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الدورة الثالثة والعشرون

البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية

والاجتماعية والثقافية، بما في ذلك الحق في التنمية

تقرير المقررة الخاصة المعنية بمسألة الاتجار بالأشخاص، لا سيما النساء والأطفال، جوي نغوزي إيزيلو

إضافة

## مشاورة الخبراء المتعلقة بالاتجار بالبشر وسلاسل الإمداد العالمية\*

موجز

عقدت المقررة الخاصة المعنية بمسألة الاتجار بالأشخاص، لا سيما النساء والأطفال، يومي ١٢ و١٣ تشرين الثاني/نوفمبر ٢٠١٢ في أنقرة، عقب تقديم تقريرها المؤقت إلى الجمعية العامة بشأن الاتجار بالأشخاص وسلاسل الإمداد العالمية عملاً بقرار مجلس حقوق الإنسان ١٧/١ (A/67/261)، مشاورة دولية تناولت أهم النتائج والتوصيات الواردة في تقريرها ومناقشة إمكانية وضع مقاييس ومؤشرات تساعد الأعمال التجارية على توقي الحذر الواجب بغية منع وتحري حالات الاتجار في سلاسل الإمداد. وجمعت المشاورة خبراء بارزين ومنظمات معنية بمكافحة الاتجار، وشملت ٢٠ ممثلاً للشركات التجارية والنقابات والمنظمات غير الحكومية والأوساط الأكاديمية والمنظمات الدولية.

\* يعمّم موجز هذا التقرير بجميع اللغات الرسمية. أمّا التقرير نفسه فيرد في مرفق هذا الموجز ويعمّم باللغة التي قدّم بها فقط.

وركزت المشاورة على فهم الصلة بين الاتجار بالبشر وسلاسل الإمداد العالمية، والمخاطر التي تواجه العمال والأعمال التجارية. وفي هذا الصدد، تناول المتحدثون إطار الهجرة الدولي وأشاروا إلى حالات خاصة من حالات الإساءة وثقتها وسائل الإعلام وإلى أشكال مختلفة من أشكال الاستغلال التي تشوب مراحل الاستخدام والتوظيف في علاقة العمل، وسلطوا الضوء على العوامل التي تزيد من استضعاف العمال المهاجرين.

وبعد ذلك، حدد المشاركون استجابات مجتمع الأعمال لمخاطر الاتجار بالبشر في سلاسل الإمداد، لا سيما الالتزامات التي تعهدت بها شركتان والجهود التي بذلتها لرصد سلاسل الإمداد الخاصة بهما وتخفيف المخاطر المترتبة عن الاتجار بالبشر. وناقش المشاركون كذلك عدداً من الاستجابات، بما في ذلك دور تدقيق الأداء وتقييم مكان العمل والتوظيف وظروف الاستخدام والتوظيف التي يواجهها العمال في سلسلة الإمداد وأهمية العمل اليد في اليد مع الموردين (من خلال تعزيز التدريب وبرامج تعزيز القدرات مثلاً)، وضرورة القيام بمبادرات مسؤولية اجتماعية بغية تركيز اهتمام على موفري الخدمات (من قبيل مراكز الاتصال)، وعلى أهمية إيلاء عناية خاصة لحقوق العمال المتعاقدين من أجنبي ومهاجرين في سلسلة الإمداد. وتم النظر أيضاً في مفهوم التوظيف الأخلاقي بوصفه تدبيراً ناشئاً في مكافحة الاتجار بالبشر. وناقش المشاركون بإسهاب موضوعي الشراكة والحوار بوصفهما عنصري أساسيين في معالجة مخاطر الاتجار بالبشر في سلاسل الإمداد؛ وفي هذا الصدد، شرح المشاركون تجربة المنظمات والشركات التي عملت معاً في هذا المجال. كما تم التنويه بالسياق المعياري الدولي لالتزام مجتمع الأعمال بمكافحة الاتجار بالبشر في سلاسل الإمداد العالمية من خلال استعراض صكوك ومعايير حقوق الإنسان الدولية المتعلقة بالتزامات الدول ومسؤولية مؤسسات الأعمال. وتم تناول استراتيجيات جديدة بشأن التزامات سلاسل الإمداد، لا سيما دور المستهلك في هذا المجال، بما في ذلك عدد من البرامج المبتكرة.

ونظر المشاركون في الأخير في الخطوات التي ستتخذ في المستقبل، باستعراض أمور خاصة منها مسودة قائمة مرجعية بالمؤشرات والمقاييس التي يمكن للشركات استخدامها لتقييم مخاطر الاتجار بالبشر والعمل القسري في سلاسل الإمداد الخاصة بها. والقصد من هذه المؤشرات والمقاييس هو تكملة المبادرة الهامة القائمة التي وضعتها الشركات نفسها وكذا منظمات المجتمع الدولي. وتؤمن المقررة الخاصة بأن المؤشرات والمقاييس يمكن أن تكون أداة قيّمة لمؤسسات الأعمال في توخي الحذر الواجب في سلاسل إمدادها، كما تروج له المبادئ التوجيهية بشأن الأعمال التجارية وحقوق الإنسان، وذلك قصد كشف حالات الاتجار ومنعها. ونتيجة لذلك، تعتبر المقررة الخاصة القائمة المرجعية أداة خاصة ترمي إلى الاعتماد على المبادئ التوجيهية. ومن رأي المقررة الخاصة أيضاً أن ترويج مجموعة من المؤشرات والمقاييس، رغم طابعها الطوعي قد يساعد، في إطار ولايتها، في بذل الجهود لمزيد من تحديد مسؤوليات الشركات فيما يتصل بحقوق الإنسان وبالأخص الاتجار بالبشر.

## Annex

[English only]

### Report of the Special Rapporteur on trafficking in persons, especially women and children on the expert consultation on human trafficking and global supply chains

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## I. Introduction

1. On 12 and 13 November 2012, the Special Rapporteur on trafficking in persons, especially women and children, convened in Ankara an international consultation on trafficking in persons and global supply chains.<sup>1</sup> The consultation brought together leading experts and anti-trafficking organizations, including 20 representatives from the business community, trade unions, non-governmental organizations, academia and international organizations. The aim of the meeting was:

(a) To discuss the main findings and recommendations of the Special Rapporteur outlined in her report submitted to the General Assembly;<sup>2</sup>

(b) To enhance and broaden thematic expertise on issues relating to human trafficking and supply chains;

(c) To share information among stakeholders on current trends, good practices and lessons learned, including case studies, in addressing trafficking in global supply chains;

(d) To consider and discuss elements of possible standards and indicators for achieving a trafficking-free supply chain.

2. The initiative of the Special Rapporteur was enthusiastically received by participants, who agreed that greater efforts to address trafficking in persons in supply chains were both timely and of crucial importance.

3. The present report contains a summary of the discussions that were held at the meeting. All relevant documentation is available on the webpage of the Special Rapporteur at the address [www.ohchr.org/EN/Issues/Trafficking/Pages/GlobalSupplyChains.aspx](http://www.ohchr.org/EN/Issues/Trafficking/Pages/GlobalSupplyChains.aspx).

## II. Overview of discussions

4. The consultation was officially opened by the United Nations Resident Coordinator in Turkey, who welcomed participants, expressed his gratitude for the opportunity to host the meeting and provided an overview of human trafficking in the global and regional context. He encouraged participants to share the recommendations made at the meeting with his office and to regard Turkey as a laboratory for testing and validating those recommendations in the future.

5. The Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, delivered the opening remarks. She welcomed participants and reviewed the structure and modalities of the consultation. The Special Rapporteur clarified the objectives of the meeting, including the intention to explore ways to promote public-private partnerships to fight human trafficking, to examine and learn from each other and existing initiatives, and to share information and consider the need for and development of new tools and benchmarks addressed to business in order to combat effectively human trafficking in supply chains (see appendix I).

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<sup>1</sup> Support for the preparation of the consultation was graciously provided by the United Nations country team in Turkey, particularly the Office of the Resident Coordinator, to whom the Special Rapporteur extends her warmest thanks.

<sup>2</sup> A/67/261.

6. The agenda of the consultation was divided into seven themes, divided into sessions to be held over two days (see appendix II). The themes addressed were:

1. Challenges and risks posed by human trafficking to workers and business
2. Business responses to human trafficking
3. The concept of ethical recruitment and the role of private employment agencies
4. Partnership approaches in the fight against human trafficking
5. International standards and public policies addressed to human trafficking, forced labour and supply chains
6. New strategies for supply chain and consumer engagement
7. Next steps in taking action

The above themes were considered in the light of a background paper prepared for the consultation.<sup>3</sup>

#### **A. Session 1: Human trafficking and global supply chains: Understanding the challenges and risks for business and workers**

7. In their presentations, the speakers focused on understanding the relationship between human trafficking and global supply chains, and the risks run by both workers and business. The aim of the session was to identify how, why and where human trafficking manifests itself in the supply chain and to better understand the opportunities and challenges that businesses face in addressing the issue.

8. The speakers focused on a variety of topics to contextualize the discussion on business engagement. These included the international migration framework, specific cases of abuse documented by the media, different forms of exploitation at the stages of recruitment and employment of the employment relationship, and factors increasing the vulnerability of migrant workers. Four speakers referenced the truly global nature of trafficking in persons, highlighting cases from Asia, Africa, Europe and the United Kingdom, including in such economic sectors as manufacturing, agriculture and services. A consistent feature raised by speakers was the threat of debt bondage facing migrant workers, who are often charged excessive and even illegal recruitment fees and other costs at different stages of the migration process. Workers were charged at every stage, thus compounding their vulnerability to abuse and exploitation in the host country and workplace. Other important features highlighted by speakers and participants included the vulnerability of poor, unskilled workers, the risks linked to the informal economy, the problems associated with unregulated or poorly regulated migration systems, the risks to business in the retail and hospitality sector associated with working conditions in agricultural supply chains, and specific forms of abuse, such as passport confiscation, deception in the recruitment process, the levying of security deposits as “runaway insurance” and threats of physical or sexual abuse. Participants also noted the important role that business can play in addressing recruitment and employment conditions in the supply chain, the leverage large buyers have vis-à-vis their first tier suppliers, the potential for improvement in the auditing and monitoring of labour and human rights standards, and

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<sup>3</sup> Available from [www.ohchr.org/Documents/Issues/Trafficking/Consultation/2012/BackgroundPaper.pdf](http://www.ohchr.org/Documents/Issues/Trafficking/Consultation/2012/BackgroundPaper.pdf).

the potential for business to push for greater say by workers and to secure access to redress in the workplace and host communities. Participants also emphasized the important role played by Government and the labour administration in the fight against human trafficking, and the need to increase the resources and capacities of labour inspectorates to address the issue.

## **B. Session 2: Raising the game I: Business response to the risks of human trafficking**

9. Speakers discussed the response of enterprises to the risks of human trafficking in supply chains. The aim of the session was to explore the different ways that companies address this risk, highlighting specific examples from selected industries, and to draw lessons for effective business-led anti-trafficking initiatives.

10. Discussions held during the session focused on the commitments of two companies and their efforts to monitor effectively their supply chains and to mitigate the risks associated with human trafficking. The Electronics Industry Citizenship Coalition<sup>4</sup> was identified as an example of a good practice in the industry, bringing together companies large and small from across the sector to raise supply chain standards for labour, environment, ethics, and health and safety. Other topics discussed during the session included the role of social auditing and workplace assessments, recruitment and employment conditions facing workers in the supply chain; the importance of working together with suppliers (for example, by promoting training and capacity-building programmes); the need for social responsibility initiatives to focus attention on service providers (for example, call centres); and the importance of giving special consideration to the rights of migrant and foreign contract workers in the supply chain. Speakers also highlighted the importance of dialogue between the business community, civil society groups and the United Nations system to promote public-private partnerships; examples of such partnerships showed that companies can also engage in anti-trafficking initiatives outside their own supply chain corporate social responsibility programmes. Speakers also introduced the global Business Coalition against Trafficking ([www.gbcat.org/](http://www.gbcat.org/)), a new business-led initiative launched in 2012. The initiative was founded by like-minded companies as a place where businesses may come together to discuss anti-trafficking efforts and learn from each other.

## **C. Session 3: Raising the game II: Business response to the risks of human trafficking: the concept of ethical recruitment**

11. Participants in the session expanded on session 2 and considered the concept of ethical recruitment as an emerging measure in the fight against human trafficking. The aim of the session was to identify the response of the recruitment industry to the issue, to examine the role played by industry and trade associations, and to introduce practical insights and tools from the field of ethical recruitment and employment.

12. Speakers highlighted the importance of the code of conduct adopted by the International Confederation of Private Employment Agencies as a key reference point for industry efforts to combat human trafficking and to promote ethical recruitment. The role of the Confederation itself was also emphasized, in particular its efforts to promote the ratification of Convention No. 181 of the International Labour Organization (ILO) on

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<sup>4</sup> See [www.eicc.info/](http://www.eicc.info/).

Private Employment Agencies as a first step in establishing the legal and regulatory foundation for recruitment industries at the national level. Speakers emphasized the importance of the business community, working alongside civil society groups and in consultation with workers' organizations, encouraging Governments to ratify ILO conventions and to establish the mechanisms required to prevent unscrupulous recruitment agencies from charging workers excessive fees for services.

13. Other speakers highlighted a key model of ethical recruitment, the business benefits of the model, some of the challenges faced in implementing it and the measures that help to eliminate risks of trafficking for workers. New and emerging tools that promote ethical recruitment and safe migration were also introduced, including the Dhaka Principles for Migration with Dignity,<sup>5</sup> which were developed by the Institute for Human Rights and Business, based in the United Kingdom. The Dhaka Principles are based on the Guiding Principles on Business and Human Rights and international labour and human rights standards. They provide key principles that employers and migrant recruiters should respect at each stage of the recruitment, employment and repatriation process to ensure migration with dignity. Other tools introduced during the session were those recently developed by Verité, a no-governmental organization based in the United States of America, including the Fair Hiring Toolkit<sup>6</sup> and the Ethical Framework for Cross-Border Labour Recruitment.<sup>7</sup> These tools provide a complementary, overarching framework of normative and technical guidance for business at all levels of supply chain engagement, from multinational brands and their suppliers to private employment agencies operating within global supply chains.

#### **D. Session 4: Raising the game III: Partnership and dialogue in the fight against human trafficking**

14. Participants explored the themes of partnership and dialogue as key elements in addressing the risks of human trafficking in supply chains. The aim of the session was to introduce and assess examples of good practices in multi-stakeholder engagement and social dialogue.

15. Speakers drew attention to a number of organizations and companies working together in a partnership. These included End Human Trafficking Now, an association founded in 2006 in Switzerland that promotes the Athens Ethical Principles.<sup>8</sup> The association seeks to raise awareness of human trafficking and the role that business can play in combating it, partnering with signatories to the Athens Ethical Principles and other organizations to develop tools, such as e-learning courses (in partnership with the Global Initiative to Fight Human Trafficking) and case studies to promote good practices (with the Global Compact). The association also works with global media to raise public awareness. Participants in the session also considered the activities of the United Nations Inter-Agency Project on Human Trafficking,<sup>9</sup> which has worked with media and investigative journalists such as the CNN Freedom Project to highlight abuses of human trafficking in the South-east Asia region. The Project has also worked with an information technology company to facilitate development of a smartphone application to aid law enforcement officers in the identification of trafficking victims, thus leveraging the core competencies of the company while contributing to more effective law enforcement. Lastly, participants also highlighted

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<sup>5</sup> See [www.dhaka-principles.org/](http://www.dhaka-principles.org/).

<sup>6</sup> See [www.verite.org/helpwanted/toolkit](http://www.verite.org/helpwanted/toolkit).

<sup>7</sup> See [www.verite.org/sites/default/files/ethical\\_framework\\_paper\\_20120209\\_PRINTED.pdf](http://www.verite.org/sites/default/files/ethical_framework_paper_20120209_PRINTED.pdf).

<sup>8</sup> See [www.endhumantraffickingnow.com/](http://www.endhumantraffickingnow.com/).

<sup>9</sup> See [www.no-trafficking.org/](http://www.no-trafficking.org/).

the work of the Not For Sale campaign in the United States of America and its partnership with the International Labour Rights Fund to provide consumers with information about the links between forced labour, human trafficking and consumer products to enable them to make better, more-informed choices about their purchases.<sup>10</sup> One of the key initiatives of Not For Sale is the Free2Work website and smartphone application, which allows consumers who visit the website or scan a product barcode with the application to have access to detailed information about initiatives by companies to address modern-day slavery. The site provides a grade of “A” to “F” to each brand. The discussion concluded with consideration of the role of social dialogue, with the examples of agricultural trade unions in Ireland winning collective bargaining rights and protections to cover migrant workers in the sector; the national trade union centre in Nepal and its efforts to protect outgoing migrant workers bound for the Gulf Region; and partnerships between unions and enterprises in India to ensure that migrant workers’ rights in that country are protected.

#### **E. Session 5: International standards and public policy addressed to human trafficking and supply chains**

16. Participants reviewed the international normative context for the engagement of the business community against human trafficking in global supply chains. The aim of the session was to situate the role of Governments and intergovernmental agencies in the discussion, to introduce examples of public policies addressing supply chains and human trafficking, and to achieve a better understanding of what policy actors were doing on the issue.

17. Speakers introduced the relevant international human rights, labour and anti-trafficking instruments, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, the Vienna Declaration, the Beijing Platform of Action and the OHCHR Guidelines on Human Rights and Human Trafficking. More than 20 instruments on slavery, human trafficking and forced labour were acknowledged by the participants, including the recent ILO Domestic Workers Convention (No. 189). Discussions also focused on the role of government in labour administration and inspection; normative and regulatory instruments (some voluntary), such as the Global Compact; the special procedures and OHCHR, including the latter’s function of supporting the mandate of mandate holders; and the role of the State as the primary duty bearer in the field of human rights. At the same time, a question was raised about the need for effective implementation and enforcement of international instruments and national laws for States parties thereto; the need for new laws and policy measures to address business and supply chains directly; the importance of regional and subregional engagement; and the role of partnership and collaboration in this context, including the key role of civil society groups. Special mention was also made of the recently adopted Guiding Principles on Business and Human Rights, which were identified as marking the emergence of a new, non-binding platform for corporate and multi-stakeholder engagement. The Guiding Principles provide a common, authoritative standard and reference point for mitigating the risk of a negative impact on human rights linked to business. A special procedure mechanism in the form of a working group had also been established by the Human Rights Council with the mandate of, inter alia, promoting

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<sup>10</sup> See [www.notforsalecampaign.org/](http://www.notforsalecampaign.org/).



the dissemination and implementation of the Guidelines. Lastly, comments were expressed about the need to engage international finance institutions such as the World Bank, the International Finance Corporation and regional development banks, and the role of the Global Forum on Migration and Development in coming years.

## **F. Session 6: New strategies for supply chain and consumer engagement**

18. Discussions held during session 6 focused on new strategies for supply chain engagement and the role of consumers in that field. The aim of the session was to introduce new normative and technical tools for businesses and consumer-based and IT approaches for fighting human trafficking.

19. A number of innovative programmes were discussed by participants. These included the Buy Responsibly Campaign launched by the International Organization for Migration (IOM),<sup>11</sup> which seeks to raise the awareness of consumers about the products they buy and to have a positive influence on consumer behaviour. The campaign indirectly aims to raise awareness among business actors and to establish partnerships with such enterprises such as MTV and Saatchi and Saatchi to support efforts to address human trafficking. IOM also works with private employment agencies. New initiatives discussed during the session were the Slavery Footprint and the Made in a Free World platform.<sup>12</sup> The initiatives had been launched five years earlier with the aim of making consumers directly involved in the issue of human trafficking and using the power of conversation to drive changes in behaviour. Slavery Footprint allows users to take a brief online survey to discover their connection to modern-day slavery, guiding them from an initial, simple question: “How many slaves work for you?” In contrast, the Made in a Free World platform is addressed to companies working to eradicate forced labour from their supply chains. The platform provides a model for them to identify high-risk suppliers and to encourage greater visibility in the supply chain. Lastly, the work of World Vision Australia was considered, in particular, its Don’t Trade Lives campaign,<sup>13</sup> which calls on individuals, Governments and the private sector to combat human trafficking. The campaign seeks to inform the Australian public about human trafficking internationally and how it is interwoven into their lives and consumer choices. The campaign promotes ethical consumerism and practical advocacy action to influence consumer behaviour, business and Government practice. It also promotes responsible public and private procurement practices, and provides companies striving to address labour exploitation in their supply chains with concrete and practical guidance.

## **G. Session 7: Where do we go from here? Next steps in supply chain engagement**

20. During the last session of the consultation, participants looked at the next steps in supply chain engagement and considered the question: “Where do we go from here?” The aim of the session was to explore the next steps necessary for business and multi-stakeholder engagement, to consider key challenges and new forms of engagement, and to discuss potential new benchmarks and indicators to promote trafficking-free supply chains. Participants in the session were provided with a draft checklist of indicators and benchmarks for business to assess risks of human trafficking and forced labour in the

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<sup>11</sup> See [www.buysresponsibly.org/](http://www.buysresponsibly.org/).

<sup>12</sup> See <http://slaveryfootprint.org/> and <http://madeinafreeworld.com/>.

<sup>13</sup> See [www.donttradelives.com.au](http://www.donttradelives.com.au).

supply chain (see appendix I). The draft was assessed and revised by three working groups on the basis of wide-ranging and detailed discussions of its content and form.

21. The indicators and benchmarks contained in the draft were intended to complement the existing important initiatives developed by enterprises and civil society organizations, some of which have been discussed above. Participants also suggested that, in long-term planning, the indicators and benchmarks should be accompanied by a user's guide. The Special Rapporteur believes that the set of indicators and benchmarks could prove to be a valuable tool for businesses to help them to exercise due diligence, in accordance with the Guiding Principles on Business and Human Rights, in their supply chains in order to detect and prevent trafficking cases. As a result, the Special Rapporteur sees the checklist as a specific tool aimed at building on and complementing the Guiding Principles. She is also of the view that promoting a set of indicators and benchmarks under her mandate, although these remain voluntary, may contribute to further specifying corporate responsibilities vis-à-vis human rights and, more specifically, trafficking in persons.

## **Appendix I**

### **Benchmarks and indicators for ensuring trafficking-free supply chains**

#### **For discussion during the expert meeting convened by the Special Rapporteur on trafficking in persons, especially women and children**

##### **Voluntary recruitment and employment**

1. Is all work voluntary and do workers have the freedom to terminate their employment with reasonable and fair notice, at any time without penalty?

##### **Recruitment fees**

2. Are workers charged any fees for recruitment, including costs associated with travel and processing of official documents?
3. Are workers required to lodge security deposits or payments of any kind, including non-cash deposits?

##### **Contracts of employment**

4. Are workers fully briefed on the terms and conditions of their employment, including skills requirements, in language they understand?
5. Are legal written contracts of employment provided to workers in their native language, clearly indicating their rights and responsibilities with regard to wages, working hours, deductions and other employment conditions?
6. Where prospective workers can neither read nor write are appropriate measures taken to ensure that they understand and agree to all clauses set out in the contract?
7. Are migrant workers provided their contract of employment at the initial stages of consultation prior to any formal agreements or plans for deployment being made?
8. Do you prohibit supplemental agreements and the practice of contract substitution?
9. Are changes to contracts of employment prohibited that diminish originally anticipated wages, benefits or other conditions of work?
10. Do you monitor subcontractors and the contractual agreements they hold with their workforce?

##### **Passport confiscation**

11. Is the confiscation or withholding of worker identity documents (e.g. passports) strictly prohibited?
12. Where employers maintain workers' documentation for legal reasons, do workers have access to their documentation (including travel, identity and work-related documents) at any time upon request?

**Humane treatment**

13. Is the use or threat of physical and sexual violence, harassment and intimidation strictly prohibited and sanctioned?
14. Are there effective procedures of redress in place to address such incidents if they occur?

**Equality at work**

15. Are all workers treated fairly and equally, with no discrimination based on factors including sex, gender, nationality, ethnicity, trade union affiliation, political affiliation, beliefs, sexual orientation, disability and residence status?

**Wages and benefits**

16. Are workers held in debt bondage or forced to work to pay off a debt of any kind, including non-monetary debt (e.g., resulting from the provision of tools or training)?
17. Are workers paid in legal tender and provided written, itemized pay slips/receipts in language they understand, indicating wage rates, hours worked, total pay and any legally authorised deductions made by the employer?
18. Are workers paid at least the minimum wage required by applicable laws and provided all legally mandated benefits?
19. Are wage payments made at regular intervals directly to the worker and/or their bank account, and not delayed, deferred or withheld?
20. Are deductions made from workers' wages lawful, authorized and not excessive?
21. Are wage advances or loans provided to workers, including interest rates and repayment terms, compliant with the law, advised to workers in their own language and agreed in advance by both parties?
22. Do workers retain full and complete control over their earnings and are they free to spend such earnings at their discretion?

**Freedom of movement**

23. Are workers physically confined to the workplace or do they face restrictions (including psychological intimidation and/or verbal threats) on their freedom of movement outside working hours or in related premises such as dormitories or residences?

**Freedom of association and collective bargaining**

24. Do all workers irrespective of their nationality or residence status have the right to join unions and bargain collectively?

**Compliance framework and monitoring**

25. Do you have in place a policy or code of conduct that explicitly prohibits all forms of human trafficking?
26. Do you have an effective management system to support the implementation of anti-trafficking policies?

27. Are you aware of the processes of sub-contracting in your company and supply chain?
28. Do you conduct comprehensive supply chain assessments and due diligence to monitor recruitment and employment conditions in your supply chain, including sub-contractors?
29. Are your human resource, social compliance and other relevant staff trained on risks and signs of human trafficking and company anti-trafficking policies and procedures?
30. Where cases of human trafficking are discovered in the supply chain, are the well-being and best interests of the affected worker(s) considered first and foremost, with referral mechanisms that provide services and compensation to victims?
31. Have you established effective and credible grievance mechanisms to enable workers to voice concerns about recruitment or employment conditions, including whistleblower policies to protect the confidentiality of workers wishing to remain anonymous?
32. Do you publicly report and communicate regularly with stakeholders, including investors, about company policies, programmes, performance and impact against human trafficking?
33. Do you engage other stakeholders to translate your corporate anti-trafficking commitments into action?
34. Do you engage governments and other public actors, including international organizations, to advocate for progressive legal, regulatory and policy reform to support anti-trafficking measures?

## Appendix II

### **Agenda of expert consultation on human trafficking and global supply chains**

#### **Human trafficking and global supply chains Ankara, 12 and 13 November 2012**

#### **Monday, 12 November**

9–9.30 a.m. **Welcome and introductory remarks  
Meeting objectives**

Welcome remarks by the United Nations Resident Coordinator, Shahid Najam

Introduction and meeting objectives

Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo

9.30–11.15 a.m. **Session 1  
Human trafficking and global supply chains: Understanding the challenges and risks  
for business and workers**

**Objectives of session 1:**

- To identify how, why and where human trafficking manifests in the supply chain and to understand the risks it poses to workers and business integrated into the global economy
- To better understand the opportunities and challenges that business faces in addressing human trafficking

Aligned with the objectives of the session, each speaker will discuss the nature of human trafficking in global supply chains: how it manifests itself and key, associated forms of abuse, including delineation of forced labour, worst forms of child labour, etc.

*Facilitator: Ms Katharine Jones, Institute for Business and Human Rights*

- Ms. Marie Apostol, Fair Hiring Initiative
- Ms. Joanna Ewert-James, Anti-Slavery International
- Mr. Jeroen Beirnaert, International Trade Union Confederation
- Ms. Bisi Olateru-Olagbegi, Women's Consortium of Nigeria

*Discussion*

11.15–11.45 a.m. **Tea/Coffee Break**

11.45 a.m.–1 p.m. **Session 2****Raising the game I: Business response to the risks of human trafficking****Objectives of session 2:**

- To explore different ways in which businesses have responded to human trafficking, including company, industry and multi-stakeholder responses
- To highlight specific examples from sectors such as information and communications technology, and garments
- To draw lessons for effective business-led anti-trafficking programmes

In this session, each speaker will illustrate how their company has responded to risks of trafficking in their supply chain, the challenges they have faced in doing so, and what they have done to overcome such challenges. This will include themes of supplier engagement; addressing risks linked to labour brokers; industry and multi-stakeholder engagement, e.g. involvement in the Electronics Industry Citizenship Coalition; and/or new policies, social auditing protocols and other tools.

*Facilitator: Mr. David Arkless, Manpower*

- Mr. Karl Daumueller, Hewlett Packard
- Mr. Jeffrey Avina, Microsoft

*Discussion*

1–2 p.m.

**Lunch break**

2–3.45 p.m.

**Session 3****Raising the game II: Business response to the risks of human trafficking: the concept of ethical recruitment****Objectives of session 3:**

- To consider the response to human trafficking by private employment agencies at international and industry levels
- To examine the role played by industry and trade associations in the fight against human trafficking
- To introduce practical insights, examples and lessons learned from the field of ethical recruitment and employment

Building on the previous session, this session will introduce the good practice engagement of a specific industry: that of private employment agencies. The speakers of the session will highlight the concept of "ethical recruitment" as a key element in the fight against trafficking and discuss the role of industry and trade associations, particularly in policy and regulatory reform.

*Facilitator: Ms. Marie Apostol, Fair Hiring Initiative*

- Mr. David Arkless, Manpower Group
- Mr. Nick Forster, FSI Worldwide
- Mr. Philip Hunter, Verité

- Dr. Katharine Jones, Institute for Human Rights and Business

#### *Discussion*

3.45–4.15 p.m. **Tea/coffee break**

4.15–5.45 p.m. **Session 4**

#### **Raising the game III: Partnership and dialogue in the fight against human trafficking**

##### **Objectives of session 4:**

- To explore partnership approaches in the fight against human trafficking and the challenges and opportunities these present to business
- To assess the role of social dialogue and multi-stakeholder engagement in addressing human trafficking

Having surveyed business engagement, this session is designed to discuss challenges and opportunities presented by business and multi-stakeholder partnerships.

*Facilitator: Mr. Jeroen Beirnaert, International Trade Union Confederation*

- Ms. Clara Pascual de Vargas, End Human Trafficking Now Campaign
- Ms. Lisa Rende Taylor, United Nations Inter-Agency Project on Human Trafficking
- Mr. David Batstone, Not for Sale

#### *Discussion*

5.45–6 p.m. **Wrap-up of day 1**

### **Tuesday, 13 November**

9–10.30 a.m.

#### **Session 5**

#### **International standards and public policy addressed to human trafficking and supply chains**

##### **Objectives of session 5:**

- To understand the international normative context for business and supply chain engagement against human trafficking
- To situate the role of governments and inter-governmental bodies in the discussion of business engagement against human trafficking
- To introduce examples of public policies that address human trafficking and forced labour in the global economy, and better understand what public policy actors are doing to address human trafficking in the supply chain

This session will examine ILO and United Nations norms on trafficking and forced labour as well as the recently adopted UN Guiding Principles on Business and Human Rights. The



speakers will discuss how they relate to global supply chains and how governments and inter-governmental bodies have responded to the issue.

*Facilitator: Ms. Kate Sheill, Global Alliance against Traffic in Women*

- Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo,
- Meltem Ersoy, IOM Turkey

*Discussion*

10.30–11 p.m. **Tea/coffee break**

11 a.m.–12.30 p.m. **Session 6**  
**New strategies for supply chain and consumer engagement**

**Objectives of session 6:**

- To examine new initiatives to promote supply chain and consumer engagement against trafficking
- To introduce emerging normative and technical tools that can help businesses in their effort to address trafficking in the supply chain
- To survey new consumer-based and IT approaches to fight human trafficking

Having examined the existing framework and initiatives established by States and businesses, this session will turn to new initiatives and strategies led by NGOs and consumers and discuss their role in preventing and combating human trafficking in supply chains.

*Facilitator: Mr. David Batstone, Not for Sale*

- Ms. Anastasia Saglam, IOM Turkey
- Mr. Justin Dillon, Slavery Footprint
- Ms. Melissa Stewart, World Vision Australia

*Discussion*

12.30–2 p.m. **Lunch break**

2–3.30 p.m. **Session 7**  
**Where do we go from here? Next steps in supply chain engagement**

**Objectives of session 7:**

- To explore the necessary next steps for business and multi-stakeholder engagement against trafficking
- To consider key challenges and new forms of engagement to overcome them
- To discuss potential standards and indicators to promote trafficking-free supply chains

This session is designed to begin the wrap-up of discussions from previous sessions to identify what immediate next steps and longer-term goals should be for business anti-trafficking engagement. It also serves as an opportunity to consider development of potential standards and indicators to promote trafficking-free supply chains.

*Facilitator: Special Rapporteur on trafficking in persons, especially women and children  
Joy Ngozi Ezeilo*

*Open discussion*

3.30–4 p.m.     **Tea/coffee break**

4–5 p.m.        **Conclusions and recommendations**

Tour de table: Recommendations and the way forward

Closing remarks

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