awareness raising could also include presenting successful examples of companies having implemented sustainable internal structures against exploitation without diminishing their financial gain, with the message that, in the long run, prevention and countering of trafficking and financial success are not mutually exclusive. Such seminars should be included in existing training modules, such as vocational training programmes and management seminars, in order to be developed and implemented by businesses. Dedicated training programmes could also be developed for different vulnerable sectors, such as construction and agriculture.

Diligence in supply chains

Diligence is required from economic actors to ensure that their products are not obtained through exploitation or, if they are, to inform and co-operate with the relevant authorities. Regular audits are recommended within the supply chains focusing on identification of labour trafficking incidents or suspicions. Exercising diligence when using supply chains should be made part, among others, of companies' corporate social responsibility and business ethics rules.

Companies could in fact streamline their efforts against exploitation into overall anti-trafficking management systems with the following components:

- a. **Compliance:** knowledge of and compliance with national and international legislation on combating human trafficking;
- b. **Holistic approach:** knowledge and analysis of all elements of the complex phenomenon of trafficking; risks of exploitation within companies' supply chains; possible use of products, facilities and services by traffickers;
- c. **Clear recruitment guidelines:** recruitment, whether done directly or through third parties, should be based on clear guidelines;
- d. **Training of the personnel working in the respective economic field:** training sessions should be organised in partnership with governmental agencies with the necessary expertise to combat human trafficking.

Certification of products that meet good labour standards is also recommended, with constant independent supervision of production processes. This, and other ethical training initiatives, could be an incentive for businesses to fully observe applicable regulations, while at the same time promote themselves on the market.

Building strong partnerships in countering exploitation

In addition to the above, experts claim that strong partnerships should be built between anti-trafficking stakeholders and additional partners such as the media and businesses, especially in the tourist, construction and agriculture sectors, found most susceptible to trafficking chains. Those partnerships may lead to the development of action guidelines in cases of labour exploitation, including specific steps for every business sector. Encouraging such partnerships should be a proactive obligation for the state.

Ultimately, such partnerships should lead to a state-led centralised anti-trafficking infrastructure. Such infrastructure is expected to bring together all temporary, project-based measures and streamline the co-operation between anti-trafficking stakeholders and businesses throughout each country.

The role of the Internet and social networks

As mentioned above, the role of the Internet and mobile technologies in exploitation is significant, and so is their role in combating the phenomenon. The Internet can be used as a tool to protect against online recruitment, and anti-trafficking authorities should be in constant contact and co-operation with Internet and service providers, social media administrators, etc.

Online communication platforms could be used for the dissemination of information about legitimate job opportunities and warnings about fake job offers. In this respect, the online information tools of institutions and trade unions should play a significant role.

Job advertising sites should be motivated to promote the provision of detailed information about the jobs offered, as well as links to labour inspectorates and other assistance services. Personal data protection on social media should be strengthened.

Strengthening of businesses' self-regulations and co-operation with relevant authorities

Through codes of ethics, businesses, especially in destination countries, should enter agreements not to employ trafficking victims and not to work with suppliers suspected of using victims' services. The agreements should also include the obligation to contact the relevant authorities in case of suspicions of labour trafficking. Close co-operation should continue between law enforcement, labour inspectorates and, in the case of posted workers, tax authorities. Guidelines for companies at risk could also be developed.

International cooperation and victims' reintegration in the labour market

Experience should be shared among representatives of various Member States and strategies should be devised for reintegration of victims. This should involve easier employment procedures and supporting victims' integration on the labour market. Thus, businesses may contribute in the process of victims' labour reintegration and facilitate, through their associations and individually, the improvement of their skills and their employment by legitimate business structures.



TOOL 2

Manual for employee trainings on human trafficking, forced labour and labour exploitation

Fighting human trafficking, forced labour and labour exploitation starts by raising public awareness. This trainer's manual is addressed to managers and heads of department who aim at raising awareness amongst the members of their company. It forms a basis for training employees with no prior knowledge.

The trainer's manual comprises different modules that build on each other. The training begins with a brainstorming session, which can be referred to during later parts. Afterwards, arguments are presented to encourage the participants to take the topic seriously. In the next part, a definition of human trafficking, forced labour and labour exploitation is given and, in a further step, embedded into risk areas. Then, concrete indicators for identifying victims and situations of human trafficking are presented. This is the essential pre-condition for an adequate response to this problem. The received knowledge can be applied during an example case in the following module. Thereafter, it will be proposed how companies can deal with the topic. Finally, recommendations for an evaluation and execution of the training are given.



WELCOME ADDRESS

The trainer starts with a welcome address. He briefly presents the structure. After the participants have introduced themselves the trainer outlines the agenda of the workshop. It is advisable to also have a welcoming word from the director or manager, in order to set the tone of the training session. Thereby, the message is sent that the management takes the topic seriously. This serves to increase the motivation of the employees.



BRAINSTORMING

Goal

The goal of the brainstorming session is to get a first overview of the participants' level of knowledge in the field of human trafficking, forced labour and labour exploitation. This helps the trainer to assess the knowledge of the participants. Furthermore, the questions can give a first impression of the participants' willingness to participate and

discuss. Moreover, this is the stage when it is possible to find out if different point of views on the topic exist.

Description and Methods

The trainer introduces the brainstorming topic, guided by prepared questions. Every participant gives his or her ideas and opinions. The following questions can be used:

- What do you think is human trafficking? And labour exploitation?
- How, according to your opinion, can a person end up in such a situation?
- Who is mainly affected?
- What would you do, if you would observe such a situation within your own company, a supplier or a sub-contractor? ?



REASONS WHY COMPANIES AND EMPLOYEES SHOULD TAKE THE TOPIC SERIOUSLY

Goal

The following arguments help to make clear to the participants why this training and raising awareness are of high importance, especially within companies and their suppliers. It furthers the development and implementation of the company policy and mission statement. Another goal is to prevent a culture of turning a blind eye.

Description

Long term profit

Some companies receive competitive advantages by using illegal means like human trafficking and labour exploitation. That distorts competition and harms serious companies. However, it happens also within serious companies that their suppliers, business partners or sub-contractors are not clean. So they contribute towards distortion of competition and disadvantages for the ones who work properly.

Nevertheless, an increasing number of economic actors realise that cases of human trafficking and labour exploitation are negative for a long-term profit. Those firms develop internal structures and tools that make it possible to adequately react to and even prevent such situations. In most instances, the effects will be quickly seen in form of increase of productivity. Here, it is important to include sub-contractors and control them in advance. A rising number of investors do not only require maximisation of profit but social, cultural and ecological sustainability as well.

Competitive advantage

Companies that provide fair labour conditions are not only attractive employers, but can also distinguish themselves from their competitors on the market, and hence have a competitive advantage selling their goods or services. The competitiveness will be increased, leading to a long-term profit. More and more consumers claim good labour standards and are ready to pay a higher price for that. Reports about slave-like practices within a company will inevitably lead to a change of buying behaviour of many consumers. Companies that react quickly gain the clients' trust and bind them to the company.

Image and public perception

The public perception is an important part of the company culture. Being mentioned in the media in connection with labour exploitation or human trafficking, even if it only happened at a sub-contractor, can have a great negative effect on the image of the company, which is difficult to make good again. As the topic of human trafficking becomes increasingly important in the European Union, the media reports on related issue more frequently. Hereby, the issue is not bad labour conditions but extreme grievances of human trafficking and labour exploitation. Therefore, this topic should receive the required high attention.

Legal consequences

Being associated with human trafficking, forced labour and labour exploitation may have legal consequences. On the one hand, there are criminal and administrative sanctions. On the other hand, civil claims are threatening. All of them can be prevented by adequate risk management.

Ethical responsibility

Companies have a responsibility towards the society. Through increased cooperation, e.g. with sub-contractors, the risk of human trafficking and labour exploitation rises within chains of sub-contractors. If labour standards at the sub-contractor are not extensively controlled, the company indirectly contributes towards it and ignores its share of the responsibility.

Method

The above-mentioned points may be presented by the trainer or developed in dialogue with the participants. It depends on the participants' willingness to contribute, and the method can be flexibly adapted.

Where possible, the arguments can be linked with the mission statement of the firm. A relation with the values and vision of the company may be established.



DEFINITION OF HUMAN TRAFFICKING, FORCED LABOUR AND LABOUR EXPLOITATION

Goal

The goal of this module is to give a definition of human trafficking and erase wrong perceptions. It should bring all participants on the same level of knowledge. The presentation of the international and European legislation serves to highlight the rising importance of human trafficking in Europe and world-wide. This helps responsible actors to prioritize the topic.

Description

In the following module, the topic of human trafficking will be introduced. Beyond the definition of the International Labour Organisation, the relevant European Legislation will be presented. Afterwards, the trainer can turn to the national legislation.

- ILO: forced labour = involuntary performance of labour with the threat of a punishment
- EU: human trafficking:
 1. Act of movement
 2. Coercive means
 3. Exploitative purpose

Human Trafficking is a phenomenon which occurs in nearly every country. It is build out of three elements: an act of movement, like recruitment, a coercive mean and the purpose of exploitation. It covers different forms of exploitation. Labour exploitation is the most prevalent form in the economic context. According to the International Labour Organisation, forced labour is defined as a situation in which work or services is performed under the threat of punishment. Besides seriously exploitative labour conditions, which infringe into the dignity of the employees, force or deception is used. The differentiation between the non-compliance with labour protection standards, like non-payment of minimum wages or work place security, and human trafficking is not precise.

In Article 2 of the EU-Anti-trafficking Directive 2011/36/EU, the internationally recognised definition of human trafficking is used, which comprises three elements. Firstly, this is an act of movement, e.g. recruitment or transfer. The second element is the coercive means, like force or abuse of a situation of vulnerability. Such a position can be given, if the person is in a difficult economic situation which make it impossible to choose another option. It can also arise if the victim does not know the language or is in another way dependent on the perpetrator which is abused by the latter. If the victim is a child, the means does not need to be present. The third part is the purpose of exploitation, in our case forced labour.

Afterwards, the focus can go on the national legislation. The trainer can highlight relevant criminal, administrative and civil laws. It is also important to highlight the legal consequences. Comparisons can be made with the European anti-trafficking framework.

Method

Reference may be made to the answers that the participants gave during the brainstorming session. Similarities and differences can be underlined.

A visual medium like a short film or reportage can support the introduction into the topic of human trafficking, forced labour and labour exploitation. The film or reportage should present the problem in the participants' country at hand and depict the situation of the affected persons. This is followed by a first short discussion with the participants on the topic. The questions should refer to the film or reportage. The German service point Servicestelle für Arbeitsausbeutung, Zwangsarbeit und Menschenhandel has a short film which is also available in English. The centre can be contacted via their website: <http://www.servicestelle-gegen-zwangsarbeit.de>.



RISK FACTORS

Goal

This part shall raise awareness of the factors that hint towards exploitation and lead to the responsibility to take a closer look. If those factors are given, certain steps must be taken in order to reduce the risk of human trafficking and labour exploitation. Potentially affected person can be contacted and offered support. This pro-active approach can decrease the risk of human trafficking and labour exploitation at an early stage.

Description

Factors are presented which increase the risk. The presence of those factors does not mean per se that human trafficking and labour exploitation is occurring. However, there is a danger that it turns into such a circumstance.

- Difficult economic situation
- Status as a foreigner
- Illicit labour
- Missing transparency in labour relationships
- Unclear chains of sub-contractors
- Posting or transfer of workers
- Missing self-identification by the affected persons
- Unreasonable cheap prices and quick delivery

➤Economic risk sectors

The vulnerability to human trafficking and labour exploitation is often created by a difficult economic situation. Many victims come from a situation of unemployment. Having a family to support increases the pressure to find a job within a short time.

Foreigners make up a big part of the victims. The lack of opportunities in the countries of origin can lead people to accept dubious job offers abroad, which later turn out to be exploitative. The usage of labour brokers charging unreasonably high prices is not uncommon. In the country of destination, the lack of language skills and knowledge about the legislation and customs can create the basis for vulnerability. This situation is often worsened by the lack of social contacts in the destination country, who could give advice or support.

Furthermore, the illicit labour market opens the door for precarious labour conditions. Workers' rights are often undermined due to missing public control. In some cases, this turns out to be so serious that a situation of human trafficking or labour exploitation is given.

Also, a lack of transparency in labour relationships bears a risk potential. This appears, for example, if the exact tasks and remuneration are not written down. If the employment contract is not handed out or is written in a language the employee does not understand, the legal insecurity of the employee, and hence the danger of abuse, is increased.

Certain business models present a greater risk, although they are not per se exploitative. In non-transparent chains of sub-contractors or contracts of work and services, responsibilities can easily be hidden. Hence, the control of the labour standards of the workers who are actually carrying out the task is impeded. If the sub-contractor is allowed to further outsource the work, the general contractor can lose sight of who is responsible for carrying it out in the end. Also, during the transfer or posting of workers, there is a higher vulnerability for human trafficking and labour exploitation as it is difficult for authorities to discover cases of human trafficking. The verification of certificates, communication between authorities and control of the work place abroad pose difficulties that decrease the probability that they take place.

In most instances victims do not identify themselves as such. This impedes the recognition by external people. Reasons for the missing self-identification are the dependency on the employment, which provides at least a low income, or the influence of the perpetrator. Those factors prevent the victims from accepting or wanting to accept that they are exploited, and hence remain in the exploitative situation. They do not search for help and, in case it is offered, do not immediately accept it.

Furthermore, an unreasonable low price can be a hint towards grievances. Costs are cut at the expense of worker rights. Too short delivery times combined with a low price may lead to excessive overtime that could be part of a system of human trafficking.

Every economic sector can be affected. Nevertheless, risk sectors have been identified. Those are employment relationships in which the personnel with low language skills and qualifications can easily be replaced. The risk areas differ amongst the countries, but recurring branches are the transport and logistics sector, cleaning services, construction sector, hotel industry, catering, tourism, household related services, agriculture, food industry and the textile industry.



LIST OF INDICATORS

Goals

The definition of human trafficking and labour exploitation is complex. The list of indicators serves the purpose to make the terms more concrete and tangible. It furthermore supports employees in identifying such situations in their daily work life, enabling them to act adequately.

Description

In the following module, indicators for human trafficking and labour exploitation are presented. One indicator is not sufficient, human trafficking and labour exploitation is characterized by an interplay of several ones. Thereby, at least two to three must be given, all indicators are rarely present at once. In case such factors are observed, further steps have to be taken.

- Deception or abuse of vulnerability during recruitment
- Unreasonably high debts
- Isolation or restriction of freedom of movement
- Control, e.g. retention of identity documents
-
- Violence, intimidations and/or threats
- Withholding of wages
- Excessive overtime
- Missing work place safety
- Inhumane living conditions

A first indicator is the deception or abuse of vulnerability during the recruitment process. Often victims are misled about remunerations and working conditions. If the person had known the true conditions, she or he had not entered into the employment agreement. Economic distress can create a vulnerability which decreases the freedom of the person, e.g. preventing her or him from leaving the exploitative situation, as she or he cannot afford the travel back home.

Another indicator is indebtedness due to disproportional costs for brokerage, travel or other fees. The repayment modalities are unclear and can therefore be easily abused. Also, unreasonable charges for accommodation or other fees imposed by the employer carry the potential of creating growing debts.

Isolation and restriction of freedom of movement can be mentioned as indicators as well. Such circumstances arise, for example, if the employee is prohibited to leave the work or living place or to return home. If the worker is not allowed to freely choose his living place, his personal freedom is impermissibly restricted. Furthermore the accommodation is often linked with the employment. Leaving the provided apartment would lead to a dismissal. Attempts by the employer to prevent social contacts with neighbours or colleagues can show a too intrusive behaviour which could reveal human trafficking and labour exploitation.

The control exercised by the employer is a signal for human trafficking and labour exploitation. Examples are the prevention or surveillance of the use of the phone or Internet. Also, the lack of access to cash, shopping possibilities restricted towards stores of the employer or similar practices lead to dependencies on the employer and creates a situation of control. In addition, the permanent retention of identity documents is an important indicator relevant in this context.

A further sign is the use of violence, in case the victims show resistance against the exploitation. However, in most instances, the coercion does not amount to physical force, but to more subtle forms like intimidations and threats. Those can be directed against the victims themselves or their families, e.g. the threat that something is done to the families if the victims do not comply with orders. Another tactic of perpetrators is that they tell victims what to answer in case of inspections.

The following indicators characterize an exploitative employment relationship. The first one is the withholding of remuneration, e.g. in case much less than the minimum wage is paid or the money is given to a third person who does not forward the money. The non-compliance with minimum pay requirements can be concealed by the drafting of two contracts. There is one official version and another with the factual illegal terms. Secondly, excessive overtime can be mentioned here. Also, the refusal of resting days or breaks falls within this category. The third point is missing workplace safety. Thus, the safety or health of the worker is endangered. This can be recognized by the lack of protective clothing or wounds caused by work accidents. The refusal to provide medical help in case of a work accident is part of this category.

Lastly, inhumane living conditions can be mentioned. Often victims are accommodated in over-crowded rooms, with a lack of sanitation, electricity, heating and running water.



CASE WORK IN GROUPS

Goal

The presentation of concrete cases is essential, as it brings the topic closer to the participants. It shows that everyone can potentially be affected by labour exploitation.

Description

It is advisable to choose cases which led to a conviction. The case serves to give the participant an overview over the topic of criminal prosecution. One or two cases can be presented and discussed with the group. This depends on the number of participants and the duration of the training session. When choosing the cases, it is advisable to focus on the same or similar economic sectors as those in which the company is operating. Thus, it can refer to NGOs or counselling centres which deal with the topic human trafficking, forced labour and labour exploitation.

Method

The participants receive a printed copy of the case(s). In a first step, they read the facts and then discuss them in pairs or bigger groups, depending on the total number of participants. A list of indicators as presented in chapter 6, which can be distributed and used for a correct evaluation of the case. Besides this list, the following questions can be posed:

- Does, according to your opinion, the following case match the definition of human trafficking or labour exploitation?
- Have you already personally experienced or noticed a similar situation e.g. at a supplier or sub-contractor??

Afterwards, the cases and the questions are elaborated and discussed within the whole group.



CONTACT POINTS INSIDE AND OUTSIDE THE COMPANY

Description

The question “How to react, if indicators of human trafficking or labour exploitation are observed” is a delicate one, as fear of consequences is prevailing. The following options can though be proposed:

Contact with counselling centres

An important part of a training is the establishment of contacts, especially with counselling centres. This gives the participants the possibility to anonymously search for

help or provide contact details to victims s after the completion of the training programme. The trainer should provide a list with counselling services in the local or country-wide context. It is also possible to refer to an organisation which has provided such a list online.

Works Council

If the company has a works council, this could be a possible contact point. The task of a works council is to represent the rights of the workers and hence to support in matters regarding labour law. If the problems go beyond the own competencies, the person can be referred to the responsible body. In case a works council exists, the trainers should present this point and provide the contact details. In this case, the works council should be trained on the topic of human trafficking, too.

Anonymous Complaint Mechanism

Another option is an internal complaint mechanism. This could be provided in the form of an e-mail address, a whatsapp contact or a contact form. In such cases, the identity of the complainant has to be hidden. The messages can be dealt with by the works council or a person of trust. As the anonymity is guaranteed, obstacles for employees are reduced. Also, if the victims do not want to talk to a member of the company, they can receive further information about contact points where they can report the exploitation case.



CREATION OF A RESPONSIBLE COMPANY CULTURE

Goal

This section is aimed at proposing reactions against human trafficking and labour exploitation. No ready-made solutions will be presented, but how a process can be initiated to establish better labour conditions, both within the own company as well as in business partner companies.

Description

In this module, proposals for the creation of a company culture in which human trafficking and labour exploitation is decreased and prevented are made. Different areas are presented. At the end a responsible behaviour with regard towards business partners is presented.

- Awareness about good labour standards
- Respect towards external workers
- Information about labour rights
- Trainings on anti-discrimination
- Responsible selection and cooperation with business partners like sub-contractors

The starting point of a responsible company culture is awareness about good labour standards. The personnel should be regarded and treated as the most valuable resource. Then, exploitation is not seen as a normal situation any more but considered as an unacceptable condition that has to be changed. A working environment must be created in which the employees, including sub-contractors', transferred and posted workers, respect and support each other. This can be supported by an active dialogue between employees and heads of department or managers, too.

The information on workers' rights coupled with possibilities of enforcement and support is an important aspect. Informed workers are more likely to resist human trafficking and labour exploitation

Training on anti-discrimination combat the root of the problem, as marginalization pushes persons towards inhumane employment conditions. Also, training on cultural differences and intercultural competences may be advisable.

The creation of good working conditions, shall be done in cooperation with the business partners, like sub-contractors. Dialogue and support are the drivers for that process. From the beginning of the business relationship on, clear expectations in the field of labour standards must be formulated and controlled through suitable systems. The price should not be the decisive factor. The influence on the business partner should not be underestimated. Furthermore, new conditions can be negotiated with existing business partners, which focus more on the prevention of human trafficking and labour exploitation. It is essential that reliable information on the labour conditions at the other party be gathered. This includes wages, accommodation, work place safety and transport to and from work. This is how the risk of being associated with crimes committed by the business partner can be avoided. Regarding the ethical responsibility of corporate actors, it can be said that ignorance does not relieve from duties. On the contrary, the failure to gather information is the first wrongdoing. Moreover, the principal could require that it pay the remuneration directly to the employees, in order to circumvent abuse within chains of sub-contractors.

Methods

The presentation of the mentioned points shall be adapted to the specific circumstances within the company.

This part can also be delivered in interaction with the participants. Reference can be made to the example case. The participants can be asked, on the one hand, to describe existing structures in the firm that would prevent such a situation. They can think of how to improve those systems. On the other hand, proposals for new structures and approaches can be collected.



CONCLUSION

Goal

The conclusion of the training session ensures that the participants remember the most important contents of the training session for a longer period of time. Wrong perceptions are elucidated once again. Furthermore, concrete agreements can be concluded on a responsible anti-trafficking behaviour.

Description

At the end of the training, a short summary of the basic points will be given. It is advisable to compare the presented facts with the opinions and ideas that the participants expressed at the beginning of the training session (chapter 2). Furthermore, the participants will share which information was new for them. They will be encouraged to make concrete decisions on how to react or respond to indicators of human trafficking or labour exploitation.

Method

This module can take the form of a feedback session, in which the participants can share what they deem important and where they still have concerns.

Furthermore, there is the option to sign a code of conduct or a standard operating procedure. These can contain obligations to prevent human trafficking and labour exploitation, to not turn a blind eye towards risk factors and indicators and to take the necessary steps should the situation arise.



EVALUATION

Goal

The goal of the evaluation is to elucidate both successes as well as discrepancies. This helps in communicating the value of the training to the director. Employees' feedback can show how their attitudes have changed. Moreover, an evaluation stimulates the participants to reflect on their new awareness and remember the findings for a longer time. Furthermore, this is an opportunity to identify the best methods for achieving the goals of the training programme. Points of criticism can be implemented during the planning of the following trainings.

Description

At the end of the session and afterwards it is advisable, to conduct an evaluation. At the end of the training, a feedback sheet can be distributed. Within the following six months, it can be repeatedly evaluated how the training has influenced the own perception and which points were implemented.

Methods

An example of a feedback sheet is presented.

Scale from 1 to 6 (1: totally disagree, 6: totally agree)

- My perception of human trafficking, forced labour and labour exploitation has changed
 - Due to the training, I realise that I am partly responsible to not turn a blind eye towards human trafficking and labour exploitation in my environment
 - I am aware of risk factors of human trafficking and labour exploitation and I will try to support victims in e.g. providing details of contact points
 - I can identify indicators of human trafficking and labour exploitation
 -
 - The example case has helped me to better understand the topic
 - I know to whom I can speak in case of a suspicion of exploitation
 - I have received ideas on how I can increase the awareness in my company of human trafficking and labour exploitation in order to take steps against it
 - I was comfortable with the atmosphere and teaching style in the training session
 - I am still unsure about the following points:
 - I need further support to implement the presented topics:
 - In the context of human trafficking and labour exploitation, I would propose training on the following topic:
 - Other comments:



GENERAL RECOMMENDATIONS FOR DELIVERING THE TRAINING

Finally, general recommendations on preparing and delivering training sessions for companies on the topic of human trafficking, forced labour and labour exploitation are presented.

A one-day training session is advisable, as the topic is very complex in some parts. However, it is also possible to present the subject in a shorter period of time. Experts propose to integrate the topic in already existing company training programmes. Those could be the following:

- Risk management and compliance
- Anti-corruption
- Prevention of money laundering
- Legal use of subcontractors
- Work place safety
- Supply chain management
- Sustainability – social and economic pillars of sustainability
- Corporate Social Responsibility

A further question is who leads the training. There are several options, like:

- The manager
- A head of department
- An employee of human resources or the compliance department
- External experts, e.g. from a counselling centre for victims of human trafficking

During the training it shall be repeatedly emphasized that it does not focus on solely low working conditions, but serious cases of human trafficking and labour exploitation. It is not about mentioning minor injustices like too many over hours or too low wages, but about a much higher level of exploitation. It is the combination of many exploitative factors which lead to the conclusion of human trafficking conditions. Due to the great negative impact on the well-being of the victims and society in general, a consequent response by companies towards human trafficking and labour exploitation is ethically required.



TOOL 3

Code of conduct for companies and their personnel



Scope of the code of conduct

Trafficking in human beings is a serious crime and a gross violation of human rights, which can be classified as a modern form of slavery. It occurs all over the world and affects almost every country as an origin, transit or destination country or sometimes a combination of all.

The global scale of human trafficking is difficult to quantify, due to the hidden nature of the crime. Figures often may have been based on conflicting definitions or compiled for different purposes and are therefore seldom comparable. Trafficking in human beings is often linked with other forms of organised crime. According to the United Nations, it is considered the second source of illicit profits for organised criminals, after those obtained from the drugs trade.

Human trafficking is a highly profitable business and the proceeds of this criminal activity are largely reintroduced into the world economy and financial system. It is about exploitation of vulnerable workers, women, children and men. It is an issue of human rights' violation, which all labour actors should join efforts to prevent and combat. Human trafficking is different from human smuggling. Trafficking is exploitation-based and does not necessarily require movement across borders

All employers and employees are equally responsible to safeguard a work environment that is free from human trafficking and forced labour. All business sectors and all companies are committed to working to mitigate the risk of human trafficking and forced labour in all aspects of their business, to avoid, prevent, monitor and report suspected or actual violations.

The CODE of CONDUCT is based on the principles enshrined in international, European and national legislation aimed at combating trafficking in human beings.

The purpose of this CODE of CONDUCT is to:

- Ensure that enterprises have in place procedures to prevent and deal with human trafficking cases;
- Protect businesses from human trafficking incidents;
- Make all employees, agents, subcontractors, suppliers, vendors, partners and others through whom the enterprise conducts business aware of the actions that they must take if confronted with human trafficking or forced labour cases.

This Code of Conduct applies to all personnel employed by or engaged to provide services to the enterprise, including, but not limited to, the enterprise's employees, officers,

temporary employees, contingent workers (including agency workers), casual staff, and independent contractors.

The Enterprise should request its customers, suppliers and contractors to sign this Code, or include a relevant clause for its application within the terms and conditions of any business agreement.

Every employee is responsible for reading, understanding and complying with this Code.

The Enterprise's managers are responsible for ensuring that the employees who report to them, directly or indirectly, comply with this Code of Conduct and complete any certification or training required of them.

The Enterprise should appoint an Office or Individual (akin to a Focal Point) within its facilities, which will be responsible for delivering training, monitoring compliance and investigating reports on trafficking in human beings. Any questions or concerns relating to this Code of Conduct should be directed to the legal department of the enterprise or to the Office/Individual tasked with monitoring the Code's application.

Reports of violations or suspected violations related to trafficking should be kept confidential to the extent possible, if the employee wishes to remain anonymous.

The Enterprise shall not tolerate retaliation against an employee for reporting a concern in good faith or for cooperating in a compliance investigation, even when no evidence is found to substantiate the report.

Any violation of this Code may be grounds for disciplinary action, up to and including termination, subject to applicable law. Violation of applicable laws may also result in criminal prosecution of responsible individuals.



Policy Statement for the enterprise and its personnel

Training about the Code is required for all the enterprise's personnel. General training will be provided to the personnel through any suitable means and shall aim to raise overall awareness of human trafficking and its many manifestations and to inform employees of their obligations under the Code. Basic training will cover both labour and sex trafficking. In addition, training will be provided to increase the enterprise's capacity to design, implement, monitor, and evaluate effective counter-trafficking action.

The enterprise shall prohibit all forms of trafficking in persons and all actors with whom the enterprise conducts business should not engage in any practice that constitutes trafficking in persons, such as:

- Engaging in any form of trafficking in persons;
- Using forced labour in the performance of any work;

- Destroying, concealing, confiscating, or otherwise denying an individual's access to his/her identity or immigration documents, such as passports or drivers' licenses, regardless of the issuing authority;

- Using misleading or fraudulent practices during the recruitment of candidates or offering of employment/contract positions; such as failing to disclose, in a format and language accessible to the potential candidate, basic information or making material misrepresentations during the recruitment of candidates regarding the key terms and conditions, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if provided by the Business/Company), any significant cost to be charged to the candidate, and, if applicable, the hazardous nature of the work;

- Using recruiters that do not comply with the labour laws of the country in which the recruiting takes place;

- Charging applicants/candidates recruitment fees;

- If required by law or contract, failing to provide return transportation or failing to pay for the cost of return transportation upon the end of employment;

- If required by law or contract, failing to provide or arrange housing that meets the host country housing and safety standards; or

- If required by law or contract, failing to provide an employment contract, recruitment agreement, or other required work document in writing.

Employees may rely on the following indicators to **identify potential victims** of trafficking:

Behavioural and physical condition of a victim:

- The person manifests anxiety, fear or submissive attitude
- The victim defers to another person to speak for him or her
- The victim presents signs of physical and/or sexual abuse, physical restraint, confinement, or torture
- The victim appears to have been harmed or deprived of food, water, sleep, medical care, or other life necessities

- The victim has only few or no personal belongings

Social Behaviour:

- The victim might not be free to contact friends or family
- The victim does not have freedom of movement

Work Conditions and Immigration Status:

- The victim appears to work for an excessive duration of time/ many hours
- The victim's salary appears to be retained by someone else or he/she has to pay a certain fee towards other persons

- The victim has been threatened with deportation
- The victim has no identification and/or travel documents
- The victim has been forced to perform certain acts they normally do not consent to

Employees must **report any suspected cases** of trafficking in persons or procurement of commercial sex that involve the enterprise's personnel to the Office or individual appointed for investigating or reporting trafficking within the company.

Employees are advised to avoid direct confrontation with a suspected trafficker.

If an employee has any suspicions of human trafficking, forced labour or workers' exploitation he/she should report it immediately to the office or individual within the company appointed for the relevant issue.

Employees should follow the company's corporate protocol, such as notifying management and security.

Employees are encouraged to report trafficking cases to the available number for national emergency situations — threats of violence, physical assault, medical emergencies , etc. – or to the relevant police authority.

Where available, they should also notify the national anti-trafficking agency.



Investigations and audits performed by the enterprise

The Enterprise will perform investigations and audits to verify that business is being conducted in compliance with this Code. All the enterprise's employees and third parties through whom the enterprise conducts business shall be required to fully and promptly cooperate with its internal and external auditors and investigators, and must respond fully and truthfully to their questions, requests for information, and documents.

Any failure by an employee to completely cooperate, or any action to hinder an investigation or audit, including for example, hiding or destroying any information or documentation, providing false answers or false information, or deleting email or other documents, may be grounds for disciplinary action, up to and including termination, subject to applicable law.



Compliance of customers, contractors and suppliers

Customers, contractors and suppliers shall take all reasonable steps to ensure that modern slavery and human trafficking is not taking place within their supply chain or within any part of their business. Customers, contractors and suppliers are to adhere to this Code, along with all applicable national and local laws.

Customers, contractors and suppliers must be able to certify that the materials included in their products comply with all requisite slavery and human trafficking laws. The

Enterprise may at any time request a supplier or contractor to supply a report setting out the steps they have taken to ensure that modern slavery and human trafficking is not taking place within their business or within their supply chain.

Customers, contractors and suppliers have a duty to immediately report to the Enterprise any breach of or deviation from this Code.

If a customer, contractor or supplier breaches this Code, the Enterprise reserves the right to request from such supplier or contractor a corrective action plan. This plan is to set out the steps that the supplier or contractor will undertake to rectify the breach. Should the corrective action plan not rectify the breach and depending on the severity of the breach, the Enterprise reserves the right to terminate any contractual relationship that exists.

By signing a relevant document, the supplier or contractor to the Enterprise agrees to comply with the terms and conditions of this Code.



TOOL 4

Due diligence procedures for companies



Scope, purpose

In an increasingly globalised economy the production of goods and services has become extremely fragmented, leading practices of human trafficking to thrive. In this context, nearly every company involved in a multinational supply chain is exposed to the risk of being involved in the human trafficking chain,² but many corporates see themselves as immune to human trafficking risks or see no urgency in addressing these risks within their operating models.³

Corporates that commit THB-related abuses cause grave, long-lasting harm to victims, but also expose themselves to serious risks.⁴ In fact, companies are increasingly exposed to risks associated to forced labour and human trafficking in their supply chains, the main exposure being through recruitment. This is particularly true where exploitative recruitment practices are widespread and migrant or otherwise vulnerable workers are recruited into lower skilled jobs in the supply chain.⁵ The use of recruitment agencies and the chains of subcontractors may increase the risk for companies to be involved in THB practices, as this may lead to lack of transparency concerning working conditions and to illegal or undeclared labour from THB victims being resorted to in the supply chain.⁶ At the same time, corporates may be implicated in human trafficking if their premises, products or services are used by human traffickers for the purpose of trafficking (e.g. in the transport, tourism or hospitality sectors).

The potential for human trafficking in supply chains is a growing concern for regulatory bodies, NGOs, investors and other stakeholders in a range of sectors, most notably those that are involved in global and complex supply chains. Ensuring that

² Research by the Ashridge Centre for Business and Sustainability and the Ethical Trading Initiative (focused on retailers and suppliers in the apparel, grocery, department store, home and garden, beverage, fresh produce, and health and personal care sectors) found that 71% of companies believe there is a likelihood of modern slavery occurring at some point in their supply chains. See Deloitte, *Addressing human trafficking risks in supply chain*, available at: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/risk/us-risk-conflict-minerals-pov.pdf>.

³ Deloitte, *Addressing human trafficking risks in supply chain*, available at: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/risk/us-risk-conflict-minerals-pov.pdf>.

⁴ U.S. Department of Labor, *2018 List of Goods produced by child labor or forced labor*, p. 35, available at: <https://www.dol.gov/sites/default/files/documents/ilab/ListofGoods.pdf>.

⁵ Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, p. 6, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.

⁶ Danish Centre Against Human Trafficking, Danish National Board of Social Services, *Managing the risk of hidden forced labour*, available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/guidelines_risk_management_en.pdf.

companies are aware of and actively take measures to prevent and combat their (potential) involvement in the THB chain is critical in the global fight against trafficking in human beings. All businesses, irrespective of their size and the location where they operate, are expected to respect the full range of internationally recognised human rights, including those related to human trafficking.⁷

In many countries around the world, a growing body of law is shifting private sector action on respecting human rights and combating THB from a merely voluntary endeavour to a mandatory rule to comply with.⁸ New regulatory requirements are compelling organizations to design due diligence procedures to approach this issue, establish and effectively implement policies, and develop evaluative metrics to address human trafficking beyond the “check the box” requirements to mitigate scrutiny from stakeholders and NGOs.⁹

Companies may be directly liable for violations of measures aimed to prevent human trafficking and/or have enforceable obligations to report on the risks of trafficking in their supply chains. While some jurisdictions require companies to take specific measures in monitoring the recruitment process and in ensuring that workers’ rights are respected, other jurisdictions impose various transparency obligations that mainly involve disclosure requirements.

Legal provisions on human trafficking vary between jurisdictions. In some jurisdictions, legislation only applies to natural persons, in others, relevant domestic law prohibits certain direct acts of trafficking (or their equivalent) by corporates. In some jurisdictions, there is also a duty on corporates to disclose information on measures they have taken to prevent human trafficking. It is to be noted that several THB-related pieces of legislation have extra-territorial scope and application that affect companies operating internationally and have far-reaching consequences in supply chains and business relationships.¹⁰

However, legislative measures aimed at raising the awareness of companies and hold them responsible in case of THB-related violation are fragmented and unevenly spread across different regions of the world. By and large, private sector action to combat violations related to trafficking in human beings remains a voluntary undertaking.¹¹ Nevertheless, responsibility to respect human rights is an expected global standard of conduct for all companies. It is therefore fundamental that corporates proactively take steps to put in practice due diligence procedures so as to guarantee that the highest ethical standards are maintained, while ensuring that they are not involved in human trafficking.

⁷ Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.

⁸ This includes countries such as the United States of America, the United Kingdom, France and the Netherlands.

⁹ Deloitte, *Addressing human trafficking risks in supply chain*, available at: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/risk/us-risk-conflict-minerals-pov.pdf>.

¹⁰ Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, p. 6, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.

¹¹ U.S. Department of Labor, *2018 List of Goods produced by child labor or forced labor*, p. 35, available at: <https://www.dol.gov/sites/default/files/documents/ilab/ListofGoods.pdf>.



International law context

While only some jurisdictions have introduced legislation imposing anti-human trafficking obligations on corporates, companies are generally obliged to carry out economic activities in compliance with relevant international and regional legislative instruments. Several international protocols, treaties and conventions provide a global framework for the international effort to combat human trafficking. Human trafficking being a multi-faceted crime, each act of trafficking usually violates a range of laws, from forced labour to bribery, false imprisonment, corruption and immigration. Accordingly, the range of international legal instruments which can be used to prevent companies to commit THB-related abuses is also wide reaching.

The most comprehensive and relevant international law instrument is the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the

United Nations Convention against Transnational Organized Crime (often referred to as Palermo Protocol), which came into force in 2003.¹² The Protocol includes an agreed and internationally binding definition of human trafficking and has laid the foundation for international action on trafficking. While this instrument does not explicitly refer to corporate liability for complicity in supply chains, either directly or indirectly, it does aim to criminalise any activity that promotes or aids trafficking in any form. It mentions, for example, obligations to raise awareness on THB and an obligation to criminalise anyone acting as an "accomplice" to trafficking offences.

The UN Guiding Principles on Business and Human Rights (Guiding Principles) are a set of global guidelines for states and companies to prevent, address and remedy human rights abuses committed in companies' operations.¹³ Adopted in 2011, the Guiding Principles were endorsed by the United Nations Human Rights Council and have since been incorporated in a range of international regulatory instruments addressing corporate responsibility for human rights violations. This instrument encourages businesses to act with due diligence to avoid violating human rights and address negative impacts of activities with which they are involved.

The UN Guiding Principles on Business and Human Rights are mirrored in the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, which are recommendations addressed by governments to multinational enterprises operating in or from adhering countries. They provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards.¹⁴

Most recently, an attempt to adopt a legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other

¹² Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted and opened for signature, ratification and accession by General Assembly resolution 55/25 of 15 November 2000, available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>.

¹³ United Nations Office of High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights*, available at: https://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_eN.pdf.

¹⁴ Organisation for Economic Co-operation and Development, *OECD Guidelines for Multinational Enterprises*, available at: <http://www.oecd.org/daf/inv/mne/48004323.pdf>. See also Organisation for Economic Co-operation and Development, *OECD Due Diligence Guidance for Responsible Business Conduct*, available at: <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>.

business enterprises was represented by the “Zero Draft” published in July 2018 by the UN Human Rights Council’s open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights (OEIWG).¹⁵ This draft includes reference to due diligence procedures, by stating that States must ensure in their domestic legislation that all persons with business activities of transnational character undertake due diligence obligations throughout their business activities as well as effective national procedures to enforce compliance.

In Europe, the Council of Europe Convention on Action against Trafficking in Human Beings builds on the Palermo Protocol and aims to strengthen the protections that it provides.¹⁶ It requires that each party to the Convention ensure that any legal entity - including a company - can be held liable for a criminal offence that is committed for its benefit by a natural person. The Convention requires States to ensure that a company which benefits from human trafficking committed by a person of authority within that company commits a criminal offence. There is therefore a clear intention for corporates to be held accountable for acts related to THB.

Finally, steps at the EU level were also taken to address issues of corporate social responsibility in general terms.¹⁷ EU law requires large companies to disclose certain information on the way they operate and manage social and environmental challenges. This helps investors, consumers, policy makers and other stakeholders to evaluate the non-financial performance of large companies and encourages these companies to develop a responsible approach to business. In particular, under Directive 2014/95/EU, large companies have to publish reports on the policies they implement in relation to, inter alia, social responsibility and treatment of employees as well as respect for human rights.¹⁸

¹⁵ United Nations Human Rights Council, Legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises, Zero draft 16.7.2018, available at: <https://www.ohchr.org/Documents/HRBodies/HRCouncil/WGTransCorp/Session3/DraftLBI.pdf>.

¹⁶ Council of Europe, Council of Europe Convention on Action against Trafficking in Human Beings, Council of Europe Treaty Series No. 197, available at: <https://rm.coe.int/168008371d>.

¹⁷ See e.g. European Commission, Communication from the Commission to the European Parliament, the Council, the European economic and social Committee and the Committee of the regions - A renewed EU strategy 2011-14 for Corporate Social Responsibility, COM(2011) 681, available at: [http://www.europarl.europa.eu/meetdocs/2009_2014/documents/com/com_com\(2011\)0681_/com_com\(2011\)0681_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/com/com_com(2011)0681_/com_com(2011)0681_en.pdf).

¹⁸ Directive 2014/95/EU Of The European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0095&from=EN>.



What is due diligence?

Corporates can make positive contributions to economic, environmental and social progress, but business activities may also result in adverse impacts related to corporate governance, workers, human rights, the environment, bribery and consumers. To prevent and counter such impacts, due diligence aims to enable enterprises to proactively manage potential and adverse impacts that they cause or to which they contribute.¹⁹

Due diligence is “the process enterprises should carry out to identify, prevent, mitigate and account for how they address these actual and potential adverse impacts in their own operations, their supply chain and other business relationships”.²⁰

The four core components of corporate human rights due diligence are identified as follows:

1. Identifying and assessing actual or potential adverse human rights impacts that the corporate may cause or be involved in through its own activities, or which may be directly linked to its operations, products or services by its business relationships. Risks should be identified and assessed by geographic context, sector and business relationships throughout companies’ own activities - both in headquarters and in subsidiaries - and the supply chain.
2. Integrating findings from impact assessments across relevant company processes and taking appropriate action, according to its involvement in the impact;
3. Tracking the effectiveness of measures and processes to address adverse human rights impacts, in order to understand if they are working;
4. Communicating on how impacts are being addressed and showing stakeholders – in particular affected stakeholders – that adequate policies and processes are in place.²¹

The main purpose of human rights due diligence is preventing adverse impacts on people: it does not primarily concern risks to business. Due diligence procedures should be followed on an ongoing basis and constantly adapted, as the business activities and operating environment of the company evolve. Effective due diligence should imply efforts to include responsible business conduct into companies’ policies and management systems.

Due diligence procedures should lead to the identification of concrete measures that aim not only to prevent human rights violations and abuses from happening, but also to foster solidarity and cooperation with the concerned communities. In this sense, the design of these procedures should rely on meaningful stakeholder engagement, in particular of affected stakeholders, human rights defenders, trade unions and grassroots organizations.

Companies should also implement processes to facilitate the sharing of principles adopted with their supply chain, by drawing up contractual specifications and guidelines to promote social responsibility and the commitment to use labour in particular in accordance with national and international laws and on labour, justice and universal recognition of human rights at work.

¹⁹ Organisation for Economic Co-operation and Development, *OECD Due Diligence Guidance for Responsible Business Conduct*, p. 15, available at: <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>.

²⁰ Organisation for Economic Co-operation and Development, *OECD Due Diligence Guidance for Responsible Business Conduct*, p. 15, available at: <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>.

²¹ United Nations, Office of the High Commissioner for Human Rights, *Corporate human rights due diligence – identifying and leveraging emerging practice*, available at: <https://www.ohchr.org/EN/Issues/Business/Pages/CorporateHRDueDiligence.aspx>.



Due diligence procedures

While due diligence procedures should be commensurate with risk and appropriate to a specific enterprise's circumstances and context, general rules to establish and implement such procedures can be identified.

In particular, due diligence processes and supporting measures should include:²²

1. Embedding responsible business conduct into policies and management systems

This includes devising, adopting and disseminating policies on responsible business conduct (RBC), issues that articulate the enterprise's commitments to the principles and standards aimed to combating trafficking in human beings. Such policies should be relevant not only for the enterprise's own operations, but also for its supply chain and other business relationships and may take the form of stand-alone policies or be included in overarching human rights policies or company ethics policies.

In order to embed responsible business conduct into policies and management systems, the following steps should be taken:

- Entrusting the general counsel and legal experts with collecting and analysing various jurisdictions' requirements concerning trafficking in human beings;
- Gathering cross-functional input to comprehensively assess exposure to THB across the business;
- Embedding the enterprise's policies on RBC issues into the enterprise's oversight bodies and identifying relevant senior management and departments that are primarily responsible for executing the anti-trafficking in human beings (ATHB) initiative within the operations group and/or the supply chain;
- Providing training to workers to help them understand and implement relevant aspects of THB policies and provide adequate resources commensurate with the extent of due diligence needed;
- Developing incentives for workers and business units that are compatible with the enterprise's RBC policies;
- Developing, drawing from or adapting existing complaint procedures for workers to raise issues or complaints related to THB issues (e.g. labour practices, corruption, corporate governance).

Companies should also set clear supplier expectations to drive specific actions related to ATHB within the supply chain. Setting well-defined requirements obligates suppliers to adhere to the company's ATHB policy, submit certain information and supporting documentation, and provide audit rights to the company. The following aspects should be considered when including such requirements in corporate programs concerning the prevention of trafficking of human beings:

- Designing policies that are able to broaden and deepen transparency in the supply chain and supplier relations;

²² Organisation for Economic Co-operation and Development, *OECD Due Diligence Guidance for Responsible Business Conduct*, p. 21, available at: <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>.

- Introducing mechanisms, such as supplier codes of conduct and periodic monitoring and reports;
- Set contractual obligations so as to include the right for the company to perform supplier audits and/or to terminate the contract in instances of noncompliance.

2. Identifying actual or potential adverse impacts in operations, supply chains and business relationships

Companies should take measures to increase their awareness on the adverse impacts of their direct or indirect involvement in the THB chain. For this purpose, relevant departments should gather data to assess and manage the risks of non-compliance with ATHB legislative instruments.

Relevant tasks to reach this objective are:

- Carrying out a scoping exercise to identify all areas of the business, across its operations, relationships and supply chains, where THB-related risks are most likely to exist. This exercise should take into consideration elements such as sectorial, geographic, product and enterprise risk factors. The scoping exercise will enable the company to initially prioritise the most significant risk areas for further assessment.
- Conducting an in-depth assessment on the potential or actual involvement of the company in producing any adverse impact to establish whether the company: caused (or would cause) the adverse impact; or contributed (or would contribute) to the adverse impact; or whether the adverse impact is (or would be) directly linked to its operations, products or services by a business relationship.
- Prioritising the most significant risks and impacts for action, based on severity and likelihood emerged from the above-mentioned assessment.

3. Ceasing, preventing or mitigating adverse impacts

At this stage, companies should suspend or stop activities that are found or are seriously likely to cause or contribute to adverse impacts on THB issues. At the same time, they should develop and implement ad hoc plans to prevent and mitigate potential adverse impacts.

Appropriate responses to risks emerged from business relationships may range from continuing the relationship while risk mitigation efforts are taken, to temporary suspending of the relationship while pursuing ongoing risk mitigation, to disengaging with the business relationship. In the latter case, the decision to disengage should take into account potential social and economic adverse impacts.

4. Tracking implementation and results

Companies should work on an ongoing monitoring and evaluation (M&E) exercise to keep track of the implementation and effectiveness of their due diligence activities. In addition, they should rely on lessons learned from M&E to improve future due diligence processes.

5. Communicating how impacts are addressed

Companies should communicate externally information on their due diligence policies and processes, as well as on the findings and outcomes of the activities conducted to identify and address actual or potential adverse impacts. Appropriate forms of disclosure

should be identified, with due regard for commercial confidentiality and/or competitive or security concerns.

Due diligence-related information should be made public in an easily accessible and appropriate manner, e.g. on the company's website, at the company's premises and in local languages. As this information is particularly relevant for impacted or potentially impacted rights holders, companies should be prepared to communicate with them in a timely and culturally sensitive manner.

6. Enabling remediation when appropriate

When the company identifies that it has caused or contributed to actual adverse impacts, such impacts should be addressed by providing for or cooperating in their remediation. In particular, enterprises should cooperate with legitimate judicial and non-judicial remediation mechanisms through which impacted stakeholders and rights holders can raise complaints.



Consequences of the (non-)involvement in the human trafficking chain

Although many companies may consider social compliance efforts as cumbersome, these efforts play a crucial role for the development of capabilities within enterprises and for the enterprises' reputation and success.

When a company is involved in human trafficking-related offences, negative consequences may include supply chain disruptions – which reduce productivity and result in unanticipated delays in production –, financial penalties, legal and compliance issues, reputational and brand damage, reduced consumer demand and lack of employee engagement.

The reputational risk, whether on in-business or supply chain issues, is currently at an all-time high.²³ The reputation of business can be negatively impacted both before consumers and investors when they are implicated – either directly or indirectly – in incidents involving human rights infractions, including human trafficking related offences.²⁴ On the one hand, consumers are influenced by companies' human rights responsibilities and this may lead to declining sales and revenue if a company is associated with human trafficking.²⁵ On the other hand, investors increasingly recognise the impact of human trafficking and broader human rights risks and are currently integrating these aspects into

²³ United Nations Global Initiative to Fight Human Trafficking, *Human Trafficking and Business: good practice to prevent and combat human trafficking*, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_142722.pdf. See also Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, p. 5, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.

²⁴ Forbes, Christopher P. Skroupa, *The Large Impact Of Human Rights Infractions: 'Corporate Risks Are At An All-Time High'*, 7 March 2018, available at: <https://www.forbes.com/sites/christopherskroupa/2018/03/07/the-large-impact-of-human-rights-infractions-corporate-risks-are-at-an-all-time-high/#67d2c2f81aea>.

²⁵ United Nations Global Initiative to Fight Human Trafficking, *Human Trafficking and Business: good practice to prevent and combat human trafficking*, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_142722.pdf.

their investment decision and management process.²⁶ For this reason, companies that introduce due diligence and reporting systems to increase the transparency and the amount of information available on human rights impact allow investors to better assess any potential human rights-related commercial risks.

In general terms, a positive approach to addressing human rights such as human trafficking can increase the resilience of supply chains, contribute to guaranteeing compliance with relevant regulations and obligations, and ultimately lead to an improvement in brand value and reputation, including with customers, partners, employees and local communities.



Conclusions

Unfortunately, no industry is immune from being involved in human trafficking at some point in their supply chain. Many companies may be unknowingly facilitating this phenomenon by collaborating with criminal organizations that hide behind layers of companies whose subsidiaries may rely on services from THB victims.

Trafficking in human beings and modern slavery are difficult issues for companies to take on, but they do need prioritization. Corporates must use analytical tools, fuelled by data and powered by technology, to help increase the likelihood of their suppliers doing business in a transparent and ethical manner while reducing financial and reputational risks.²⁷

Globally, there are increasing expectations on corporates to engage responsibly on issues associated with trafficking in human beings in their supply chains. It is crucial for enterprises to use available tools, participate in joint initiatives, and advocate for effective legislation and action – all aimed at ending business involvement in THB-related practices.²⁸

²⁶ Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, p. 9, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.

²⁷ Forbes, Christopher P. Skroupa, *The Large Impact Of Human Rights Infractions: 'Corporate Risks Are At An All-Time High'*, 7 March 2018, available at: <https://www.forbes.com/sites/christopherskroupa/2018/03/07/the-large-impact-of-human-rights-infractions-corporate-risks-are-at-an-all-time-high/#67d2c2f81aea>.

²⁸ Institute for Human Rights and Business, *Corporate Liability for Forced Labour and Human Trafficking*, October 2016, p. 54, available at: <https://www.ihrb.org/focus-areas/migrant-workers/corporate-liability-for-forced-labour-and-human-trafficking>.



TOOL 5

A model of training presentation



What is **human trafficking**? Why addressing the scourge?

Human trafficking is a form of modern slavery and it can take many forms. From forced prostitution to laborers forced to work under the threat of deportation or physical violence, millions of men, women and children are exploited, at international level, by traffickers and denied their fundamental rights to freedom

Human trafficking is different from human smuggling. Trafficking is exploitation-based and does not necessary require movement across borders

Human trafficking is morally unacceptable.

Human trafficking is a criminal offence and is punishable by imprisonment under the law of each state.



What are the most common forms of **human trafficking**?

Sex trafficking: victims of sex trafficking are manipulated or forced to engage in sexual acts for someone else's commercial gain. Sex trafficking is not prostitution.

Forced labor: victims of forced labor are compelled to work for little or no payment, often manufacturing or growing products that other people use and consume every day.



Potential for complicity in **abuses** related to human trafficking

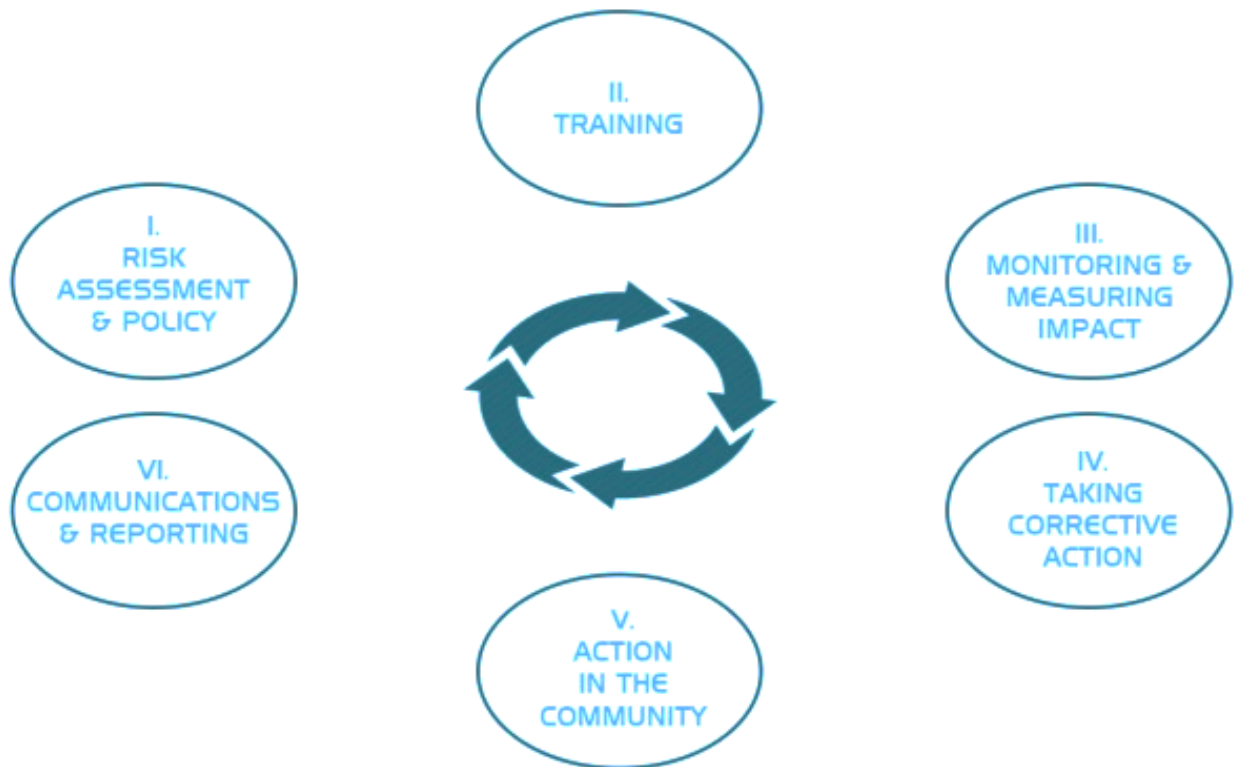
There are 3 main ways in which responsible companies may be complicit (even in an indirect way) to human trafficking phenomenon:

- The use of a company's products, facilities or services in the trafficking process (e.g. traffickers might use airlines and shipping companies to transport victims; traffickers might use tourism and hospitality facilities such as hotel and resorts in order to force victims to stay in such locations where customers can come and pay for the sexual services)
- The exploitation of victims of human trafficking within a company's supply chain (the use of forced labor by suppliers or sub-contractors of a certain company)

- The utilization of personnel supplied by third party agents (domestic and cross-border) over which a company might have limited supervision and controlling.



What can business do to address **human trafficking**?



Why **training** the company employees?

Training needs for employees might vary by industry and function. At minimum, employees need to receive training on sex trafficking, labor exploitation, the harm and risks posed by such illegal activities. There can be frequent situations when employees / personnel of a certain company might come into contact with potential victims of human trafficking.

With the complexity of supply chains and multitude of contractors and suppliers there can be great risks for company, including financial, legislative, reputational risks. Attention to this issue, as well as understanding of the ways that traffickers might use a company's products and services can help companies and their employees to play an active role in the eradication of human trafficking.



Trigger factors for human trafficking

Growing inequality within and between countries

Unemployment, lack of opportunities in certain regions

Insufficient information for potential migrants about the risks they can face if they opt for illegal migration from one country to another

Market demand for cheap labor and for sexual services

The vulnerability of migrant workers if their legal status is uncertain.



What actions can a business take to help stop human trafficking?

Knowing and understanding the signs of human trafficking.

Design an action plan to respond to reports of human trafficking inside that business sector

Partnership with anti-trafficking institutions and organizations, assistance providers who can support victims in their legal actions.

Providing training for the company employees to help understand and identify the signs of human trafficking.



Who are the victims? Who is at risk?

Trafficking victims can be any age, race, gender, or nationality. Trafficking victims can be men or women, young or old, country nationals or foreigners with or without a legal status.

Vulnerable populations are frequently targeted by traffickers, including runaway and homeless youth, as well as victims of domestic violence, sexual assault, war, or social discrimination

Traffickers focus on victims with little or no social safety net. They look for victims who are vulnerable because of their illegal immigration status, limited proficiency in a certain country language, and those who may be in vulnerable situations due to economic hardship, political instability, natural disasters, or other causes.



How the employee of a company can identify a victim?

General Indicators concerning potential victims of human trafficking

Behavioral and physical condition of a victim:

- The person manifests anxiety, fear, submissive attitude
- The victim defers to another person to speak for him or her

- The victim presents signs of physical and/or sexual abuse, physical restraint, confinement, or torture

- The victim been harmed or deprived of food, water, sleep, medical care, or other life necessities

- The victim has only few or no personal belongings.

Social Behavior:

- The victim might not be free to contact friends or family

- The victim does not have freedom of movement.

Work Conditions and Immigration Status:

- The victim has to perform excessively long work

- The victim salary remains to her or a certain fee has to be paid towards other persons

- The victim was threatened with deportation

- The victim has no identification and/or travel documents

- The victim has been forced to perform sexual acts.

Specific signs of human trafficking in certain business sectors

Hospitality Industry

- Hotel employees are often in the best position to see potential signs of human trafficking, especially since their duties give access to different areas of the properties. The employee may also have direct or indirect contact with both traffickers and victims.

- The victim shows signs of fear, anxiety, tension, submission, and/or nervousness.

- The victim shows signs of physical abuse, restraint, and/or confinement.

- The victim exhibits evidence of verbal threats, emotional abuse, and/or being treated in a demeaning way.

- The victim shows signs of malnourishment, poor hygiene, fatigue, sleep deprivation, untreated illness, injuries, and/or unusual behavior.

- The victim lacks freedom of movement or are constantly monitored.

- The victim avoids eye contact and interaction with others.

- The victim has no control over or possession of money or identify documents.

- The victim appears to be with a significantly older “boyfriend” or in the company of older males.

- A group of males or females with identical tattoos in similar locations. This may indicate “branding” by a trafficker.

- Evidences of pornography, excessive amounts of alcohol or illegal drugs in the hotel rooms.

- Extended stay with few or no personal possessions.

- Each indicator alone may not necessarily mean a person is being trafficked. The situation needs to be analyzed as a whole, often including several indicators.

Airline Companies

The vital connectivity that airlines provide delivers social and economic benefits. However, it can also be misused by traffickers as a means of transporting victims. Customer-facing employees working in the airport environment and including check-in and gate agents, security screeners and cabin crew, can be an important source of intelligence for authorities when they are able to spot the signs of human trafficking.

Specific Behaviors to Identify Human Trafficking Victims on airplanes and in airports:

No control of travel and identification documents:

- Travel documents are held and controlled by a suspected trafficker – but not necessarily for convenience or safekeeping.

- The victim does not answer questions from aviation authorities about his/her documents and defers to the suspected trafficker or looks for permission to speak.

No freedom of movement or social interaction:

- The victim shows signs of physical abuse

- The victim may be unusually silent, intimidated and mentally shut down

- The victim dominated by the suspected trafficker

- The victim does not move freely, nor interact with others; the victim might even be escorted to and from the lavatory by the suspected trafficker

- The victim interrupted by the suspected trafficker if she/he will try to answer questions addressed by the airline personnel

No logical means of reaching or is unaware of the final destination:

- The victim has no clear means of reaching the final destination or the transport or travel route seem illogical

- The victim is fuzzy on the details beyond their arrival at an airport

- The victim might not know who is meeting at the arrival airport

- The victim is unaware of the name, phone number, or address of the final destination

Additional RED FLAGS:

- Branding or tattoos, especially reflecting ownership or money

- Bruising, with varied stages of healing with black, purple, blue, yellow shades

- Cigarette burns, rope burns, scars, cuts or other physical abuse

- Appears helpless, shamed, nervous

- Malnourished

- Inability or fear to make eye contact
- Sudden change in attire, possessions, behavior

Each indicator alone may not necessarily mean a person is being trafficked. The situation needs to be analyzed as a whole, often including several indicators.

Other business sectors:

People who are subject to forced labor are typically made to work in sectors such as:

- Agriculture
- Food processing industry
- Service industry
- Construction
- Manufacturing

There are a number of indicators of human trafficking and forced labor. Not all of the indicators will apply in every case, and some may not be immediately apparent.

There are no set number of signs that will indicate that a person is a victim of trafficking or subject to forced labor.

One or a combination of factors could suggest a person is a potential victim, so each case should be considered on an individual basis.

If during the employee engagement with a vulnerable and exploited person there is a belief that the indicators are being met the employee should seek assistance for that vulnerable person.

Restricted freedom

Victims may:

- not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else
- be unable to leave their work environment
- show signs that their movements are being controlled
- be unable to move freely
- be threatened with being handed over to the authorities
- be subject to security measures and controls to keep them on the work premises
- depend on their employer for work, transport and accommodation without any choice
- may only travel with other workers
- be controlled through religion, witchcraft.

Victims may:

- have limited contact with their families or with people outside of their immediate environment

- be unable to communicate freely with others

- be forced to shop at a place they would not choose

- have no access to medical care

- be in a situation of dependence

- be subjected to violence or threats of violence against themselves or against their family members and loved ones

- be found in or connected to a type of location likely to be used for exploiting people

- have false identity documents

Behaviour

Victims may:

- be unfamiliar with the local language

- act as if they were instructed by someone else

- allow others to speak for them when addressed directly

- be distrustful of the authorities

- be afraid of revealing their immigration status

- have limited or no social interaction either in the workplace or at their accommodation

- believe that they must work against their will

- never leave the workplace without their employer

Victims may:

- show fear or anxiety

- feel that they cannot leave

- have to resort to crime in order to get food or money for food

- may need to scavenge for food

- be forced to commit crime if there is no work available for them

- have acted on the basis of false promises.

Working conditions

Victims may:

- not be dressed adequately for the work they do: for example, they may lack protective equipment or warm clothing

- not interact with work colleagues

- lack basic training or professional licences
- believe they are obliged to work without pay in return for a favour or provision of accommodation.

Accommodation

Victims may:

- not know their home or work address
- not have been able to give their address to friends or relatives
- live in poor or substandard accommodation.
- have no choice where they live or who they live with
- live in groups in the same place where they work and leave those places infrequently, if at all
- live in degrading, unsuitable places, such as agricultural or industrial buildings

Finances

Victims may:

- receive little or no payment
- have no access to their earnings
- be disciplined through punishment or fines
- be under the perception that they are bonded by debt
- have had the fees for their transport to the country of destination paid for by facilitators, whom they must payback by working or providing services in the destination
- be told that they can pay debts for transport or accommodation when they are found work
 - be charged for services they don't want or need
- be forced to open bank accounts
- be forced to sign documents to receive social security benefits, credit agreements or loans
- have bank cards/documents held by someone else
- have wages paid into an account used by other people.

Appearance

Victims may:

- suffer injuries that appear to be the result of an assault
- suffer injuries or impairments typical of certain jobs or control measures
- suffer injuries that appear to be the result of the application of control measures
- have injuries that appear old, untreated or that they cannot explain
- wear the same clothes each day



What the employee can do if will suspect a human trafficking case?

Do not at any time attempt to confront a suspected trafficker directly.

If the employee has any suspicions of human trafficking, forced labour or workers exploitation he/she should report it immediately.

Follow your company corporate protocol, such as by notifying management and security.

Call at the available number for national emergency situations—threats of violence, physical assault, emergency medical needs, etc.

Call the national anti-trafficking agency from your country.