

ICAT

Inter-Agency Coordination Group against Trafficking in Persons

**Preventing Trafficking in
Persons by Addressing Demand**

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Acknowledgements

The Inter-Agency Coordination Group against Trafficking in Persons (ICAT) was set up in 2007 in response to a United Nations Economic and Social Council (ECOSOC) resolution in 2006 (2006/27) requesting intergovernmental agencies to work together to strengthen technical assistance provided to countries in the area of human trafficking. A resolution of the UN General Assembly in March 2007 confirmed the importance of eliminating “gaps and overlaps” in the anti-trafficking efforts of intergovernmental agencies and requested the UN Secretary-General to develop interagency coordination further in order “to enhance cooperation and coordination and facilitate a holistic and comprehensive approach by the international community to the problem of trafficking in persons” (A/RES/61/180). As a policy forum, ICAT aims to facilitate a holistic and comprehensive approach by the international community to preventing and combating trafficking in persons including protection and support of victims of trafficking.

In response to this mandate, ICAT is committed to publishing a series of five issue papers, each examining one key issue that has been identified and agreed by ICAT’s member organisations as a critical challenge to address for the international community to succeed in the fight against trafficking in persons in the coming decade. The planned series of ICAT papers provides an opportunity for international organizations to speak with one voice and is intended to serve as a catalyst for the promotion of common strategic priorities and greater policy and programmatic coherence.

An overview paper titled, *The next decade: Promoting common priorities and greater coherence in the fight against human trafficking*, covering the summary of the five themes was launched in May 2012 in New York at an event hosted by ICAT and co-sponsored by the Mission of Sweden together with the Association of South East Asian Nations (ASEAN). The first issue paper of the series, titled the *International Legal Frameworks concerning Trafficking in Persons*, was published in 2013.

The second issue paper, titled *Preventing trafficking in persons by addressing demand*, is the result of inter-agency teamwork benefiting from the extensive experience of the members of the ICAT Working Group, comprising ILO, IOM, OHCHR, UNHCR, UNICEF and UNODC, coming together to contribute in a collegial manner their experiences and institutional expertise in the advancement of a common cause – to enhance coherence in addressing the issue of human trafficking. The following colleagues from each member agency of the ICAT Working Group are acknowledged for their contribution: Ariel Riva (UNHCR), Beate Andrees (ILO), Houtan Homayounpour (ILO), Jonathan Martens (IOM), Katharina Peschke (UNODC), Kerry Neal (UNICEF), Martin Fowke (UNODC), Mathieu Luciano (IOM), Michela Macchiavello (IOM), Sumbul Rizvi (UNHCR), Szilvia Petkov (UNODC/ICAT secretariat) and Youla Haddadin (OHCHR). Phil Marshall, independent consultant, assisted in the drafting process towards the realization of this paper. The paper has not been formally edited. The paper was realized through a generous financial contribution provided by the Government of Sweden.

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1 Introduction

During the first decade following the adoption of the UN Trafficking in Persons Protocol, most efforts to prevent trafficking in persons (TIP) focused on what is often referred to as the supply side, concentrating on those who were seen as vulnerable to becoming victims of trafficking in person. Partly as a result of a perceived lack of progress for such supply side interventions, recent years have seen an increased interest in identifying and addressing factors that contribute to the demand that fosters all forms of labour exploitation. One of the ways in which this demand is met, is through trafficking in persons, which this paper aims to explore.

The present paper is the second in a series of policy papers elaborated jointly by the member organizations of the Inter-agency Coordination Group against Trafficking in Persons¹. Its purpose is to provide guidance to organizations and practitioners by mapping out the dimensions of this demand as it relates specifically to trafficking in persons for labour exploitation, as well as highlighting strategies that can be used to address this aspect of the problem. The paper proceeds to identify concrete steps that can be taken by different actors to effectively reduce this demand.

This paper concentrates specifically on demand that contributes to trafficking for labour exploitation in the context of the production of goods and/or services.² The paper thus excludes trafficking for other purposes (including forced marriage, begging, forced criminality and organ removal), each of which has particular nuances. The paper further does not address demand that contributes to trafficking for the purpose of sexual exploitation.³ The paper does however make frequent reference to forced labour. While forced labour and trafficking for labour exploitation are not fully synonymous – not all forced labour involves trafficking and not all trafficking for labour exploitation amounts to forced labour – they both result from similar demand factors. Further, many relevant initiatives against exploitative labour practices are framed in terms of forced labour rather than trafficking in persons.

The paper is divided into three parts. Part I provides an introduction to the concept of demand in the context of trafficking in persons for labour exploitation, the international legal framework relating to demand, and the reasons for increased attention to this area. The aim is not to create a definitive definition of demand but rather to identify an overall framework for Part II of the paper. This identifies different strategies and approaches for addressing demand

¹ In 2012, the Inter-agency Coordination Group against Trafficking in Persons (ICAT) decided to publish a series of five issue papers, each examining one key issue that has been identified and agreed by ICAT member organizations as a critical challenge for the international community to address in order to succeed in the fight against trafficking in persons in the coming decade. The first paper entitled “The International Legal Frameworks concerning Trafficking in Persons” was published in 2013.

² “Trafficking in persons for (the purpose of) labour exploitation” is the preferred term for this paper as it encompasses the broadest set of work-related forms of exploitation such as forced labour, servitude, practices similar to slavery etc. Accordingly, it emphasises the many possible manifestations of the exploitative purpose of trafficking, beyond forced labour. As such, the term is distinct from “trafficking in persons for forced labour” (only), as opposed to trafficking for other forms of exploitation; and from (mere) labour exploitation.

³ This would require addressing the ongoing debate on whether demand for all forms of prostitution contribute to trafficking. For a summary of this debate, see UN Special Rapporteur on the sale of children, child prostitution and child pornography, Juan Miguel Petit, *Demand for sexual services deriving from exploitation, Report of the Special Rapporteur to the 62nd session of the UN Commission on Human Rights*, UN document E/CN.4/2006/67, 12 January 2006, paragraphs 29 to 31.

and includes suggestions on possible steps to be taken with regard to each strategy. Part III consists of concluding comments, incorporating a brief summary of main recommendations.

1.1 Demand in a “Trafficking in Persons” context

The UN Trafficking in Persons Protocol refers to a general form of “demand that fosters all forms of exploitation of persons”, suggesting that such exploitation, in turn, leads to trafficking in persons.⁴ The term ‘demand’ in the context of trafficking in persons is still subject to different interpretations, however. A review of the literature suggests that treatment of the concept is diverse, and the use of terms around demand and supply not always consistent with how these concepts are understood in economic theory.⁵

In a general economic sense, demand refers to the amount of a good or service that a consumer or group of consumers will want to purchase at a given price. Consumers will generally want to buy more of a good or service as price decreases. Demand can also be affected by factors such as the price of substitute goods and complementary goods. Importantly for this paper, the legality of the good or service also affects the level of demand. The demand for pirated goods such as DVDs or counterfeit clothes, for example, will be affected by the price and quality of the original legal good in relation to the price and quality of the pirated version, but also by the perceived likelihood of being caught, as well as the perceived social acceptability of buying pirated products.

The demand for labour in general refers to the decision of employers to employ a certain number of workers. It is known as a “derived demand” in that it derives, and is ultimately reliant upon, the customers’ demand for a final good or service. In other words, employers hire workers because there is a demand from customers to buy a good or a service that will be produced by the workers. This derived demand can be direct when the final customer buys the good or service produced by the workers. Examples would include services ranging from domestic help to a haircut, and goods such as a mobile phone. Alternatively, derived demand can be indirect, where workers are part of a value chain, producing an input into the production of another good. An example would be the production of silicon chips that are used in the production of mobile phones. In order to maximise profit, businesses will, in simplistic terms, seek to produce goods and/or services at the lowest possible cost and sell them at the highest price.

1.1.1 Employers

In many environments, the costs of labour are regulated by laws on minimum wages. Basic working conditions including hours, safety conditions and leave entitlements are also regulated. Where such wages and conditions are not adequately governed or enforced, unscrupulous employers have an opportunity to reduce their costs by exploiting their labour force.

The demand that fosters all forms of labour exploitation can lead to people being trafficked

⁴ Article 9, subparagraph 5, of the UN Trafficking in Persons Protocol requires States Parties to “adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking”.

⁵ See B. Anderson and J. O’Connell-Davidson, *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study*, IOM Migration Research Series, Geneva, 2003; and E. Pearson, *The Mekong Challenge, Human Trafficking: Redefining Demand, Destination factors in the trafficking of children and young women in the Mekong sub-region*, Mekong Sub-regional Project to Combat Trafficking in Children and Women, ILO, Bangkok, 2005.

for the exploitation of their labour. While minimising production costs is conventional business practice, unscrupulous businesses can do so unethically and generally illegally by, for example, not paying wages, requiring excessive and unpaid overtime, denying employee benefits or otherwise failing to meet basic health and safety standards in environments that are often dirty, difficult, or dangerous. When these practices are combined with the presence of binding factors – ranging from debt to withholding of documents to threats and violence – so that a worker has no realistic option to leave this situation, this can amount to forced labour and/or trafficking.

Generally, demand for labour exploitation comes from unscrupulous employers at the end of the trafficking chain, across a range of different sectors but it may also come from brokers or agents, or from a trafficking network involving several actors at different points along the trafficking process. The involvement of intermediaries can also lead to trafficking being present even where the end employer is not demanding cheap, exploitable labour or knowingly complicit in illegal practice. Recruitment agents for example, may trap workers through the imposition of large and illegal debt, compounded by inflated interest rates that allow them to appropriate the earnings of these workers over an extended period of time.

1.1.2 Consumers

To be profitable, exploiters of trafficked labour must have a market for the goods or services produced by this labour. With regard to goods produced by trafficked persons, these may be either an end product purchased by a consumer, or an intermediary product to be sold to another company for further production.

It is important to highlight that end consumers are generally not directly complicit in supporting labour exploitation, usually lacking sufficient knowledge on which to make an informed choice. In the absence of information about the existence of trafficking in persons for labour exploitation in the production process, there is nothing that distinguishes demand for goods and/or services produced by trafficked victims from the general behaviour of consumers with budget constraints. Similarly, many companies may not be aware of exploitative labour practices at lower levels of their value chains, which are often long and complex. At the same time, the preference of both businesses and end consumers for products at the lowest cost can contribute to incentives for exploitative labour practices.

While most goods involving exploitative labour practices are produced far away and out of the sight of those who buy them, the situation is different in the case of services. A person who uses the services of a trafficked victim generally comes into direct contact with that person. In the case of trafficking for domestic servitude, for example, the “consumer” of these services is usually the employer or the family of the employer and will generally be knowledgeable about the situation of the trafficked victim and complicit in his or her exploitation.

1.2 The international legal framework on demand

As elaborated in the first ICAT paper on “the International Legal Frameworks concerning Trafficking in Persons”⁶ there are a range of key legal instruments, addressing trafficking in persons. Besides the UN Trafficking in Persons Protocol, in which for the first time the international community defined “trafficking in persons”, several other international instruments are of particular relevance.

⁶ ICAT, *The International Legal Frameworks concerning Trafficking in Persons*⁶, Vienna October 2012, point 2.3 at pages 4-5.

The Convention on the Elimination of all forms of Discrimination against Women requires state parties to take all appropriate measures, including legislation to suppress all forms of traffic in women and exploitation of prostitution of women. Similarly, the Convention on the Rights of the Child requires state parties to take all appropriate measures to ‘combat the illicit transfer and non-return of children abroad’ and to recognize the right of the child to be protected from economic exploitation.

The newly adopted ILO Protocol to Convention 29 on forced labour also provides details of a number of “measures to be taken for the prevention of forced or compulsory labour”, which include “supporting due diligence by both the public and private sectors to prevent and respond to risks of forced or compulsory labour.”

Of the instruments listed above, only the Trafficking in Persons Protocol explicitly addresses “demand”. It requires States parties to take action to prevent trafficking in persons by *inter alia* discouraging demand, but there is a lack of precision about the nature of the measures to be taken. The Protocol itself does not offer specific guidance (referring to “legislative or other measures, such as educational, social or cultural measures”) and the interpretative notes for the official record (*travaux préparatoires*) do not add anything on this point.⁷

However, since the adoption of the above Protocol, further guidance has been elaborated on interpreting its approach to addressing demand.

In particular, the Legislative Guide on the UN Trafficking in Persons Protocol⁸ points out that “[D]emand reduction...could be achieved in part through legislative or other measures targeting those who knowingly use or take advantage of the services of victims of exploitation”. More recently, the UN Global Plan of Action to Combat Trafficking in Persons (2010) includes several articles suggesting action to discourage demand, including one referring to the need for “measures at national level to combat trafficking for labour exploitation” as well as the importance of educating consumers.⁹ Various regional instruments, strategies and plans to combat trafficking in persons similarly suggest that action should be taken to discourage demand, but few provide more detailed guidance on what this entails.

The Working Group on Trafficking in Persons of the Conference of the Parties to the UN Convention against Transnational Organized Crime (TIP Working Group) has reviewed some of the measures that can be taken to discourage demand and in 2010 adopted the following recommendation:

“States parties should adopt and strengthen practices aimed at discouraging demand for exploitative services, including considering measures to regulate, register and license private

⁷ UN General Assembly, *Interpretative notes for the official records (travaux préparatoires) of the negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*, Addendum to the Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the work of its first to eleventh sessions, UN General Assembly document A/55/383/Add.1 (3 November 2000).

⁸ UNODC, *Legislative Guide for the Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*, paragraph 74, in: *Legislative Guides for the Implementation of the United Nations Convention Against Transnational Organized Crime and the Protocols thereto*, UN, New York, 2004.

⁹ United Nations Global Plan of Action to Combat Trafficking in Persons, UN General Assembly resolution 64/293, UN document A/RES/64/293 (12 August 2010). Article 22 calls on States to “adopt and implement specific measures at the national level to combat trafficking for labour exploitation and strive to educate consumers on those measures”.

recruitment agencies; raising the awareness of employers to ensure their supply chains are free of trafficking in persons; enforcing labour standards through labour inspections and other relevant means; enforcing labour regulations; increasing the protection of the rights of migrant workers; and/or adopting measures to discourage the use of the services of victims of trafficking”.¹⁰

Important guidance on addressing demand is also contained in the UN Recommended Principles and Guidelines on Human Rights and Human Trafficking. Principle 4 states that “Strategies aimed at preventing trafficking shall address demand as a root cause of trafficking”, while Guideline 7 recommends that States, in partnership with intergovernmental and non-governmental organizations, should consider “Analysing the factors that generate demand for exploitative commercial sexual services and exploitative labour and taking strong legislative, policy and other measures to address these issues”.¹¹

1.3 Reasons for focusing on demand

In the years after the UN Trafficking Protocol was adopted, prevention efforts focused mainly on origin countries of trafficked persons. The most common prevention approach to date has been to raise awareness about the danger of leaving one’s community and to disseminate information to people who seemed likely to be targeted by traffickers, mostly in poor communities. Another major prevention strategy has been to attempt to reduce migration from communities seen to be at risk of trafficking by offering increased economic opportunity through activities such as vocational training and micro-credit.

There is at present little evidence of the success of either of these approaches and debate has increased regarding the viability of preventing trafficking in persons solely by interrupting the ‘supply’ of potential trafficked persons at source, that is in countries and communities of origin. Many practitioners argue that the supply of potential victims is too plentiful for trafficking in persons to be addressed in this manner and that, even if individual programmes prove effective, they are more likely to displace the problem to other locations than to reduce its overall size.¹²

These concerns have recently generated greater discussion around the need to revisit the dominant strategies to date. At the forefront of this discussion has been an increasing interest in looking at factors that contribute to demand for goods and/or services that could be tainted by trafficking in persons for labour exploitation. An attraction of such a demand side focus is that it directly targets the prime motivation for trafficking – profit. Without demand for the goods and services produced as a result of labour exploitation, there is no market and therefore no profit. ILO estimates that 20.9 million women, men and children are in forced labour worldwide.

The necessity of tackling the full spectrum of contributing factors to trafficking in persons, including both the supply and demand side of the problem, should not be neglected. Conversely, this paper argues that a greater focus on demand – alongside existing approaches – would go a long way in devising more successful prevention strategies for trafficking in

¹⁰ Conference of the Parties to the UN Convention against Transnational Organized Crime, *Activities of the Working Group on Trafficking in Persons, Report submitted by the Chair of the Working Group* (for the fifth session, 18-22 October 2010), UN document CTOC/COP/2010/6 (10 August 2010), paragraph 66.

¹¹ UN High Commissioner for Human Rights, *op. cit.*

¹² See, for example, Berman, Jacqueline and Phil Marshall, *Evaluation of the International Organization for Migration and its Efforts to Combat Human Trafficking, Report 11/2010-Evaluation*; Norwegian Agency for Development Cooperation, Oslo, 2011, <www.norad.no/en/tools-and-publications/publications/publication?key=259795>, p. 28 accessed 13 February 2014.

persons.

1.4 Addressing demand

Although there is a limited knowledge base on the role of demand-side interventions in addressing trafficking in persons as such, success stories do exist in comparative fields. Most famously, the Trans-Atlantic slave trade was curtailed in the early 19th Century primarily by a war over the demand for slaves. Abolitionists also targeted consumers, a campaign targeting consumers of sugar, which was typically produced by slaves, describing sugar as “steeped in the blood, sweat and tears of the slaves who produced it”. In addition to this moral campaign, the legal prohibition of slavery and its enforcement made the transatlantic trade less profitable, which led to its progressive decline. In today’s global economy, however, the interaction of supply and demand is more complex as there are no economies or specific sectors that entirely depend on “slave labour”, unlike the slave societies of the Americas.¹³

Lessons can also be learned from more recent examples of action against child and forced labour in various industries, including textiles and chocolate. These examples highlight how consumer pressure and reputational risks faced by major brands can serve as an initial catalyst of action. They also suggest the importance of a multi-faceted response to demand, combining statutory and voluntary measures across a range of actors.¹⁴ These measures are explored in the following section.

The evidence base relating to demand that contributes to trafficking in persons

An integral part of the information required about measures that can be taken to discourage demand is evidence about their effectiveness and impact. Observers associated with different international organizations have noted the paucity of evidence to date about demand and measures implemented to reduce demand. It is worth noting, however, that concerns about the limited evidence base on which to build responses can be applied to many aspects of trafficking, not just demand. In this light, the need to collect and analyse information about the impact on different actions against trafficking in persons would perhaps be better served by a more widespread effort to build evaluation of outcomes and impact into programmes across all aspects of the response. (This will be addressed by a forthcoming ICAT paper.)

Political considerations with regard to demand

Addressing demand requires a shift in the focus of existing efforts and priorities, bringing increased attention to the places where trafficked persons are exploited and to root causes and contributing factors that make the exploitation of trafficked persons possible, including economic, social and cultural factors.

It is important to recognise that there are political challenges to making this shift. Many authorities have been unwilling to acknowledge that trafficking in persons for labour exploitation occurs in their territory and take action to address this, particularly in places where businesses have benefitted from the exploitation of workers. In addition, contributing factors, such as statelessness, present persistent and formidable challenges of their own.¹⁵

¹³ O’Connell Davidson, Julia: Absolving the State: The Trafficking-Slavery Metaphor, in: GLOBAL DIALOGUE, Vol. 14, No. 2, 2012

¹⁴ See for example: Rooting out child labour from cocoa farms: a synthesis report of five rapid assessments, ILO/IPEC, December 2007

¹⁵ ExCom Conclusion No. 106 (LVII), available at: <http://www.unhcr.org/453497302.html> (accessed on 1 September 2014).

Against this background, there remains a tendency in some quarters to hope that supply-side interventions – which are generally easier to implement (and often less threatening to the status quo) – will be sufficient to reduce the magnitude of the trafficking problem.

2 Strategies to address demand in the context of trafficking in persons for labour exploitation

This section analyses different strategies and approaches to addressing demand that contributes to trafficking in persons and other exploitative practices in terms of: explaining how these measures affect demand; outlining the current situation concerning such measures; highlighting some of the challenges involved; and identifying steps that need to be taken to advance beyond the status quo.

While this paper focuses on demand-side interventions, it should be reiterated that anti-trafficking in persons initiatives need to address the full spectrum of the trafficking process, including both supply and demand. Furthermore, all strategies and measures presented in this chapter should be framed in a human rights-based perspective, which is normatively based on international human rights standards, and operationally directed towards promoting and protecting the rights of victims of trafficking. Therefore, the criminal justice systems' responses to trafficking in persons should primarily identify victims of trafficking, including those exploited in forced labour, as rights-holders, and should address all the rights they are entitled to. For example, general protection measures for victims of trafficking are not sufficient for those who fear persecution¹⁶ or other serious human rights abuses and cannot return home; such victims are entitled to the additional rights provided by international refugee law, such as protection against *refoulement*.¹⁷

The UN Recommended Principles and Guidelines on Human Rights and Human Trafficking have suggested a distinction between the causes and factors that shape demand, and the demand itself. This distinction becomes necessary when considering the roles and responsibilities of different actors, including of countries of origin and destination countries. Countries of origin may rely heavily on the remittances of overseas workers, and may be reluctant to interfere with a system that brings economic benefits, although it might be clear that some of their citizens are subject to exploitation. On the other hand, the demand generated at destination is derived from the financial benefits generated from the exploitation of foreign workers, who are, in some cases, deliberately not protected by law. It is also important to draw attention to the fact that the supply generates its own demand; the availability of cheap and exploitable labour can itself help generate demand.

The paper has not explicitly examined issues of demand related to the particular phenomena of trafficking in children for labour exploitation. The specific legal obligations of States with regard to the prevention and response to child trafficking are the subject of a large body of analysis by academics, civil society and governments, which is too large in scope to be covered in this paper. However, it should be noted that any holistic, multi-disciplinary and

¹⁶ Notably, the connection between international refugee law and human trafficking is two-fold: (1) recognized refugees may be especially vulnerable to being trafficked; and (2) human trafficking may, in certain circumstances, create new refugees. UNHCR, *The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked*, 7 April 2006, p.3, available at: <http://www.unhcr.org/443b626b2.html>.

¹⁷ UNHCR, *Considerations on the Issues of Human Trafficking From the Perspective of International Refugee Law and UNHCR's Mandate*, March 2009, p. 2, available at: <http://www.unhcr.org/4ae6b66e9.html>.

human rights-based approach to combating trafficking in human beings will of necessity ensure that child rights are integral to the overall normative human rights framework used to frame strategies and measures.

While there has been a lack of clarity about what constitutes ‘demand’, it seems that it is not so much a more detailed definition that is required, but broader consensus about the full set of options that can be taken to effectively discourage demand both directly and indirectly, along with a willingness to implement, monitor and evaluate the measures concerned. With this in mind, possible measures to address demand have been grouped into the following categories, drawing on the above recommendation of the Working Group on Trafficking in Persons:

1. Criminal justice responses which serve to reduce demand that fosters trafficking for labour exploitation by raising the costs of using such labour;
2. Measures and mechanisms to improve labour conditions in sectors vulnerable to the use of victims trafficked for labour exploitation, through strengthening and enforcing labour standards and regulations;
3. Action against exploitation associated with the migration process, including through better regulation of private recruitment agencies and better protection of migrant and refugee workers;
4. Private sector initiatives to address exploitative labour practices within supply chains;
5. Consumer-based action against products made from trafficked labour; and
6. Addressing the root causes and contributing factors, including social norms that enable exploitative practices to flourish.

2.1 Criminal justice responses to trafficking in persons for labour exploitation

How criminal justice responses affect demand

For the criminals involved, trafficking in persons for the purpose of exploiting their labour is ultimately a business. It thrives because the perceived rewards involved outweigh the perceived risks. Effective criminal justice responses affect demand by increasing the costs to traffickers through measures including imprisonment and asset confiscation.¹⁸

Current situation and challenges

Despite considerable efforts to strengthen the criminal justice response to trafficking worldwide, the number of prosecutions and convictions remains miniscule in relation to the size of the problem and in comparison to the response to other forms of crime. As noted in the previous section, ILO conservatively estimates that there are 20.9 million people in forced labour situations.¹⁹ Yet worldwide convictions for labour trafficking in 2012 amounted to 518.²⁰ Even assuming that not all forced labour cases involve trafficking (and that some forced labour convictions are thus likely secured under other laws), this figure is extraordinarily low and suggests impunity for many of those involved.

Further, reports on convictions for trafficking in persons do not generally include information on whether more than one link in the trafficking network has been targeted. In fact, the tendency to assess progress in prosecutions based on overall numbers favours the targeting of

¹⁸The key components of an effective criminal justice response to trafficking are well documented elsewhere, and will not be addressed in detail here. See for example Anne Gallagher and Paul Holmes, P. (1 September 2008). "Developing an Effective Criminal Justice Response to Human Trafficking: Lessons From the Front Line". *International Criminal Justice Review* 18 (3): 318–343.

¹⁹ ILO, *op. cit.*

²⁰ US Department of State, *Trafficking in Persons Report*, 2013, p. 46.

minor players, who are more plentiful and generally have a lower likelihood of avoiding conviction. These minor players are often replaceable links in the trafficking chain, as a result of which even successful prosecutions may fail to impact significantly on the long-term profitability of the trafficking business.

There are a number of challenges to an effective criminal justice response to trafficking in persons. In the first instance, many cases are simply not identified. A lack of clear identification mechanisms and guidelines is often compounded by limited incentives for victims to come forward, both in terms of benefits in the legal process, and services and protection available to them.²¹

In addition, trafficking in persons is a complex crime, presenting challenges for even the most developed and well-resourced criminal justice systems, and unduly placing a heavy emphasis on the testimony of victims, many of whom have a range of reasons²² not to give evidence against their traffickers. Collaboration is often required between national actors without established cooperation practices, as well as across international borders.²³ The limited resources generally available to many law enforcement bodies and the perception that trafficking in persons is difficult to prosecute may lead to investigators not placing a priority on this crime, particularly where the victims are foreign nationals. Finally, as with all forms of organised crime, complicity and corruption undermine investigations in many parts of the world. Clearly, those who profit most from trafficking in persons have both the greatest means and the most need to engage in corruptive practices.

Overall, current criminal justice processes are not optimised towards making trafficking in persons an uneconomic criminal business. Even within the constraints noted above, however, greater emphasis on the financial aspects of this crime would serve to reduce the incentives for engaging in this criminal business and thus the demand for trafficked labour.

Steps to be taken to address demand in relation to criminal justice responses

There are steps that can be taken to better and more consistently align criminal justice responses with the objective of making trafficking an unprofitable economic undertaking. In particular, measurements of progress in this area are currently heavily focused on prosecution numbers rather than, for example, quality of prosecutions and the extent to which trafficking networks have been disrupted. Further, globally, financial investigations and penalties are exceptional rather than commonplace, in criminal justice responses to human trafficking. Specific steps in this area might include:

a. Greater action against entire trafficking networks rather than just individual players.

Enhanced action is needed against networks or, in other words, the full breadth of criminal actors involved in a trafficking incident. This, in turn, would be better enabled by establishing, as a common practice, reporting on and analysis of the proportion of criminal

²¹ In some cases, services provided to victims may actively discourage them from coming forward. These include detention through placement in a closed shelter and the prospect of being returned to their place of origin, often against their wishes. For further discussion on this issue see Gallagher, A. and Pearson, E. (2008). Detention of Trafficked Persons in Shelters: A Legal and Policy Analysis, <http://ssrn.com/abstract=1239745>

²² The complexity of trafficking also compels the implementation of differentiated procedures for uniquely vulnerable victims, such as persons in need of international protection. UNHCR, *Refugee Protection and Mixed Migration: The 10-Point Plan in action*, February 2011, available at: <http://www.refworld.org/docid/4d9430ea2.html>

²³ See, e.g., UNHCR, *Smuggling and Trafficking From the East and Horn of Africa*, Strategy and Regional Plan of Action, Element 2, p.8, available at: <http://www.refworld.org/pdfid/51d175314.pdf>.

cases in which more than one link in the trafficking chain was targeted. In particular, the proportion of cases, in which charges were laid not only against those involved in the exploitative practices at the end destination, should also be considered. The employment of special investigative techniques and targeted disruption tactics would facilitate this goal.

b. Greater focus on targeting the economics of trafficking demand through standard application of financial investigations and penalties

Increased emphasis should be placed by criminal justice actors on measures to influence the profitability of the trafficking business, including:

- The widespread and regular application of basic financial investigation practices in law enforcement responses to human trafficking, such as the identification of exploitative labour practices through review of data contained in the enterprise resource planning systems that companies routinely use as a management tool;
- Implementation of dissuasive sanctions against exploitative employers;
- Greater pursuit and awarding of orders for confiscation of assets and proceeds, as well as pecuniary damages; and
- Cooperation of criminal justice actors with the financial sector, including financial sector coalitions (banks, money transfer companies, etc.) aimed at identifying specific customers and suspicious financial transactions that could be connected to trafficking in persons.

2.2 Strengthening labour standards and improving implementation

How strengthening the implementation of international labour standards affects demand

A major incentive for trafficking in persons for labour exploitation is the lack of application and enforcement of labour standards, such as those related to the payment of wages, working hours, recruitment of workers, health and safety and the termination of employment contracts. While violations of individual labour law provisions may not amount to trafficking as such, the combination of various abusive labour practices with factors that prohibit a worker from exiting their employment relationship can create a situation of trafficking for labour exploitation. Put simply, demand for the labour or services of trafficked persons is absent or markedly lower where workers are organized and where labour standards for wages, working hours and conditions, and health and safety, are routinely monitored and enforced.²⁴

Current situation and challenges

In its comments on ILO Convention No. 29, the ILO's Committee of Experts on the Application of Conventions and Recommendations has highlighted the importance of labour inspection as an essential complement to the role of police authorities in responding to illegal treatment of workers, including forced labour and trafficking. Labour inspectors are uniquely placed to detect labour violations, as well as identify persons in need of international protection, because of their right to access work places without a search warrant and their ability to initiate immediate action. By taking effective and immediate action to address and correct labour law violations, labour inspectors can prevent exploitative situations from degenerating into forced labour.

Unfortunately, it has been routinely observed that the capacity of labour inspectors and others responsible for the enforcement of labour laws is limited in many States, including developed States, meaning that such laws are frequently violated with impunity, or that penalties for

²⁴B. Anderson and J. O'Connell-Davidson, *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study*, IOM Migration Research Series, Geneva, 2003. p. 54.

non-compliance are low and non-dissuasive.²⁵ While an increasing number of countries have assigned an explicit mandate to labour inspectors to detect and investigate forced labour and trafficking cases, more is required to strengthen their capacity, promote collaboration with other law enforcement authorities, and ensure that such processes are sensitive²⁶ to the full range of international protection needs that victims may have.

The authority of labour inspectorates and their workforce vary considerably across jurisdictions, as do the levels of financial support and investment these inspectorates receive. In many jurisdictions, both the mandate and resources of labour inspectorates limit the scope of activities they are able to undertake to a reactive basis, responding to complaints or notice of alleged violations. To be able to effectively combat labour exploitation, it is essential that labour inspectorates are both adequately resourced and staffed, and that they have sufficient authority to be able to initiate pro-active investigations and monitoring of workplaces.

It is also essential to extend the coverage and enforcement of labour laws to the informal economy. Most obviously, many countries' labour laws do not yet cover domestic work. ILO Convention 189 (2011) concerning Decent Work for Domestic Workers sets out labour standards for domestic workers and is thus potentially a major step forward in improving domestic working conditions. Although laws and standards relating to domestic work may be challenging to enforce in practice, they have an important normative role in presenting domestic labour as a form of work with accompanying rights, regulations and entitlements. Research has found that domestic workers are likely to be treated worse by those employers who say they treat them as members of the family – failure to see the person as an employee leading to lack of recognition of their rights as workers.²⁷

As well as focusing on the role of employers and labour inspectors, there is a need to strengthen the ability of workers to access their rights, in particular through protection of their right to organise. The ILO Declaration on Fundamental Principles and Rights at Work (1998) makes it clear that the rights enshrined in eight fundamental ILO Conventions referring to freedom of association and collective bargaining, rights pertaining to the elimination of child and forced labour, and discrimination at work are universal rights. They thus apply to all people in all States - regardless of the level of economic development. The Declaration particularly mentions groups with special needs, including the unemployed and migrant workers (see next section). Currently, however, many workers struggle to exercise their right to organise and trade unions face challenges in organising workers in the informal economy or where workers are employed on a temporary basis, or where this is prohibited by law.

In this context, it is useful to recall jurisprudence issued by the Advisory Opinion on Juridical Condition and Rights of Undocumented Migrants of the Inter-American Court of Human Rights, which asserted that “if undocumented workers are engaged, they immediately become possessors of labour rights corresponding to workers and may not be discriminated against because of their irregular situation”.²⁸ As further observed by the ILO's Committee of Experts on the Application of Conventions and Recommendations, it is important to “bear in mind that the main objective of the labour inspection system is to protect the rights and interests of all workers and to improve their working conditions.”²⁹ In Europe, a recent report of the EU

²⁵ See for example: Strengthening Labour Market Governance against Forced Labour; in: *Forced Labor. Coercion and Exploitation in the Private Economy*; Beate Andrees and Patrick Belser (eds.) Lynne Rienner Publishers and ILO, 2009.

²⁶ UN High Commissioner for Refugees (UNHCR), *Refugee Protection and Mixed Migration: The 10-Point Plan in action*, February 2011, available at: <http://www.refworld.org/docid/4d9430ea2.html>

²⁷ *ibid.*

²⁸ IACrHR, OC-18/03, 17 September 2003.

²⁹ ILO: *Labour administration and labour inspection, General Survey of 2011*, at para. 305.

Fundamental Rights Agency noted that “in the majority of EU Member States, irregular residence does not nullify a person’s rights as a worker and the effects of labour law, although due to an absence of case law, the situation is often unclear or subject to different interpretations. In at least 19 countries, entitlements to fair remuneration apply to all workers, including migrants in an irregular situation.”³⁰ In practice, however, trafficked workers are usually reluctant to report abuse to authorities for fear of deportation.

The fundamental rights of workers, including the elimination of forced labour, are often also referenced in trade agreements, by financial institutions, voluntary initiatives and in international agreements negotiated between multinational enterprises and global unions.³¹ In this regard, the 1998 ILO Declaration states that “labour standards should not be used for protectionist purposes”, thus securing the competitive advantage of developing countries³² However, the 2008 ILO Declaration on Social Justice for a Fair Globalization balances this statement by providing that the “violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage”.³³ This means that, while the ILO labour standards are not meant to be an impediment to trade liberalization, they should by all means be implemented and enforced.

Steps to be taken to address demand in relation to labour standards

The strengthening and effective implementation of international labour standards, for all workers and across all seekers, can go a long way in addressing demand aspects of human trafficking by creating an environment where the risks and costs associated with non-compliance with labour laws are higher than the potential profits. Countering trafficking in persons for labour exploitation requires not just stronger action against employers found to be in breach of these laws and standards but also measures to ensure that the rights of workers, including migrant and refugee workers, are protected, respected and fulfilled, and they have access to effective remedies for exploitation and abuse, regardless of their legal status. Specific steps in this area might include:

- a. *Ensuring that the fundamental principles and rights at work are reflected and applied in national laws and extend to all workers regardless of their migration status or any other factors, and that mechanisms exist to enforce them.*³⁴

This includes adopting safeguards against any unlawful or unethical discrimination in the workplace, including ensuring that migrant and refugee workers are treated in the same way as national workers, in line with the obligation to protect and promote the human rights of all persons within the jurisdiction of States.

³⁰ http://fra.europa.eu/sites/default/files/fra_uploads/1827-FRA_2011_Migrants_in_an_irregular_situation_EN.pdf

³¹ ILO: Fundamental principles and rights at work. From commitment to action, Recurrent discussion under the ILO Declaration on Social Justice for a Fair Globalization and the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour conference, 101st Session, 2012, Geneva.

³² This issue has been further clarified by ILO’s The 2008 Social Justice Declaration which notes “that the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes.” (A.iv).

³³ ILO Declaration on Social Justice for a Fair Globalization, http://www.ilo.org/wcmsp5/groups/public/---dgreports/---cabinet/documents/genericdocument/wcms_099766.pdf, page 11.

³⁴ ILO Declaration on Fundamental Principles and Rights at Work (1998), <http://www.ilo.org/declaration/lang--en/index.htm>.

- b. *Ensuring that all forms of work, notably domestic work, are covered by labour laws, and that these laws apply to all workers including refugees as well as regular and irregular migrant workers.*

This should be complemented by strengthened legislative protection for highly vulnerable individuals, such as children, migrant workers, and domestic workers. Particular focus needs to be on areas receiving a high concentration of mixed migration flows, and sectors where informal labour arrangements are common despite legal regulations, such as agriculture and construction.

- c. *Providing an enhanced mandate and greater capacity for labour inspectorates.*

Labour inspectors “should be able to travel rapidly and safely over the whole of the national territory, including in remote areas where workers are more like to be exploited”.³⁵ Closer collaboration and coordination between labour inspectors and law enforcement authorities is also crucial, keeping in mind the overall objective for labour inspections of protecting the rights and interests of all workers and improving working conditions. Finally, labour inspectorates should be adequately resourced and staffed, and have sufficient legal and administrative authority to be able to initiate pro-active investigations and monitoring of workplaces independent of other branches of law enforcement such as police or border guards.

- d. *Encouraging the establishment of workers’ organizations that include migrant and refugee workers, even those with an irregular legal status.*³⁶

This includes ensuring that national laws guarantee employees the right to collective bargaining and freedom of association.

- e. *Ensure exploited workers, including migrant and refugee workers, have access to redress for infringement of their rights.*

This includes providing the right for all workers to pursue civil claims against their employers and supporting them to access this right. It further includes the elimination of such measures that deter workers from coming forward, such as the mandatory return of workers to their country of origin.

2.3 Reducing exploitative labour practices in the migration process

How action against exploitative migration practices affects demand

Efforts to address exploitation of workers also need to focus on the workplace itself, and not only on the paths that workers take to arrive at their jobs, as this is one of the major ways through which workers are placed and, in particular, maintained in a situation of exploitation. Not all trafficked victims are physically restricted from leaving their exploitative labour situation. Many are kept in place through threats, fraud, deception, as well as the abuse of their vulnerability in general, or because of debt incurred in migration processes. Limiting the opportunities for exploitation in the migration process will reduce the extent to which the

³⁵ General Survey of 2012, paras 321, 322.

³⁶ See COMMIT (Coordinated Mekong Ministerial Initiative against Trafficking), *Recommended Guidelines for Migrant Recruitment Policy and Practice in the Mekong Sub-Region*, ILO, 2008; OHCHR, *op.cit.*; and OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *An agenda for prevention: trafficking for labour exploitation*, 2011 Annual Report of the OSCE Special Representative, Vienna, 2011.

often legitimate demand for migrant workers is met by exploitative practice that can amount to trafficking in persons.

Current Situation and challenges

International standards on the protection of migrant workers include clear provisions on the protection of migrant workers from deception and exploitation during the migration process but their ratification and implementation rates are comparatively low.³⁷ There is currently a lack of adequate regulation, monitoring and redress involved in many migration practices, including for those migrating through legal channels. This helps turn a legitimate demand for migrant labour into an opportunity for criminals to exploit workers during the migration process, often at more than one point. The nature of relationships between migrant workers and brokers means this can sometimes take place without the knowledge of the employer.

As highlighted in the previous section, irregular migration creates particularly easy targets for exploiters, as any complaint is likely to be met with the threat of deportation – resulting, in some cases, from direct collaboration between exploiters and law enforcement. A lack of regular migration channels such as access to asylum procedures can place displaced persons or migrants in situations of vulnerability, and make them prey to exploitative practices, regardless of whether their recruitment is organised by a broker or agency in the country of origin. This is of particular concern in sectors where there is a high demand for inexpensive labour (and which tend to be dominated by women, such as domestic work and care-giving). Ensuring that migration policies are in line with labour market realities and international law is therefore a crucial step in reducing the enabling environment for exploitation in the migration process.

At the same time, regular migration channels do not provide a guarantee against trafficking in persons for labour exploitation. Illegal migration charges, combined with excessive interest rates on loans to pay these charges, can place workers in a position where they cannot leave their situation of exploitation as they would then have no way of repaying the debt they owed. Recent research on workers migrating legally found that 92% of migrants required loans for their migration and 57% paid more than they were legally required to.³⁸ Even where charges are within the legal limit, legal channels are often more costly, which can result in more debt and sometimes more risk. Further, some migration programmes require workers to pay a sizeable deposit as a guarantee that they will fulfil their contract and workers usually have to borrow to pay this deposit. Although the desire for employers to have such a guarantee is understandable, this is another factor that can make it difficult for a worker to leave an exploitative situation.

In addition to these challenges many labour migration programmes tie visas to particular employers and/or mandate employers to hold visa and passports of the workers. This means that they are not free to leave on the one hand, and may face summary deportation on the other due to their lack of appropriate documents. The potential for unscrupulous employers to address any complaints simply by calling in immigration authorities is clear. Some systems, such as the *Kefala* system in place in many Middle Eastern States, specifically require that foreign employees must give their visas and passports to their employer, making it effectively

³⁷ UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; ILO Migration for Employment Convention (Revised), 1949 (No. 97) and Migrant Workers (supplementary Provisions) Convention, 1975 (No. 143)

³⁸ The same study found that 7% of migrant workers faced contract substitution. Vietnam Department of Labour/ World Bank, 2012. *World Bank Summary Report on the Situation of Returning Migrant Workers in Vietnam*, Hanoi

impossible for labourers to leave their designated work area.³⁹ Other migrant workers are kept in place by delayed payment, sometimes referred to as “credit bondage”.

Companies are starting to recognise the nature and implications of these practices. Some require that migrant workers pay no more than the equivalent of one month’s wages in migration fees.⁴⁰ The companies further require that migrant workers who paid more than this amount be reimbursed for these overcharges.

It is worth noting that reducing exploitation does not necessarily mean taking action against every exploitative broker. An alternative is to establish a critical mass of non-exploitative brokers and provide information to prospective migrants, that allows them to self-select into these migration channels, effectively ‘crowding out’ exploitative brokers. Joint ventures between the government and the private sector may be one way in which this can be pursued. Another avenue is collective action by a group of organisations working in the same field.

A recent initiative is the Dhaka Principles, which were developed in 2011 by the Institute for Human Rights and Business in consultation with a range of stakeholders⁴¹ Based on the UN Guiding Principles on Business and Human Rights and international labour and human rights standards, they trace the worker’s migration experience from home to place of employment and back again, outlining key principles that employers and labour brokers/recruitment agencies should respect at each stage to ensure migration with dignity.

Steps to be taken in relation to exploitative labour practices in the migration process

Governments hold the primary responsibility in adopting means aimed at reducing exploitative employment practices in the migration process. However, many of the steps outlined below might also be supported, or undertaken by, the private sector. The steps highlighted in relation to labour standards in Section 2.2, as well as several identified below in Section 2.4, would impact the demand for exploitable migrant labour. Specific additional steps might include:

a. Ratification, monitoring and enforcement of international instruments

Legal instruments that are binding on States and can serve as a frame of reference across borders can be an important tool to address exploitative employment practices involving migrant workers who travel for work beyond the remit of just one national jurisdiction.

The *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, 2000, requires States to criminalise trafficking in persons, including for the purpose of forced labour or services, slavery or practices similar to slavery, and servitude. Recognising that trafficking in persons for labour exploitation is not merely a labour law infraction, but amounts to a crime is the first step in discouraging both the engagement in such criminal conduct and the demand for goods and/or services produced by its victims.

More specifically, the *ILO Convention on Private Employment Agencies*, 1997 (No. 181),

³⁹ ILO: Tricked and Trapped: Human Trafficking in the Middle East, 2013

⁴⁰ ILO Convention on Private Employment Agencies, 1997 (No. 181) prohibits any fee charging to workers, including migrant workers, as does the US President’s Executive Order – Strengthening Protections Against Trafficking in Persons in Federal Contracts (The Executive Order), issued in September 2012. Few countries to date have adopted this practice, however.

⁴¹ The Dhaka Principles have been cited in this paper as an important new initiative. At the time of writing, they had not been endorsed by any UN agency.

among other measures, prohibits fee charging to employment seekers and workers and requires the development of control measures to ensure compliance by the private sector, specifically by recruitment agencies and employers.

The *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*, 1990, has affirmed the specific vulnerabilities faced by migrant workers, and provides for protection to all migrant workers, including those in an irregular situation, without distinction of any kind.

The *1951 Convention Relating to the Status of Refugees*, and its 1967 Protocol, enshrines important employment-related rights to refugees, depending on the nature and duration of their presence.⁴² However, a significant number of recognized refugees do not enjoy these rights in practice.

b. Strengthening controls and monitoring over recruitment agencies and employers

This includes ensuring that recruitment agencies and employers are adequately regulated and monitored to ensure that they operate legally and ethically, including by:

- Not charging directly or indirectly any fees or costs to jobseekers and workers in relation to recruitment for temporary or permanent positions;
- Not requiring job seekers or workers to provide a monetary deposit or other similar guarantees as a condition to be allowed to work;
- Ensuring that the final employment contract, which is enforceable in the country of destination, contains the same terms and conditions that have been promised to or formally agreed by the migrant earlier on in the migration process;
- Providing information to job seekers and workers in their own language to ensure that the content of employment contracts, regulations, directive etc. is well understood;
- Prohibiting employers from forcibly retaining and/or denying access to the documents of migrant workers;
- Developing and independently monitoring codes of ethical conduct for employment agents and other recruiters;

c. Ensuring access to justice for migrant workers

Consideration should also be given to creating compensation schemes for migrant workers who experienced situations of labour exploitation. Access to justice, including through independent and fair redress mechanisms such as arbitration and civil claims, should be guaranteed for migrant as well as domestic workers. Justice considerations should also include addressing the challenges faced in transfer of remittances for those in irregular situations.

2.4 Action by the private sector to address exploitation in their supply chains⁴³

How action by the private sector affects demand

The trafficking in persons and exploitation of workers is only profitable insofar as somebody

⁴² *Id.*, Articles 17-18.

⁴³ The term supply chain is used throughout the paper reflecting the terminology commonly used in trafficking sector. In business speak, the more accurate term is value chain, since value is added to the product throughout the production process, rather than supply chain, which is often used to signify issues specific to storage and transportation.

is willing to buy the goods these workers produce. In most cases, the immediate buyer of such goods is another company. Consequently, the behaviour of buying companies, particularly those at the top of a supply chain, could be an important determinant of labour standards lower down the chain.

Current situation and challenges

The past decade has seen efforts to establish common minimum human rights standards to be observed by businesses, with a focus on building consensus on the measures businesses should take. Most of these are general measures rather than specific to trafficking in persons. In 2000, the Global Compact was launched following a call to action addressed to business leaders by the then UN Secretary-General Kofi Annan.⁴⁴ The Compact is a voluntary initiative that asks companies to commit “to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labour standards, the environment, and anti-corruption”.⁴⁵ Those companies participating in the Compact commit to respect ten principles, one of which is “the elimination of all forms of forced and compulsory labour”, implicitly requiring the companies concerned to act against trafficking in persons. Companies also commit to issue an annual Communication on Progress which is a public disclosure to stakeholders on progress made in implementing the ten principles and in supporting broader UN development goals. However, there is no dedicated, independent mechanism for monitoring participants’ performance in this regard.

More recently, the UN Guiding Principles for the Implementation of the United Nations ‘Protect, Respect and Remedy’ Framework have clarified the standard of responsibility for business with regard to human rights.⁴⁶ Endorsed by the UN Human Rights Council in June 2011,⁴⁷ the Guiding Principles, emphasise “the corporate responsibility to respect human rights, which means that business enterprises should act with due diligence to avoid infringing on the rights of others and to address adverse impacts with which they are involved”. They also highlight the State’s duty to protect against “human rights abuses by third parties, including business enterprises, through appropriate policies, regulation, and adjudication.”⁴⁸ The Guiding Principles require States to ensure that those affected by business-related human rights abuse have access to effective remedy, and that business enterprises remediate any human rights violations they have caused or contributed to. The Principles have been fully incorporated in the updated OECD Guidelines on Multinational Enterprises, as well as in other relevant global governance frameworks.

A number of other codes of conduct and related initiatives by businesses include a commitment to avoid the use of forced labour but, like the Global Compact, do not refer explicitly to trafficking in persons (some of the first codes were prepared in the 1990s, before

⁴⁴ General information about the UN Global Compact is available on its website, <http://www.unglobalcompact.org>.

⁴⁵ UN Global Compact Office, *Corporate Sustainability in the World Economy*, February 2011, accessed on 20 August 2012 at http://www.unglobalcompact.org/docs/news_events/8.1/GC_brochure_FINAL.pdf.

⁴⁶ Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework*, UN document A/HRC/17/31 (21 March 2011).

⁴⁷ Established by UN Human Rights Council resolution 17/4, ‘Human rights and transnational corporations and other business enterprises’, UN document A/HRC/RES/17/4, 6 July 2011.

⁴⁸ *Guiding Principles on Business and Human Rights, op. cit.*, Introduction, paragraph 6.

the UN trafficking in persons Protocol was adopted).⁴⁹

Some further initiatives have been reported in the 2012 Report of the Secretariat to the Conference of Parties to the United Nations Convention on Transnational Organized Crime entitled “Best practices for addressing the demand for labour, services or goods that foster the exploitation of others”⁵⁰ and the 2013 Background note prepared by the Secretariat to the Working Group on Trafficking in Persons entitled: “Good practices and tools for reducing demand for trafficking in persons, including by fostering public-private partnerships”.⁵¹

Challenges to greater business action against forced labour and trafficking in persons remain in three respects: the commitment of companies to address issues in their supply chains; their ability to address such issues; and the extent to which the problem will not simply be displaced. In terms of commitment, despite the acknowledged seriousness of the exploitation experienced by victims, businesses around the world have been relatively reluctant to focus specific attention on trafficking in persons, in contrast, for example, to the relatively energetic approach taken in the late 1990s to protect themselves against accusations of exploiting child labour.⁵²

Overall, various private sector initiatives exist. However, more consistent and independent monitoring systems are still required, particularly at the lower parts of the supply chain. Given the complexity of supply chains, some businesses question the extent to which they can realistically, actively identify issues down to the bottom of the supply chain. However, the bargaining power of companies at the top of the supply chain should not be underestimated. There are already examples where companies have simply refused to buy from suppliers who cannot substantiate the origins of their components, a powerful incentive to the supplier to improve transparency.

Challenges are also emerging to the view that there is more money to be made by exploiting workers than by treating them properly. Happy, motivated workers are generally more productive and workers who are not exhausted are also less likely to cause accidents or produce work below an acceptable quality. There is also lower risk of staff turnover, which is particularly relevant for employers who face labour shortages. As well as enhancing the image of the companies concerned (and reducing the risk of reputational damage), these improvements in productivity, production quality and human resource management can potentially offset additional costs in fully complying with labour regulations.

Steps to be taken to address demand in relation to the private sector

Moves to focus on the whole production supply chain represent a significant step in addressing the demand for exploitable labour, aided by increasing corporate acknowledgement that sustainable supply chain management means building considerations into supplier selection that go beyond price and short-term reliability of supply. Specific steps in this area could include:

⁴⁹ In 2010, for example, the International Organisation of Employers published a position paper on forced labour which includes guidance for employers on how to assess and prevent the risk of forced labour.

⁵⁰ http://www.unodc.org/documents/treaties/organized_crime/COP6/CTOC_COP_2012_4/CTOC_COP_2012_4_E.pdf

⁵¹ http://www.unodc.org/documents/treaties/organized_crime/2013_CTOC_COP_WG4/CTOC_COP_WG4_2013_3_E.pdf

⁵² See Alec Fyfe, *The worldwide movement against child labour - Progress and future directions*, Geneva, ILO, 2007.

a. Conducting/requiring independent supply chain audits and workplace monitoring.

This should include the monitoring and oversight of external suppliers and the regular internal review of the results of such oversight activities. It is important to ensure the quality and independence of audits, and that these can and do take place unannounced. Accompanying these audits should be strengthened understanding of all actors in the supply chain of trafficking and forced labour issues, and their roles in addressing them.⁵³ The establishment of a voluntary accreditation and monitoring process for international recruiters could provide the basis for such audits.

b. Increasing and strengthening the mechanisms through which cases of abuse, exploitation, trafficking and forced labour can be identified.

This would include:

- Establishing safe, accessible and reliable communication channels for workers on workers' rights, access to recourse mechanisms and whistle blower policies; and
- Developing a complaints registration mechanism to assist both employees and employers in reporting potentially illegal activities or abuses that have occurred in connection with recruitment activities.

c. Defining measures of assistance, compensation and remedy for victims of trafficking for labour exploitation and forced labour.

For adult victims, these measures should take into account that compensation for lost earnings and the opportunity to continue work under better conditions are often the highest priorities. For children, measures should include education, vocational training, and counselling programmes. Retrieval of wages for those in irregular situations as well as facilitation in remitting earnings through legal channels would add to victim empowerment.

d. Governments rewarding good practices

This could be done, for example, by awarding contracts and exports credits only to companies who have disclosed information related to trafficking and have put safeguards in place, and imposing sanctions on those who have been identified as non-compliant.

e. Promoting coherence in the measures taken by businesses specifically to stop trafficking in persons and those taken by businesses more generally to respect human rights.

To this end, businesses might consider liaising with the Global Compact and the UN Working Group on the issue of human rights and transnational corporations and other business enterprises.

2.5 Consumer action against products made by victims of trafficking for labour exploitation

How action by consumers affects demand

As noted in the previous section, the trafficking of workers for the purpose of exploitation is only profitable insofar as somebody is willing to buy the goods these workers produce or the services they provide. Ultimately, without demand from the end consumers, there is no profit to be made anywhere in the process. Working with consumers appears to have considerable

⁵³ This should include staff of procurement and finance units, suppliers, sub-contractors and, especially, compliance officers.

potential. While criminal justice approaches, for example, are constrained by the factors noted in Section 2.1, consumers simply cannot be forced to walk into a shop and buy a product they perceive as being tainted with slavery-like practices.

Current Situation and Challenges

Action that can be taken by consumers to influence demand that fosters trafficking for labour exploitation falls into two main categories – buying behaviour and advocacy. Consumers can choose to punish companies that are seen as complicit in exploitative practices in the form of product or company boycotts, or reward companies seen as encouraging positive labour practices, sometimes known as “buycotts”. Consumer pressure has played a significant role in persuading businesses, particularly well-known ones intent on protecting their reputation, to take action to stop abuse such as forced labour from occurring among their suppliers. In fact, much of the attention that businesses have given during the past two decades to developing systems to prevent workers being exploited has been due to pressure from lobbying organizations that have mobilized consumers to boycott products or threaten boycotts. Similarly, for investors, there is an increased drive for ethical banking and socially responsible investment, which constitutes another type of pressure on companies to address issues of exploitation in their labour force and supply chain.

In terms of supporting practices perceived as positive, the Fair Trade Foundation illustrates the sales potential of certified products. In 2007, the UK market “reached an estimated retail value of £493 million as one of the world’s leading fair trade markets”,⁵⁴ while a US survey found that sales of the two most popular bulk coffees rose by almost 10% when the coffees were labelled as Fair Trade and that they became less responsive to price changes.⁵⁵

Nielsen’s Global Corporate Citizenship Survey in 2012 provides further evidence of the potential for mobilising consumer action. The survey of more than 28,000 respondents in 56 countries found that “46 percent of global consumers are willing to pay extra for products and services from companies that have implemented programs to give back to society.”⁵⁶ More specifically on trafficking, the MTV Exit campaign has generated the interest of over 100,000 Facebook users, a potentially rich starting point for those seeking a network for action against exploitative supply chains. Various other groups are becoming increasingly active in advocacy, often taking advantage of the space provided by social media.⁵⁷

To use their purchasing power effectively, however, consumers need accurate information – which is often not available – about the source of products they are considering buying. The International Organization for Migration’s 2009 “Buy Responsibly” campaign aimed to increase attention on the demand side of trafficking in persons for the purpose of labour exploitation and specifically to encourage individual consumers to be proactive in seeking information about the labour practices used to develop and deliver products when making purchasing decisions.⁵⁸

⁵⁴ Hainmueller, J et al, 2011. Consumer Demand for the Fair Trade Label: Evidence from a Field Experiment, accessed at <http://www.mit.edu/~jhainm/Paper/hhs.pdf>, 3 December 2012.

⁵⁵ Ibid.

⁵⁶ Nielsen, “Nielsen Identified Attributes of the Global, Socially-Conscious Consumer.”

⁵⁷ This includes the newly formed anti-slavery NGO Walk Free which has launched a series of campaigns ranging from advocating for the ratification of the new ILO Domestic Workers Convention and new supply chain laws, to targeting companies over exploitative practices in their supply chains, to asking businesses to sign an anti-slavery pledge <http://www.walkfree.org/en>.

⁵⁸ See ‘IOM’s Buy Responsibly Campaign Arrives in the Netherlands’, 10 December 2010, accessed on 27 August 2012 at <http://www.iom.int/jahia/Jahia/media/press-briefing->

This campaign has been used to encourage individual consumers to be proactive in seeking information about the labour practices used to develop and deliver products when making purchasing decisions. Hence, by encouraging consumers to regularly seek assurances from their retailers that individual consumer products have not been produced by trafficked and/or exploited workers, retailers can be encouraged to stock items which are guaranteed to have been produced ethically.

While some categories of information provided by retailers on products' origins have continued to improve, however, (notably in relation to environmental impact), information about working conditions and respect of labour rights in the factories from which retailers purchase their products remains relatively difficult for consumers to obtain. In these conditions, consumers continue to depend on others to provide them with information.

Labelling, codes of conduct and similar initiatives have tried to address this dilemma; yet they are often faced with a problems of compliance. The Fair Trade label, for example, has been criticised for its certification process in regard to labour standards, with violations identified in sectors as diverse as soccer ball production in Asia and cotton production in Burkina Faso.⁵⁹ With respect to monitoring, private auditing has to date proved insufficient and sometimes insufficiently impartial to satisfy consumer demands for trustworthy information.⁶⁰ Many companies have come under attack as the information they provided or the results of their social audits were not credible, highlighting by recent controversies over the failure of social audits to prevent a series of tragedies in garment factories in South Asia.⁶¹

Other recent initiatives attempt to use information technology to provide consumers with relevant information at the time they make purchases, but the lack of product specific information remains an impediment to their effectiveness. In general, it remains easier for consumers to find negative information about products and producers than positive.

Steps to be taken to address demand in relation to consumers

The California Transparency in Supply Chains Act and other emerging legislation provide a strong point of reference for organizations working on trafficking and slavery to harness the potential of consumers as a resource to affect demand relating to trafficking. Importantly, however, consumers will generally not be interested so much in a company's compliance with legal requirements of these Acts, as such, but in whether or not severe forms of labour exploitation exist in a company's supply chain and what they are doing about it.

To maximize the potential of consumer action, consumers need better information on issues of exploitation in supply chains, as well as on exploitation-free alternatives that they consider as a viable substitute. Encouraging consumers to actively seek information on where goods come from and the conditions under which they are made is an important step. Even where

[notes/pbnEU/cache/offonce/lang/en?entryId=28843](http://www.buyresponsibly.org/). The campaign's website is <http://www.buyresponsibly.org/>.

⁵⁹ Violations with regard to wages, health and safety, collective bargaining and contracting are instanced in the International Labor Rights Forum, "Missed the Goal for Workers: The Reality of Soccer Ball Stitchers in Pakistan, India, China and Thailand, June 7, 2010, accessed on 3 December 2012 at <http://www.laborrights.org/sites/default/files/publications-and-resources/Soccer-Report2010.pdf>. Information on child labour in cotton is contained in *How Bloomberg Found Children Picking Fair Trade Cotton*, <http://www.bloomberg.com/news/2012-01-13/how-bloomberg-found-children-picking-fair-trade-cotton.html>

⁶⁰ See ILO, *Fighting Human Trafficking: The Forced Labour Dimensions*, Background Paper prepared for the Vienna Forum on Human Trafficking, Vienna, 13-15 February 2008.

⁶¹ http://www.nytimes.com/2012/12/08/world/asia/pakistan-factory-fire-shows-flaws-in-monitoring.html?pagewanted=all&_r=1&

consumers are not actively seeking such information, however, there is a need to increase understanding of the consequences of purchasing decisions based solely on price.

Specifically, it is a fact that generally consumers tend to prefer selecting low priced products, principally to meet their needs with a limited budget. There is thus a need to start advocating and raising awareness on the compromise that consumers are willing to accept. To be more precise, the question that consumers need to start posing themselves is ‘what is the cost of low cost’, namely, what are the implications of buying a product at a very low cost? And specifically, is it more important to be able to purchase low cost products or to actually know what is behind the low cost?

Specific steps to strengthen consumer action against products made from forced/trafficked labour must combine action to encourage consumers to make ethical purchasing choices with action to increase the information on which they can make these choices. They could include:

a. Encouraging consumers to take a more active role in combating exploitative labour practices.

At the outset, this could involve building on existing work to encourage consumers to question what is behind the things they buy. Specific actions might include:

- Seeking information from retailers on ethical employment conditions within their company and their sub-contractors.
- Seeking assurances from retailers that individual consumer products have not been produced by trafficked and exploited migrant labour.
- Share information that consumers gather from retailers/producers on social media.
- Engaging with ethical consumer groups.
- Participating in action to reward ethical labour practices, punish unethical practices.
- Advocating to governments for the implementation of labour standards, both internally and in the context of international trade.

b. Increasing awareness among consumers of the consequences of their purchasing decisions.

c. Improving availability of information for consumers to make an informed choice about the products they are buying.

This might include ethical labelling initiatives with independent verification. The label should indicate if the Fundamental Principles and Rights at Work (FPRW) were respected in the process of the production. Consumers could also be engaged in crowd-sourcing information about the origin of products.

2.6 Addressing social norms as a contributing factor to exploitative labour practices

How social norms affect demand

Trafficking in persons for labour exploitation does not occur in a vacuum but against a background of social norms, which can facilitate or hinder the work of traffickers. Involvement in trafficking requires not just a desire to profit but also a value system that permits the gross exploitation of others. Such values are influenced by social norms. Social norms further affect the behaviour of duty bearers such as law enforcement and labour officials, in responding to trafficking, as well as the level of societal tolerance for trafficking in persons. This includes not just the societies in which the exploitation takes place but also the societies where a desire for cheap products may outweigh concern for the workers who

produce them.

Current Situation and Challenges

Discriminatory social norms in relation to exploitative labour practices, including trafficking, are usually grounded in the perception of certain workers as being different, based on factors such as nationality, sex, age, ethnicity, social status and religion. This discrimination occurs on a range of levels, with varying degrees of subtlety. In almost all countries, for example, there is political capital to be made from criticising migrants, refugees, or stateless people. Also, factors such as the perceived obligations of children to their parents can be distorted and abused by traffickers. As noted in Section 2.2, the perception that domestic labour is not work in the same way as other jobs is another attitude that contributes to exploitation, with workers not seen as having entitlements to regular hours, sick leave, minimum wage and time off.

While a small number of anti-TIP programmes involve work to break down barriers and discriminatory attitudes between different groups, such as migrants and local residents, TIP responses have historically shown a marked reluctance to tackle social norms. This is understandable given the sensitivities involved as well as the fact that changes to social norms tend to be long-term in nature. The traditional focus of TIP prevention on potential victims rather than potential perpetrators may also have contributed to a comparative lack of attention to this aspect of the problem. Anti-TIP messages in schools for example tend to focus on people not becoming victims, rather than people not engaging in or tolerating the abuse of others, or encouraging them to avoid slavery-tainted goods.

There are, however, examples of effective programmes to influence harmful social norms in other sectors. One such example is in combatting the practice and social acceptance of child marriage in the Bihar region of India. NGOs identified and nurtured positive role models among those actors who had key decision-making roles – fathers, mothers and community leaders who had decided not to allow their daughters to be married young – and supported these role models in networking and communicating their messages to the wider community.

Such an approach recognises that, in many cases, social norms are perpetuated not because an individual believes a practice is desirable, but because they perceive that the social cost of ‘bucking the norm’ alone are too high. Connecting individuals and encouraging them to publicly commit to ending a practice diminishes the social costs of not conforming to a social norm, and encourages other individuals to abandon the practice as well. A variety of forums and media can be engaged to this end. Working to eliminate the practice of early marriage in India, for example, UNICEF supported both local NGOs and community groups, and, to a lesser extent, print media and radio, in Bihar and Rajasthan, in developing a comprehensive campaign promoting awareness of the Prohibition of Child Marriage Act of 2006, and relaying positive messages about the benefits of delaying marriage and continuing education for girls. Community awareness meetings, radio spots and *shivirs* – residential educational camps for girls – were some of the actions utilised.

The voices of community leaders, parents and young people were included in both of the above initiatives to reiterate the growing social resistance at all levels to what had until recently been seen as an integral part of the culture. These voices were especially crucial at local level, where people were able to adapt messages and information according to their understanding of the concerns and needs of their peers in the local community. The role of empowered survivors in raising awareness is also to be stressed.⁶²

⁶² Delaying Marriage for Girls in India; A Formative Research to Design Interventions for Changing Norms, UNICEF 2011. Available at; <http://www.icrw.org/files/publications/Delaying-Marriage-for-Girls-in-India-UNICEF-ICRW.pdf>

Steps to be taken to address demand in terms of social norms

There is a growing body of academic work and practical experience that suggests it is possible to address social norms that contribute to tolerance of trafficking in persons and other exploitative labour practices. This requires a guided process of information, persuasion, and mutual deliberation about the advantages and disadvantages of abandoning a norm, spread through existing and created social networks within the community. Specific steps might include:

- a. *Increasing commitment by donors to address the social practices and norms that create tacit approval for labour exploitation of trafficked persons.*

Donors have the potential to play a key role in supporting social mobilization to engage a wide network of partners and stakeholders around the common cause of ending the use of trafficked labour, but will need to take into account the timeframe for such changes may challenge existing project cycles. Communication for Social Change techniques can be used to engage and empower communities and networks to positively influence and/or reinforce changes in social norms. International governmental organizations can leverage their access to government and policy makers by advocating for platforms for members of marginalized groups to address their concerns and needs to policy makers.

- b. *Building alliances to confront social norms that allow trafficking in persons to flourish.*

To combat the use of trafficked labour, corporations and factory owners who are committed to ending the use of trafficked persons in their workplaces can be connected with like-minded workers, government officials and unions. As highlighted in the previous section the role in consumer preference and behaviour must also be acknowledged and social norms addressed that involve consumers turning a blind eye to the conditions under which the goods they buy are produced.

- c. *Increased focus in anti-TIP messages on behaviours that contribute to exploitation.*

At present, anti-TIP messaging is heavily focussed on people not becoming victims. More work could be done in the use of social marketing and participatory communication techniques and tools, to inform and influence individuals, households and opinion leaders to adopt new attitudes and/or behaviours toward exploitative labour practices. Industrial fairs, trade shows and industry publications all provide key venues for peer to peer education by business leaders and corporations to reinforce the message that the use of trafficked labour is unacceptable.

3 Concluding comments

The impetus for an increased focus on the demand side of trafficking in persons has come from a number of directions. One is growing concern about the effectiveness of traditional counter-trafficking strategies. These include ‘supply-side’ prevention activities aimed at reducing the vulnerability of potential victims and criminal justice responses focusing primarily on quantity of prosecutions rather than quality and impact. In addition to this concern, there is increasing recognition by business of their role in addressing exploitative practices. This recognition is driven in no small part by consumer interest in exploitation-free goods and services, together with a growing number of avenues through which this interest can be translated into action. Against this background of consumer interest, there is increasingly a case to be made that companies that adopt ethical recruitment and fair labour

practices are more profitable in the long run.

This paper has classified actions to address demand factors that contribute to trafficking in persons for labour exploitation into six different categories, each of which requires different strategies and involves different actors. These are: holistic, rights-based criminal justice responses; strengthening labour standards and improving implementation; reducing exploitative migration practices; action by the private sector to address exploitation in their supply chains; consumer action against products made by victims of trafficking for labour exploitation; and addressing social norms as a contributing factor to exploitative labour practices.

Action by criminal justice systems already impacts on trafficking in a direct sense by imprisoning some of those involved. Perhaps its key role with regard to reducing demand that fosters exploitation, however, is to make it a less profitable economic undertaking. There are steps that can be taken to better align current responses towards this end, beginning by articulating it as a core objective of a criminal justice response alongside removing impunity for traffickers and securing justice for victims. Pursuing this objective would involve two main and complementary strategies. These are: (i) greater attention to targeting entire trafficking chains rather than just individual perpetrators; and (ii) increased emphasis on the economics of the trafficking business, including increased confiscation of assets, greater use of disruption strategies and much wider application of financial investigation practices.

The role of strengthening labour standards in reducing demand for the labour or services of trafficked persons is clear. Where these standards are monitored and routinely enforced, the cost of non-compliance by employers will likely outweigh any benefits derived by exploiting their workers, thus reducing exploitation and, in turn, severe forms of this exploitation which amount to criminal conduct. These problems are simply much less prevalent in sectors where labour standards are present and enforced. This means ensuring that the fundamental principles and rights at work are both reflected and applied in national laws, cover all forms of employment and extend to all workers regardless of their migration status. Empowered labour inspectorates, support for workers' organisations and, crucially, avenues of redress for all workers are other measures that need to be undertaken with regard to labour standards.

Work to reduce exploitation of migrant and refugee workers will often need to include specific measures relating to the routes that migrant workers take to arrive at their jobs. This is an area requiring the combined efforts of both business and governments in order to address the factors that make many migrants and refugees vulnerable to abuse, culminating in a situation of exploitation that they cannot realistically escape. In view of the strong role that high recruitment fees play in creating debt-related vulnerability to exploitation, reducing these fees is essential and would be addressed by universal adoption and implementation of the ILO Convention on Private Employment Agencies, which prohibits such fees. Other priorities include: ratifying relevant international instruments; strengthened controls over recruitment agencies and employers; and enabling access to justice for all workers. As noted above, the creation of effective avenues of redress in cases of abuse and exploitation is also essential, in order that employers and recruiting agencies cannot continue to exploit migrant workers with impunity.

Action by businesses to address exploitative practices in the production supply chain serves to make them unprofitable by removing or reducing the market for the goods produced. Eliminating exploitative practices requires a commitment beyond compliance with existing regulations, however, beginning with corporate-level engagement and acknowledgement of the need for a consolidated strategy at all levels of the organisation. Productivity gains from improved labour management practices and a more motivated workforce can potentially offset some of the additional costs of compliance with labour standards and thereby reduce demand for labour that does not meet these standards.

There appears to be strong potential for consumer action to influence demand that fosters trafficking in persons for labour exploitation. Action that can be taken by consumers to influence demand falls into two main categories – buying behaviour and advocacy. There is already evidence of the success of both of these strategies, as well as of willingness of consumers to act. To maximise the potential of consumer action, consumers need better information on issues of exploitation in supply chains, as well as on exploitation-free alternatives. Action by buyers, whether companies or end consumers, to reward positive labour practices, can serve to ‘crowd out’ exploitative companies, even in the absence of direct action against such companies. Governments could similarly look to encourage positive behaviour alongside punishing bad practice.

Finally, it is important to highlight that trafficking in persons for labour exploitation is strongly affected by social norms. Trafficking is more likely to occur where there is social exclusion of, or discrimination against, certain groups, affecting the willingness of employers and other agents to exploit them, the willingness of society to tolerate such practices and the willingness of the government, in particular law enforcement, to respond appropriately. Social norms also affect the behaviour of consumers in terms of how much they are willing to tolerate or ignore exploitation of workers in favour of cheap goods. Experience in other sectors suggests that, although changes to social norms take time, it is possible to support such change through building alliances of the like-minded, identifying positive role models and supporting those community members who are willing to deviate from accepted norms but may feel constrained by perceptions of how others will view their actions.

Although for the purposes of this paper, demand measures have been divided into the above six categories, it is clear that they overlap and in many cases complement each other. Work on social norms can positively affect consumer buying behaviour, for example. In turn, action by consumers can act to stimulate a response from business. Strengthened criminal justice approaches increase the costs of failing to comply with labour standards, effectively making exploitative practices less attractive and vice-versa.

The principal responsibility for protecting the rights of citizens and other people within their borders ultimately rests with States and, accordingly, they must take the lead in addressing the factors. However, addressing the issues that create the demand that fosters trafficking in persons for labour exploitation requires the combined action of all parties – States, private sector, workers and individual citizens, in their roles as both consumers and members of society.

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Contact address:

ICAT Secretariat
Human Trafficking and Migrant Smuggling Section
United Nations Office on Drugs and Crime (UNODC)
P.O. Box 500, 1400 Vienna, Austria