

ALLIANCE AGAINST TRAFFICKING IN PERSONS

“Stolen Lives, Stolen Money: The Price of Modern-Day Slavery” (25-26 June 2013)

Panel 2: Human trafficking and inequalities

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Ladies and gentlemen,

I would like to thank you for the honor you are giving me by inviting me to speak in this high assembly and for such a noble cause.

I am a French trade unionist but I will speak today on behalf of the International Trade Union Confederation. It is also in its name that I am an elected member of the ILO Governing Body in the workers' group, and that I am standing for the struggle for the effective eradication of forced labour.

The 102nd International Labour Conference, which mobilized these last three weeks nearly 3 000 delegates and advisors from governments, workers and employers from 185 countries, has just ended. The ILO and its constituents are already working in view of the next conference (June 2014), having on its agenda the adoption of a normative instrument aiming at completing the existing conventions on forced labour.

This decision taken by ILO governing body results from ILO 2012 conference which focused on fundamental principle and rights at work, bounded by 8 conventions, including convention 29 on forced labour, adopted in 1930.

This convention is nearly universally ratified since 177 countries among the 185 member countries of the ILO have ratified it. It is also very widely acknowledged and referenced by the institutions and instruments of the multilateral system, of which the OSCE is part. Its adoption, completed in 1957 by convention 105, and the ILO control and supervision of their implementation have undoubtedly reduced forced labour, especially the use of forced or compulsory labour by the states, and slavery in the world. One of the most telling and recent result is that of Burma or Myanmar: after more than ten years of condemnation and systematic supervision of the attitude of the authoritarian regime of the country on this particular topic, the government has at last taken measures enabling to achieve an end to forced labour ; and this is in front of the international labour conference in 2012 that Mrs Aung San Suu Kyi decided to publically take the floor for the first time outside of her country. And today the trade unionists, who have been exiled and considered as terrorists for a long time, are building free trade unions in the country.

Unfortunately, these are the only satisfactory grounds. The most recent estimations of the reality of forced labour show that new forms and practices have developed, especially linked to migrations and to the increased economical pressure that the most vulnerable populations are undergoing in a context of serious economic crisis: 90 % of the victims of forced labour are exploited by individuals or private companies, while convention 29 was particularly intending

to prevent this ; 44 % of the victims of forced labour are migrants either in their own country or abroad. A transnational criminality has organised, which shows the importance to emphasize on the struggle against human trafficking for forced labour, and in the same time to take measures against misleading propaganda relating to migration from crossborder employment agencies as stipulated by ILO convention 97. Globally, the ILO estimates that 20.9 million of men, women and children are victims of forced labour in the world.

No region of the world is spared and it is striking to note that Central Europe, South-Eastern Europe and CIS (Commonwealth of Independent States) show the highest ration with 4.2 victims for 1 000 inhabitants.

The debate will then from now focus on both the content and the form of the type of the necessary international norm to stand against this evolution.

There is already a clear consensus on the necessity to identify real situations and to build on the achievement of the efficient evaluation policies implemented by some states.

Victims of forced labour are undergoing the most serious inequalities.

For them rights at work are no reality ; they do not enjoy the right to freely chosen full employment established by ILO Convention 122 ; they do not always know about their rights to freedom of association and collective bargaining, to social protection and recently adopted ILO recommendation for social protection floor will be without any effect for them... In a word, they are out of their right to the protection offered by the ILO international standards at work.

They are also unable to have access to redress. They are afraid because they suffer violence. They run the risk of finding themselves without subsistence resources nor housing, if they run away. They may not know the dialect spoken in the region or the language of the country they are living in. They risk being victimised twice because they don't have any work permit nor regular residence permit.

Systematic prevention policies, which consist of protection and compensation of victims and which rely on the identification of the vulnerable populations and situations, are indispensable. As it is necessary to put in place more dissuasive measures against criminal behaviours and practices, especially by reinforcing the coordination of plans to fight against human trafficking with the intention of forced labour.

A recommendation will be elaborated and will precise the most efficient practices, for example by reinforcing means of inspection and labour administration in coordination with other social services and institutions of justice, police and immigration enabling both the identification of situations of forced labour and the protection of victims. Prevention should take the form of policies of public information, education, including at school. The protection of victims should cover both the right and effective access to justice: this requires the issuing of visas for the duration the investigation and trials and of social assistance aids, housing, medical care and reintegration in work freely chosen. We won't of course forget the necessity of penal prosecution and dissuasive sanctions against those responsible for forced labour, which is an accusation that national legislations don't identify enough.

The ITUC and the ILO workers'group, as well as a number of governments, already support the necessity of the adoption of a protocol, completing the ILO convention 29.

Such a protocol would have the merit to give a strong, high-level political signal of determined commitment of the international community, like the protocol of Palermo which efficiency is acknowledged in the field of fighting against human trafficking.

This debate is beginning today at the ILO and we would therefore of course strongly appreciate to receive the support of the governments of the OSCE.

Thank you for your attention.