Eliminating Slavery Frontline Guide for Trade Unions ITUC CSI IGB International Trade Union Confederation

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Modern slavery

The global economy is riddled with modern-day slavery and labour exploitation. Investors put their money in countries where they find cheap labour, even though forced labour is pervasive in sectors such as domestic and care-giving work, agriculture, construction, manufacturing and entertainment. Migrant workers and indigenous people are particularly vulnerable.

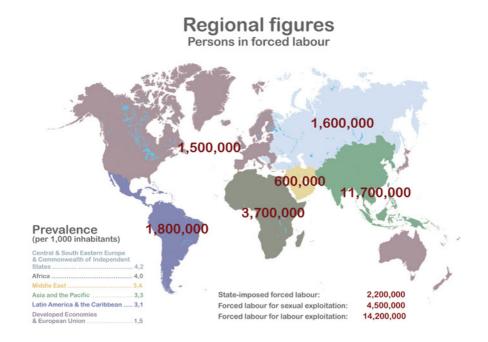
Minimum estimates of workers in forced labour have consistently gone up in the last decades, today ranging from an alarming 21 million to 36 million.

Forced labour persists in countries with historic and cultural slavery issues such as Mauritania while trafficking for forced

labour is on the rise in industrialised countries. The model of slavery in Qatar and the Gulf States serves as a particularly egregious example, and is now a global scandal.

In the global private economy, forced labour generates USD 150 billion each year. In all countries, unscrupulous employers and recruiters are increasingly exploiting gaps in international labour and migration law and enforcement. After drugs and arms, human trafficking is now the world's third biggest crime business.

The chains of slavery cannot be broken unless workers organise and escalate the worldwide demand to eliminate slavery and end forced labour.



In 2014 governments overwhelmingly supported the adoption of a new treaty to turn the rising tide of modern slavery. Now is the time to tell governments to deliver on their international commitments and ratify the protocol to the forced labour convention and develop a strong national action plan. The state sponsored kafala system in the Gulf and other company policies that facilitate the worst forms of exploitation are now a global scandal and must be overturned. This global momentum is a chance for workers and trade unions to reverse the trend

of increasingly precarious, informal and illegal employment.

Needless to say, the fight for workers' rights goes far beyond eliminating slavery. We want much more for the workers in the 21st century than just not to be enslaved. We want decent pay and working conditions, respect for labour and social standards and rights and freedoms protected. The elimination of modern slavery is a starting point towards decent work for all.

ITUC Frontline:

Eliminating Slavery

The 2014 ITUC Congress in Berlin confirmed the struggle to eliminate modern slavery as one of the three "frontline" campaigns of the global trade union movement by promoting broad ratification of the Protocol of 2014 to the Forced Labour Convention, 1930; supporting local trade union organisations in modern-slavery hotspots to drive change; and holding governments and companies to account wherever they carry responsibility for the persistence of modern slavery in the global economy.

Freedom of association means the workers can liberate themselves. Freedom of association is an enabling right, and organising is the most effective instrument to tackle slavery and forced labour. When freedom of association is respected and workers are allowed to freely organise, there is a guarantee that there will not be slavery, child labour or other unacceptable labour practices.

Companies with a business model built on modern slavery and governments who facilitate exploitation of people through outdated laws have been put on notice. Consumers, trade union members and workers are campaigning and organising to end modern-day slavery.



Goals

- Sixteen ratifications of the ILO Forced Labour Protocol by the end of 2016 and 50 by the end of 2018
- Eliminate forced labour in global hotspots
- Achieve effective state and corporate compensation for forced labour in supply chains

Strategy

- A global campaign by affiliates in 16 countries for the ratification and implementation of the Forced Labour Protocol
- Organisation and mobilisation of workers vulnerable to forced labour
- Holding companies to account for forced labour in supply chains, including through targeted litigation and workers' capital investment strategies

New global momentum to eliminate slavery

The ILO Forced Labour Convention of 1930 is one of the most widely ratified of all ILO standards. This acknowledges the international consensus that forced labour is morally unacceptable.

However, other than in 1930 when most forced labour was exacted by states in overseas colonies, 90 per cent of forced labour is currently found in the private sector. Recent estimates confirm that forced labour is found throughout the global economy and that no country in the world is free from forced labour.

Clearly, the international community is currently not equipped to effectively address new forms of slavery.

In June 2014, governments, employers and workers at the ILO International Labour Conference (ILC) decided to give new impetus to the global fight against

forced labour, including trafficking in persons and slavery-like practices, and voted overwhelmingly to adopt a protocol to supplement the Forced Labour Convention of 1930 (C29).

It now is the new international legal standard to address modern slavery and offers governments specific guidance on effective measures for its elimination

In addition, the 2030 Agenda for Sustainable Development, approved by UN Member States in September 2015. seeks to eradicate forced labour, end modern slavery and human trafficking and to secure the prohibition and elimination of child labour in all its forms by 2025. The universality of the 2030 Agenda gives global resonance to the fight to end modern slavery and forced labour.



The Protocol of 2014 to the Forced Labour Convention

Ratifying the Protocol will bind states under international law to take effective measures to prevent and eliminate forced labour, to provide victims with protection and access to appropriate and effective remedies, such as compensation, and to sanction perpetrators.

States will be held to develop a national policy and plan of action in consultation with workers' organisations to ensure:

1. Prevention

- a. Awareness raising
- b. Labour law and protection covering all workers
- c. Strengthened labour inspection
- d. Protection of migrant workers from fraudulent recruitment practices
- e. Due diligence by companies to prevent and respond to forced labour risks
- f. Addressing the root causes of forced labour

2. Protection

- a. Identification
- b. Release
- c. Protection
- d. Recovery
- e. Rehabilitation

3. Remedy

a. Effective remedy, such as compensation, irrespective of presence or legal status in the country

b. Victims are not prosecuted for unlawful actions committed as a consequence of being subjected to forced labour

4. Cooperation

a. Transnational cooperation between labour and criminal law enforcement agencies, governments, administrative authorities and intelligence agencies to identify victims, investigate cases and penalise all actors involved in the trafficking of persons for the purpose of forced labour.

The adoption of the protocol was a victory for workers worldwide in an era of deregulation and casualisation of work.

Without ratification, however, the protocol will remain a paper tiger. Unless individual governments ratify, their commitment to end forced labour and support for the adoption of the protocol in 2014 are false

Without widespread ratification, the numbers of modern slaves will keep rising. With the exception of Thailand. which voted against and the Gulf Cooperation Council countries which abstained, all ILO member States voted in favour of the protocol to the forced labour convention.

Now is the time to tell them to deliver on that commitment and ratify.

The 2030 Agenda for Sustainable Development

In September 2015, the United Nations General Assembly approved the 2030 Agenda for Sustainable Development, featuring 17 Sustainable Development Goals (SDGs) replacing the Millennium Development Goals (MDGs).

The 2030 Agenda is a universal agenda for both developed and developing countries, and it includes a specific SDG 8 to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. This is a victory for the labour movement.

SDG 8 identifies several more specific targets in line with the demands of the labour movement relevant in the fight against forced labour such as decent job creation, formalising work, non-discrimination, the protection of labour rights of migrant workers and those in precarious employment, etc.

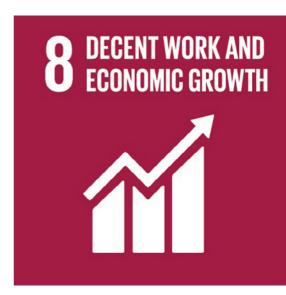
SDG 8.7 explicitly calls to "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms."

This means the UN has endorsed a global development agenda that makes ending modern slavery a global priority, framed within a larger commitment to realise decent work for all.

The 2030 Agenda will be implemented nationally. National trade unions can engage in this agenda by asking their national governments to stick to this global agenda and realise all SDGs related to decent work and labour rights.

The global labour movement, through ITUC's Trade Union Development Cooperation Network (TUDCN) follows closely the 2030 Agenda for Sustainable Development implementation and follow-up, including on issues of modern slavery and forced labour.

(visit: http://www.ituc-csi.org/development-cooperation)



Modern slavery hotspots

We need more than laws alone. The international trade union movement is working in the world's hotspots of contemporary slavery, supporting local trade union organisations to drive change and hold governments and companies to account wherever they carry responsibility in the persistence of modern slavery.

Modern-day slavery is everywhere: from the construction of World Cup stadiums in Qatar to the cotton farms of Uzbekistan, from domestic workers in Mauritania to cattle ranches in Paraguay. From the fisheries in Thailand and the Philippines to agriculture in Italy, the production chains of the clothes we wear, the food we eat and the services we use are tainted with forced labour.

Qatar

Sponsorship and the kafala system leads migrant workers to forced labour in Qatar and other Gulf countries. Despite laws against passport confiscation, up to 90 per cent of expatriate workers' passports are in their employers' possession. Under the restrictive sponsorship system, employers have the unilateral power to cancel residency permits, deny workers the ability to change employers and deny them permission to leave the country. Qatar's sponsorship system places a significant amount of power in the hands of employers. Debt-laden migrant workers who face abuse, or who have been misled, often avoid legal action because of fear of reprisal, the lengthy recourse process, or lack of knowledge of their legal rights. This ultimately ensnares them into forced labour, including debt bondage.

While trade unions are illegal in Qatar, the ITUC assists trade unions of origin countries to support migrant workers in informal groups to discuss and address common labour issues.

In close cooperation with Global Union Federations such as the Building and Woodworkers' International and the International Transport Workers' Federation, the ITUC is holding companies and sports associations such as FIFA, Qatar Airways and construction companies doing business in Qatar and other Gulf countries such as the UAE to account for their treatment of workers. Companies must apply due human rights diligence to prevent and mitigate risks of forced labour.



Photo: Matilde Gattoni

Uzbekistan

While recognising the progress in eliminating child labour in Uzbekistan in recent years through efforts of the Uzbek Federation of Trade Unions, the ITUC notes that there are still serious risks of forced labour and exploitation of men and women as cotton harvesting continues to demand considerable workforce mobilisation to work in the fields during the annual harvesting period.

The ITUC has set up a dialogue with the Uzbek Federation of Trade Unions in recognition of their leading role to end child labour to drive further change in the country and push the government to accept freedom of association, ratify the forced labour protocol and to undertake concrete measures to address forced labour such as structural changes to the organisation of the cotton harvest, monitoring in the fields, legal aid to workers, raising awareness about fundamental workers' rights and proper recruitment practices for seasonal or complementary work, inclusion of specific protective measures in collective agreements, dispute settlement, increase remuneration and health and safety in agriculture.



Photo: Ecouterre

Mauritania

Slavery is still widespread in Mauritania, predominantly perpetrated by the White Moor ethnic group and affecting the Haratine ethnic population. Slave status is passed down through the generations from people originally captured during historical raids by the slave-owning groups. Those in slavery live under direct control of their masters and receive no payment for their work. Men and children typically herd animals or work in the fields, while women are generally given domestic chores such as fetching water, gathering firewood, preparing food and looking after the masters' children. They face systematic verbal and physical abuse. Girls and women are often sexually abused and raped by their masters.

While Mauritania still has difficulty coming to terms with traditional slavery, reports of contemporary forms of slavery such as human trafficking are on the rise. Last September, the ITUC backed Mauritanian trade unions in their protest against the trafficking of domestic workers as modern slaves to Gulf countries. Mauritania's Labour Minister then pledged to propose a bill for ratification of the Protocol, and ordered a stop on visas for workers planning to work in Saudi Arabia. A revision of the migrant labour programme was also promised, and four agencies involved in the scheme were closed down. Nevertheless, demands for compensation of victims were ignored, and imprisoned anti-slavery activists have yet to be released.



Many recommendations of the ILO and the United Nations Special Rapporteur on Contemporary Forms of Slavery have led to the adoption a national roadmap to end slavery in 2014. In practice, however, few measures have been taken. The ITUC supports all national affiliates in Mauritania to organise workers of discriminated ethnic groups and build a broad civil-society alliance to lead the fight against slavery. This broad alliance has achieved the ratification of the protocol by Mauritania in March 2016. Now, the protocol, together with the national roadmap to end slavery, provide the framework for a renewed effort to end slavery in the country, but serious issues remain with regard to effective implementation of the anti-slavery legislation, investigation of cases and prosecution of perpetrators, the effectiveness of the National Agency to Fight against the Vestiges of Slavery (Tadamoun) and retaliation against anti-slavery activists.

Paraguay

Many indigenous workers in agricultural ranches in the Paraguayan Chaco are victims of debt bondage. Thousands of indigenous workers are known to be working as bonded labour on the very remote traditional cattle ranches of Bajo Chaco and Chaco Central. The bosses force them to buy basic necessities at exorbitant prices from the stores on the ranches and then pay them a derisory sum of money at the end of the year. The cattle ranches are operated by armed guards who refuse access to labour inspections.

Trade unions in Paraguay set up an alliance with the Chaco indigenous organisation to organise indigenous workers on cattle farms and in domestic work. Jointly they push the government to ratify the protocol, adopt minimum wage legislation and social protection that would also cover workers in the Chaco and increase labour inspection in the region. Meanwhile, trade unions and indigenous organisations are documenting cases of forced labour and mapping supply chains to identify the companies responsible.



Italy

Forced labour is not only a problem in developing countries. Increasingly, industrialised countries are starting to see incidences of labour exploitation and forced labour. In Italy, such modern slavery in the south of the country in tomato picking is well known. More recently, trade unions report cases of tens of thousands of poor, low-skilled workers working informally and illegally for a salary much below the minimum wage, in very poor conditions in the country. Many of these agricultural workers, most of them with a migrant background, are deceived and coerced to work in para-slavery conditions by illegal labour brokers or "caporale". In addition, women workers in this sector have a high risk of being sexually harassed, as confirmed by several cases.

Italian trade unions are calling on the government to ratify the protocol and are stepping up their own efforts to organise workers in the most affected regions with mobile organising units and caravans that go onto the fields where such exploitation takes place. Since

2011, trade unions have been calling on the government to adopt national legislation against illegal labour brokers. In November 2015, the government finally submitted the bill to ban the caparalato to the Parliament. In May 2016, the government, trade unions representing agriculture workers, the national Labour Inspectorate, employers' organisations and NGOs signed a Protocol agreement against caporalato. Caporalato is an insidious phenomenon that affects 430,000 workers and generates EUR 17 billion every year,. A caporale is a local underground labour broker paid by large companies to recruit low-cost labour to harvest the fields. Caporalato affects both nationals and migrant workers. The precarious migration status of undocumented migrant workers in particular is being used as a means to coerce them to accept informal and irregular work arrangements without any protection. Ratification of the forced labour protocol and the long-awaited approval of the bill on caporalato, with effective implementation, would be important steps to ending modern slavery in Italy.



Fair Recruitment of migrant workers

Poor regulation and monitoring of labour recruiters, agencies and middlemen are a key factor that facilitates modern slavery. Increasingly, migrant working men and women end up in forced labour due to fee charging and false promises. Upon arrival many face contract substitution and end up in another job, earning much less than promised in poor conditions. Many migrant workers take out loans to cover for exorbitant recruitment fees and are unable to pay off the loan due to deceptive recruitment, low and irregular pay and unforeseen additional charges and salary deductions.

To increase transparency and to provide workers with reliable information. trade unions in Nepal. Indonesia and the Philippines are establishing an internet platform to allow migrant workers to review recruitment and employment practices in destination countries including Malaysia, South Korea and the Gulf countries. Migrant workers will be able to receive reliable information on employment regulation and learn from experiences of others with particular recruiters or employers. In addition, workers can find trade union assistance and legal advice if they want to take grievances further.

Eliminating slavery in global supply chains

Forced labour increasingly feeds into mainstream economic sectors and global supply chains. Corporate power and profits increasingly depend on the impoverishing model of trade based on global supply chains which exploits labour and natural resources. Corporate power is consolidated as markets open. and this power is projected onto small producers and companies, and their workers, in the supply chain, to squeeze their income. The integration of supply of raw materials, production of goods, logistics, and services means all kinds of corporations are involved. In this model, corporations keep for themselves the value-intensive and most profitable parts of production (design, branding and financial management) and outsource the labour-intensive processes that offer to them little profit. Combined with a lack of strong political will to observe internationally recognised labour standards, this model leads to greater inequality and increasing numbers of forced labourers. As a consequence, millions of workers remain in poverty and in precarious work while the environment is abused. Yet, the mindless call for more trade liberalisation and labour market flexibility continues.

Businesses have responsibilities for workers throughout their supply chains. There are national laws and global standards, including the UN Guiding Principles on Business and

Human Rights, the OECD Guidelines for Multinational Enterprises and the ILO Declaration on Multinational Enterprises, but at the same time, we see a corporate social responsibility (CSR) industry worth USD 80 billion which does far more to mask the problems than to fix them. Today, corporations face little legal liability at home for violations they cause or contribute to modern slavery in their supply chains. Indeed, supply chains are structured so as to limit liability, allowing corporations to benefit from lawless contractors and countries unable or unwilling to enforce the law.

Forced labour is at the most exploitative end of the model. We must eliminate slavery in global supply chains. The ITUC with its affiliates will expose the social footprint and the hidden workforce of major corporations. Under the frontline campaign "End Corporate Greed", unions are organising to purge supply chains of slavery. The ITUC is supporting trade unions in hotspots to undertake to identify risks and cases of forced labour in companies and supply chains in order to test access to effective remedy and to achieve corporate compensation for the abuse from which they benefit.



Seafood

Among many other products produced with forced labour, seafood is one of the commodities with a notorious supply chain. The canned tuna you buy in the supermarket has a high chance of having been produced with slave labour. Poor regulation and lack of enforcement of the fishing industry is ruthlessly exploited by fishing companies tricking their crew onto shipping vessels and keeping them at sea for years at a time. They face physical violence, deception and coercion in the recruitment process, retention of identity documents and psychological pressure including threats of being thrown overboard without anyone knowing. Onshore seafood processing happens in slavery-like conditions.

The ITUC supports the International Transport Workers' Federation (ITF) and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) campaign against forced labour in the seafood industry to support workers' organising to defend their own interests and fight union-busting from transnational or local companies that seek to deny them the right to do so, to lobby for the ratification of ILO Convention on work in fishing and the Protocol to the Forced Labour Convention, and to contribute to the eradication of child and forced labour and human trafficking as well as Illegal unreported and unregulated fishing.



In the eye of the storm are companies such as Thai Union and Thailand, also the only country in the world to vote against the adoption of the protocol in 2014, but countries such as the Philippines face similar problems. The ITF and ITUC have jointly submitted a case to the ILO against the government of Thailand for breaches of ILO Convention 29 on forced labour in the Thai fishing industry. Thailand signed that convention in 1969. The ITF and ITUC are calling for a total overhaul of the laws and inspection regime related to the Thai fishing industry.

What can you do?

Trade unions play a key role in ensuring early ratification and proper operationalisation of the protocol at the national level. The ITUC aims to have at least 16 countries ratify the Protocol in 2016 and supports the ILO 50 for Freedom campaign to bring the number up to 50 by the end of 2018. The ITUC seeks support of all its affiliates to break through a war against slavery.

On 9 December 2015, the British Trades Union Congress and the Confederation of British Industries wrote to the Department of Work and Pensions Minister Priti Patel urging the government to ratify the ILO Forced Labour Protocol. On 22 January 2016, the UK government became the third globally to ratify the Protocol. Since then, Mauritania, Mali, France and the Czech Republic have followed suit.

In Sweden, there is a great variety of working conditions. On the well-regulated part of the labour market,-- workers are usually covered by collective agreements and enjoy decent working conditions. For those who are forced to work outside the established labour market. however, there is a great risk of exploitation and forced labour. The Swedish trade union LO is therefore seriously concerned with modern slavery in Sweden and in the supply chains of Swedish companies.

http://www.svd.se/lo-basen-regeringenar-slapphant-som-attan/om/naringsliv

LO Sweden is organising meetings, seminars and days of action to lobby the government to ratify the forced-labour protocol and come up with a national action plan.

Despite the fact that in February 2015 the Swedish ILO committee stated that Sweden should ratify the protocol and that it is an important instrument to prevent and counteract forced labour. Sweden still needs to ratify. LO Sweden is calling the government out on its reluctance to ratify.

LO Sweden's affiliates in different industries continue to report and address cases and pressure companies.



Justice for exploited Cambodians in Sweden

In August 2016, the Cambodian migrant workers who were cheated of their salaries when planting trees in the forests of Sweden in 2014 finally got their just compensation. The workers received a total of 282,069 SEK (\$32,574) in state wage guarantee after receiving legal assistance from the Swedish Forestry Union GS.

The 72 workers came to the north of Sweden in 2014 after a promise of earning at least \$2,300 per month by the contractor "Botnia Skog AB" – a subcontractor of the big forestry company "Holmen".

The union GS had warned both Holmen and the Swedish Migration Board in giving the company permission to recruit workers from abroad noting its previous record of maltreatment and exploitation of workers and non-payment of taxes. However, the Migration Board and Holmen chose to ignore the union's concerns and warnings.

After arriving the workers had to sleep on the floor of a horse stall and they did not get enough food and water and needed to shower outside in the freezing cold.

"We only received one salary. In the end some of us had to borrow money from the employer to buy food, we were so hungry," said Sapmphors Lon, who is one of the workers.

When they returned to Cambodia, many of them had still not received their salaries – and while they were waiting for the money, the company was declared bankrupt.

The workers were then called to a law office were 11 of them were tricked into signing documents in Swedish that they could not understand – stating that they owed debts to the employer of a total of SEK 300,000 (USD \$34,644) due to housing costs while staying in Sweden. When the workers refused to pay, the employer went to the Swedish Enforcement Authority who stopped the payment of the state wage guarantee, because of the false debt the workers owed the company.

The GS-union allocated money from their solidarity fund to pay for an attorney who helped the Cambodian migrant workers to pursue their case in Swedish court. As a result of the legal proceedings, the district court decided to ignore the debt that the workers were tricked into signing by their employer.

"This is one of the most serious cases of abuse that we have seen in the Swedish forest sector," says Magnus Lindberg from the GS-union who has been involved in the case in assisting the Cambodian migrant workers.

"It cannot fall on unions in the forestry sector alone to ensure that workers are not exploited. The major forest companies must also be responsible and held accountable. They sell their products under the forest certification systems such FSC and PEFC and in doing so, this binds them to be socially responsible," said Magnus Lindberg.

Adapted from: http://www.bwint.org/default.asp?Index=7294&Language=EN



Karl-Petter Thorwaldsson, President of the Swedish Trade Union Confederation, slams his government for stalling ratification.

You can also help ensure that this historic opportunity to end modern slavery does not go to waste.

- Send a message to your labour minister at www.ratifytheprotocol. org and share the action in your personal and organisational social network accounts using the hashtags #EndSlavery #50FF and #ratifytheprotocol.
- Send an official letter from your organisation (model letter Annex 1) to your government and request a meeting to discuss ratification.
- Build and alliance with other trade unions and civil society organisations to promote the ratification of the Forced Labour Protocol at national level.

- 4. Develop an organising plan targeting vulnerable workers and include them prominently in advocacy and bargaining initiatives.
- Identify cases of forced labour in companies and supply chains and demand compensation through dispute settlement mechanisms, including public courts.
- 6. Fill in and complete the participation form (Annex 2).
- Share campaign updates, news, photos and events through https:// www.facebook.com/groups/ratifytheprotocol and in social media platforms of unions and allies.
- 8. Follow https://twitter.com/ituc for campaign updates.



Annex 1: Model letter to government

(Please send a copy to tur@ituc-csi.org)

Subject: Appeal to Ratify the Protocol of 2014 to Forced Labour Convention, 1930

Dear Minister,

We are contacting you in relation to the ILO Protocol on the Forced Labour Convention, adopted in 2014 by the International Labour Conference (ILC).

The protocol complements the ILO Forced Labour Convention No. 29 from 1930.

Building on the Convention of 1930, it takes a more comprehensive approach to forced labour by focusing on prevention, protection and remedy. The protocol also aims to abolish all kind of human trafficking which results in forced labour and is an important step in the fight against modern slavery.

We acknowledge the support for the treaty of our government at the time of its adoption during the International Labour Conference in 2014 and encourage our government to take the initiative for the ratification of ILO Protocol 2014 to the Forced Labour Convention (29) of 1930, as a matter of priority.

We believe that ratification of the Protocol by our Government would demonstrate our country's commitment to abolish modern-day slavery everywhere, including in our country.

We look forward to receiving your reaction to this matter and stand ready to assist in any way we can to ensure a speedy ratification of the Protocol.

Yours sincerely,

General Secretary

Address: Email:

Contact person/ position: Name of organisation:

Annex 2: Participation form ITUC Eliminating Slavery Frontline

Please send it back to tur@ituc-csi.org

0 Yes	ation take part in th O No	e ITUC Slavery Fr	ontline?
What actions are O Lobby for ratif	you planning to un ication of the Proto ect ratification in 20	col to the Forced	_
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	oin the ITUC Slavery		

Publisher responsible in law: **Sharan Burrow**, General Secretary

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