



Organization for Security and Co-operation in Europe

**Special Representative and Co-ordinator
for Combating Trafficking in Human Beings**

REPORT

**Fifth Workshop on the Prevention of Trafficking in Human Beings in
Supply Chains through Government Practices and Measures**

**Geneva
23-24 November 2017**

Disclaimer

The recommendations, statements and positions set out in the following summary have been drafted by the OSCE based on the ideas and suggestions, which were raised during the event. They do not necessarily reflect the position of each individual panellist or the position of their respective organizations. The recommendations from this OSCE workshop listed below were informed by the panel discussions. They do not indicate that each organization represented on the panels specifically endorses or supports each recommendation.

Introduction

The joint workshop “*Prevention of Trafficking in Human Beings in Supply Chains through Government Practices and Measures*” was co-organized by the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) together with the International Labour Organization (ILO) and Switzerland on 23 and 24 November 2017 in Geneva, Switzerland. This was the fifth and final workshop organized under the OSCE extra budgetary project “*Prevention of Trafficking in Human Beings in Supply Chains through Government Practices and Measures*”.

The workshop focused on three major areas: ethical and fair labour regulations, public procurement, and transparency in supply chains. It took place over a period of two days and was structured in three panels and a breakout session into three subgroups, so as to be able to substantially delve into the different policies and practices brought from the various participants. The aim of the workshop was to have a comprehensive conversation amongst experts of different governments, NGOs, and organizations to raise awareness and build capacity, as well as share lessons learned and good practices.



Welcoming Remarks & Introductory Addresses

Chaired by *Ruth Freedom Pojman*, Senior Adviser, Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, the workshop was opened by the welcoming remarks of *Greg Vines*, ILO Deputy Director-General for Management and Reform, and *Ambassador Valentin Zellweger*, Permanent Representative of Switzerland to the UN and the other international organizations in Geneva, followed by the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Ambassador Madina Jarbussynova*.

Mr. Greg Vines welcomed the participants and indicated that 24.9 million people are currently exploited in forced labour, Europe being the second largest region after the Asia-Pacific in terms of the scale of human trafficking. Mr. Vines emphasized the need for bilateral and multicultural co-operation, on national, regional and global levels, calling for governments, civil society, the private sector, and trade unions to come together as partners, and to prevent these ills by addressing the root causes, as no single actor can face this challenge alone. He reiterated the commitment of the ILO to prevent and end child and forced labour along with human trafficking, and to ensure decent working conditions free of trafficking victims in line with Sustainable Development Goal (SDG) 8.7. Mr. Vines mentioned the Resolution of the ILO Committee on Decent Work in Global Supply Chains adopted by the ILO in 2016. He also announced the entry into force of its 2014 Protocol to the Forced Labour Convention of 1930, and the pursuance of 50 ratifications by the end of 2018, as part of the Freedom Campaign. Lastly, he noted the new Global Business Network on Forced Labour and Human Trafficking established to share information between business entities and to prevent cases of trafficking.

Ambassador Valentin Zellweger emphasized Switzerland's support to addressing human rights risks in supply chains, and to provide remedy, notably through the Swiss National Action Plan to implement the UN Guiding Principles on Business and Human Rights adopted in 2016, under which surveys are to be undertaken every two years. He welcomed the OSCE's important work in developing practical tools at the disposal of States to prevent trafficking in human beings (THB) in supply chains through public procurement and transparency measures, to encourage companies to put in place due diligence. Due to the urgency of the issue, Ambassador Zellweger urged participants to understand and take into consideration the root causes of trafficking. He urged in particular to address those factors which create vulnerability such as weak rule of law, poverty, forced displacement, and migration, noting that people on the move are especially at risk of being trafficked. The Ambassador discussed the Global Compact on Migration, and the importance of embedding a human rights perspective, not just an armed conflict perspective. He highlighted the issue of trafficking in supply chains for mega sporting events, and mentioned the multi-stakeholder dialogues undertaken by Switzerland to engage host countries in upholding the rights of migrant workers. The Swiss Federal Council attaches a high importance to public procurement, as demonstrated by the creation of a national platform for public procurement, containing criteria for human rights commitments. Noting that the trafficking and exploitation

of workers is a key human rights issue, the Ambassador called for public and private entities to join forces to prevent forced labour and human trafficking, and ensure sustainable and responsible business conduct throughout supply chains, quoting the Ethiopian proverb, “When spider webs unite, they can tie up a lion”.

Special Representative Madina Jarbussynova welcomed all participants to the fifth and last workshop on this topic, and thanked the ILO and Switzerland for co-hosting the joint event. The Special Representative started off by acknowledging international co-operation and collaboration with the ILO, notably through the *Alliance Against Trafficking in Persons*, its *Alliance* Expert Co-ordination Team, the Alliance 8.7, and ICAT, of which both the ILO and the OSCE are members. While acknowledging the recent developments in the field on preventing trafficking for labour exploitation in supply chains, she highlighted the need for more legislation and transparency in OECD countries, as they are some of the largest purchasers of goods and services, using private companies which in turn use subcontractors, who themselves add new layers of suppliers. Ambassador Jarbussynova mentioned the EU Acquis on human trafficking and the relevant aspects being addressed in this project, such as Directive 2014/24/EU and Directive 2011/36/EU as well as the Regulation laying down supply chain due diligence obligations for Union importers of diverse metals. She finished her opening speech by reminding the participants of the aim of the workshop, and that the discussions would inform the final products of the project, namely the Compendium of Resources and flexible Model Guidelines to be presented at a final project event in Vienna on 13 December 2017, and published in early 2018.

The introductory addresses were delivered first by *Froukje Boele*, Policy Analyst Responsible for Business Conduct at the OECD, followed by *Yann Wyss*, Senior Public Affairs Manager, Social & Environmental Impact at Nestlé S.A.

Ms. Froukje Boele tackled the subject of responsible business conduct (RBC), which companies should implement in order to tackle the adverse impacts their operations or supply chains cause, emphasizing that it should be part of the core of business entities, whether multinationals or small and medium enterprises. She presented the OECD Guidelines for Multinational Enterprises, the leading instrument on the subject, which as of November 2017 had 48 signatories, 33 of which are participating States of the OSCE. Although this is a soft law instrument, it aligns with international instruments, the ILO Conventions, and the Ruggie Principles. Additionally, it is accompanied by a binding legal obligation to set up a National Contact Point (NCP), a non-judicial grievance mechanism which has already dealt with 400 cases of worker and employment issues in 100 countries.

Illustrating the relevance of the NCP, *Ms. Boele* used the well-known example of the football stadium built in Qatar. She explained that the NCP acted as a mediator between FIFA and the labour union, resulting in the release of a statement by FIFA agreeing to apply human rights due diligence in its endeavours, including capacity-building and monitoring twice a year.

Complementing the National Contact Point process, the OECD developed an all-inclusive guidance, resulting from a multi-stakeholder process, providing business entities of various economic sectors, such as the extractives, financial, and garment and footwear sectors, with recommendations on how to identify risks and implement due diligence in their operations. Ms. Broele highlighted the important role of the government in RBC, as it has the possibility to create a level playing field by providing an incentive for businesses to act responsibly. She also recalled the G20 declaration on global supply chains, and SDG 12, “*Ensure sustainable consumption and production*”, as well as sustainable procurement, explaining the recent evolution moving from an initial cost approach to a life cycle approach. She called for political commitment, which is needed to ensure effective implementation of RBC and due diligence in supply chains, including monitoring and evaluation to gather data and share experience on what works, also to go beyond the current fragmented approach.

Mr. Yann Wyss introduced Nestlé S.A., a Swiss transnational company operating in 189 countries, with 2,000 brands, selling a billion products daily, and supplied by 400 factories, 161,000 direct suppliers, close to 700,000 indirect suppliers, and 4 million farmers. Mr. Wyss explained how the company had made human rights due diligence a top priority, mainstreaming it into 16 different departments and operationalizing it within the company, developing a comprehensive program based on the following eight pillars: Policies; Engage; Train; Evaluate; Assess; Co-ordinate; Partner; as well as Monitor and Report. In 2015, Nestlé identified the following 11 salient issues impacting the human rights of people in value chains, whether consumers or employees: freedom of association and collective bargaining; working time; accommodation and basic services; health and safety; living wage; child labour and forced labour; land acquisition; access to water and sanitation; access to grievance mechanisms; and data protection and privacy.

Mr. Wyss focused his presentation for the workshop on forced and child labour. As one of the largest buyers of cocoa in the world, Nestlé set up a system built within their supply chain to address child labour issues in Côte d’Ivoire, after which external European auditors found almost no issues. A sense of trust must be established between the company staff and the local farmers, so that they do not feel pressured. Each co-operative that supplies cocoa to Nestlé has a focal point to gather data on child labour. With this system, Nestlé identified 7,000 child labourers in certified crops since 2012. Part of the program is for Nestlé to come up with mediation for each community and family, and to help provide birth certificates, education for the children, and work for the parents so that they do not need to make their children work. Mr. Wyss also gave a second example of co-operation in Thailand, which allowed Nestlé to trace where raw materials came from in their global supply chains.



Panel I: What is human trafficking for labour exploitation in supply chains? How is this relevant to public procurement?

This panel was moderated by *Ruth Freedom Pojman*, Senior Adviser, OSR/CTHB. The rapporteur for this panel was *Cindy Berman*, Head of Knowledge & Learning, Ethical Trading Initiative, UK.

In order of appearance, the speakers were: *Thomas Wissing*, Head of the Advocacy and Partnerships Unit at the ILO; *Vineta Polatside*, Senior Adviser and Head of Unit, Task Force against Trafficking in Human Beings (TF-THB), Council of the Baltic Sea States (CBSS); *Karrie Peterson*, International Relations Officer, Bureau of International Labor Affairs, U.S. Department of Labor, U.S.; *Annie Burdzy*, Project Officer, Geneva Centre for the Democratic Control of Armed Forces (DCAF); *Amol Mehra*, Director, International Corporate Accountability Roundtable (ICAR); and *Caroline Nicholas*, Senior Legal Officer, International Trade Law Division, UNCITRAL.

Mr. Thomas Wissing provided an overview of the dimension of the challenge at hand, highlighting the 21 million, including 15.5 million adults and 5.5 million children, currently in forced labour, resulting in an estimated 150 billion USD in profits per year. He mentioned that 9.1 million moved internally or internationally for work. He noted the importance of focusing on global supply chains for their many positive impacts—economic growth, job creation, poverty reduction, entrepreneurship, technology transfer, new production practices—as well as for the huge challenges they raise to fully monitor value chains to determine the prevalence of child and forced labour through indicators such as: decent work deficits, working conditions and wage differentials, working time, informality and use of intermediaries, and the lack of legal protection and labour rights.

The 2016 Resolution of the ILO Committee on Decent Work in Global Supply Chains requires government owned or controlled business entities to implement due diligence

procedures. The Resolution uses public procurement as a tool to prevent trafficking and promote fundamental principles and rights at work (FPRW). In 2016, the ILO also published the Principles and Guidelines for Fair Recruitment. Guideline 11 suggests that governments should raise awareness for fair recruitment in the public and the private sectors.

Mr. Wissing further developed the roles of national governments in promoting good governance in supply chains, including *inter alia*; the active promotion of social dialogue between employers, employees, and unions; fostering business conduct through information on legislation; and supporting partnerships and multi-stakeholder initiatives, like that of the Alliance 8.7, which includes a focus on FPRW and supply chain management. The role of the OSCE, on the other hand, includes a harmonization of standards, the promotion of research on prevalence of implementation gaps in supply chains, and coherent public procurement policies in line with FPRW, amongst others.

Mr. Wissing reiterated the work of the ILO in FPRW and supply chain management, such as its 50 for Freedom Campaign, its Alliance 8.7 Action Group on Supply Chains, its new network on Business and Forced Labour, its child labour platform, its HelpDesk for Business, and its support of partnerships and National Action Plans on Business and Human Rights. He highlighted the ILO's Programme of Action for 2017-2021, which includes knowledge generation, capacity building, advocacy for decent work, policy advice, training for labour inspectors as well as partnerships and policy coherence.

Ms. Vineta Polatside gave an overview of the work of the CBSS, which is an intergovernmental forum for regional co-operation between 11 member States (Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia, Sweden, and a representative from the European Union) as well as the European Commission.. The Council contains two expert groups on THB: the taskforce against trafficking in human beings (TF-THB), and the children at risk group.

The taskforce was established in 2006 and focuses on trafficking in human beings for the purpose of sexual exploitation and for forced labour. In 2012, the taskforce initiated the project ADSTRINGO, "Addressing trafficking in human beings for labour exploitation through improved partnerships, enhanced diagnostics and intensified organisational approaches". The project studied human trafficking and exploitation of migrant workers in six countries to identify problems, gaps and solutions. The study showed that trafficking for forced labour is the most severe form of exploitation along a continuum of less severe to more severe exploitation, and that the main risk factors identified are long supply chains, complex posted worker arrangements, bogus self-employment, and zero-hour contracts where workers are not guaranteed work hours.

In 2014, guidelines to prevent abusive recruitment, exploitative employment and trafficking of migrant workers in the Baltic Sea region were launched. The Guidelines were developed for States and businesses, and to promote decent work and a level playing field for ethical recruiters and employers. States should ensure they have in place appropriate due diligence

procedures to ensure ethical procurement in public sector organizations, and set an example for the private sector.

Ms. Polatside ended her presentation sharing a lesson learned from a social media campaign undertaken by CBSS. CBSS had produced t-shirts to raise awareness about human trafficking and the responsibility of everyone to combat it. In making sure the t-shirts were produced in an ethical manner every step of the way, they ensured the cottons were unbleached and from certified cotton fields, and that the patterns were from known producers, produced in Estonia where the conditions of the workers and factories were known. But when CBSS received the t-shirts, they were labelled and packed in plastic bags, and they realized that they did not know where the labels and plastic bags came from. The operation was nonetheless a success, as it was a step forward. In continuing its work to identify risky sectors, CBSS gave an example of labour inspectors in Finland who found how important it was to talk to migrant workers, not work alone, and not announce their visits.

Ms. Karrie Peterson explained the efforts of the U.S. government to tackle human trafficking and forced labour in supply chains, notably in its measures taken to prevent taxpayers' money from being used to support THB, through its policy prohibiting THB in public contracts. She spoke about Executive Order 13627 on the Federal Acquisition Regulations (FAR) 2015, "Strengthening Protections Against Trafficking in Persons in Federal Contracts", which prohibits trafficking for subcontractors, contractors, employers, and the like. The FAR also impose obligations for management and employment outside the U.S., and include a number of provisions on responsible recruitment, including addressing fraudulent recruitment and recruitment fees. Under the FAR, contractors must develop a compliance plan appropriate for the activities they perform, including on how they avoid trafficking in human beings.

Executive Order 13126, "Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor," ensures that federal agencies do not procure goods made by forced or child labour. This requires the Department of Labor with the Department of State and Homeland Security to publish a list of goods with reasonable basis to believe they may have been produced by forced or child labour. The most recent list was published in December 2014 and contains 35 products from 26 countries.

The U.S. Department of State developed some apps, such as the Responsible Sourcing Tool, an online tool that helps federal contractors and procurement officials understand the risk of trafficking in supply chains, and helps train in detecting and preventing THB and in protecting victims of THB. Other online tools developed are the Comply Chain app and Sustainable Commodity Supply Chains (SCSC) tool, which provides detailed best practices. Lastly, the Department of Defence and the Department of State require private contractors to be consistent with international codes of conduct.

Ms. Annie Burdzy presented DCAF's work on private military and security contractors (PMSC) and the risk of human trafficking through the recruitment of third country nationals, where defence contractor personnel from Country A set up an operation in Country B but

recruit personnel from Country C. While this system has entailed cases of trafficking in human beings, Ms. Burdzy explained that there are more often risks of violations of human rights, including questionable recruiting practices and contract irregularities, such as long working hours, incomplete salaries, lack of medical assistance, and confiscation of passports and/or I.D. cards, which need to be addressed to prevent human trafficking. She added that human rights groups have highlighted that third country nationals worked long hours, had their documents withheld, sometimes pay recruitment and other fees, and are unable to pay back their debts for a very long time, amounting to slave-like practices.

The Montreux Document on Private Military and Security Companies seeks to address these human rights challenges by compiling international legal obligations and good practices on the usage by States of PMSC in armed conflict. The Document is supported by 54 States, as well as by the OSCE, the EU, and NATO. Some governments have recognized the trafficking risk for third country nationals and have banned such recruitments, as is the case in South Africa. She also mentioned the benefits of the International Code of Conduct for Private Security Service Providers, developed as a complement to the Montreux Document.

Finally, Ms. Burdzy presented DCAF's work to provide unified guidance to States around public procurement, including tools such as checklists and model contracts. She went over the Contract Guidance Tool to help contracting officers ensure protection of human rights when recruiting for PMSCs, including the provision of contracts in the workers' native language, unrestricted access to I.D./travel documents, return tickets home, and ensuring adequate pay and remuneration.

Mr. Amol Mehra explained the work of the International Corporate Accountability Roundtable (ICAR) in the field of public procurement, focusing on the integration of human rights criteria into government purchasing. With the Danish Institute for Human Rights, ICAR launched the International Learning Lab on Public Procurement and Human Rights, focused on four sectors, including apparel and electronics. In addition, ICAR works together with the University of Nottingham in researching how human rights can be better integrated into public procurement.

The surveys conducted by ICAR paint a complicated picture for governments. ICAR recommends that governments conduct their own human rights-risk assessment, based on a sectoral approach or based on NGO/media reports. Another recommendation is for the scope of protection to be widened from trafficking in human beings to include all forms of exploitation in order to address the full array of human rights risks in supply chains. Companies should be transparent and open about their procurement and supply chains. Mr. Mehra pointed out that even when companies have contractual requirements for human rights due diligence on paper, those requirements are hard to measure in practice. Due diligence should include corrective action plans to monitor compliance, disclose impact, report on metrics, take steps to remediate, and go beyond policy and process.

Ms. Caroline Nicholas works in policy-making for public procurement at UNCITRAL. She started by stating how public procurement offers a massive opportunity to policy makers and to improvement of standards to address trafficking and modern slavery, explaining how the cycle of public procurement market is intrinsically linked with social services to serve the needs of citizens.

Ms. Nicholas presented the UNICTRAL Model Law on Public Procurement and pointed out the key challenges to using public procurement to combat trafficking in human beings. First, 63 per cent of OECD public procurement is carried out at local levels rather than central or federal levels. Second, the key objective of public procurement is to buy goods and services for the government to meet its duty to citizens in need, not to be a tool for anti-corruption or anti-trafficking. Though it must not facilitate THB and it should promote good practices, the first and foremost aim of public procurement is to provide goods and services to the government. Ms. Nicholas further argued that many of the legal norms are negative obligations or non-binding ones, which are hard to comply with. Positive obligations are much easier to put into practice, e.g. the obligation to pay a minimum wage. She suggested that a lot could be learned from work around green and sustainable procurement.

One participant discussed the violations of human rights in conflict settings, due to the lack of accountability and rule of law, and that those who serve in such setting do not even know where they are or are going. Another participant talked about the international instruments, including the Palermo Protocol, this year's review of the UN Global Plan of Action, and the need to step up efforts to fully implement standards to ensure global change for the good to address all forms of THB, including for forced labour.

The discussion amongst participants then revolved around the voluntary nature of many current standards and the need to move towards stronger regulations and enforcement by governments. Cindy Berman, ETI, noted that leverage and impact necessitate collaboration, as companies cannot do it alone. She suggested SMEs engage in collaborative action in a pre-competitive space with trade unions and NGOs, to advocate for governments to play a stronger regulatory role. Neill Wilkins, IHRB, added that governments should also be transparent in their purchasing practices. The practical approach of the U.S. was held as an example by some of the participants.

The controversy of existing laws and their lack of enforcement leading to a lack of accountability was mentioned by several participants. Annie Burdzy explained that the problem was particularly present in armed conflict situations, thus emphasizing the importance of cross border co-operation when cases cross international jurisdictions, and the need to share good practices among national criminal laws on sanctions for the violation of codes of conduct even when extra-territorial. The ILO discussed the challenge of obtaining the right data and the collaboration on research around improving data collection, including around the profits of forced labour, and why it is still attractive for recruitment agencies and traffickers.

Concluding the first panel, CBSS said that they valued the OSCE process to share promising practices and to hold a discussion on the roles of governments and companies. Amol Mehra argued there should be no distinction between governments and companies, as both operate within one same body of laws. Caroline Nicholas, on the other hand, argued that having a negative standard is harder to enforce in practice and has a higher cost, which governments have to be motivated enough to commit to, when they do not see a financial benefit for compliance with international standards.

Karrie Peterson gave two more examples of projects supported by the U.S. Department of Labor in co-operation with Nestlé: provision of technical assistance against child labour in West Africa Cocoa together with the U.S. Department of Agriculture; and a project working with fair labour associations for the production of hazelnuts in Turkey. There was a discussion on the gaps and challenges, and how to implement reforms in a competitive environment. There was some recognition of the power of consumers to call on States to move beyond lowest price, to best value, and to include social and human rights standards in the criteria for awarding government contracts.



Panel II: Existing good practices to prevent trafficking for labour exploitation in supply chains, especially through procurement, transparency and labour recruitment measures

This panel was moderated by *Cindy Berman*, Head of Knowledge & Learning, Ethical Trading Initiative (ETI). The rapporteur for this panel was *Thomas Wissing*, Head of the Advocacy and Partnerships Unit at the ILO.

In order of appearance, the speakers were: *Cindy Berman*, Head of Knowledge & Learning, Ethical Trading Initiative; *Porter Glock*, Procurement Analyst at the Office of Federal Procurement Policy, Office of Management and Budget, U.S.; *Pauline Göthberg*, National Coordinator, Social Responsibility in Public Procurement, Swedish County Councils and Regions; *Mercia Silva*, Executive Director, the National Pact Institute for the Eradication of Forced Labor (InPacto), Brazil; *Luuk Esser*, Criminal Lawyer/Legal Researcher, Labour Exploitation and Law Enforcement, Office of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children of the Netherlands; and *Darryl Dixon*, Director of Strategy, Gangmasters and Labour Abuse Authority, UK.

Ms. Cindy Berman introduced the participants to the Ethical Trading Initiative (ETI), an alliance of companies, trade unions and NGOs who sign up to a code of practice based on nine ILO conventions. The aim of the alliance is to bring together these various stakeholders in collaborative and collective help to better their practices and improve labour rights in global supply chains. *Ms. Berman* gave the successful example of Section 54 of the UK Modern Slavery Act, which requires companies to be transparent in their supply chains, leading them to take labour issues much more seriously. A push is now being made for public sector procurement to be included in the legislation.

Mr. Porter Glock went over the changes in the Federal Acquisition Regulation developed by the Executive Order prohibiting human trafficking for subcontractors, contractors, employers, and the like, previously mentioned by *Ms. Karrie Peterson*. He gave an example of the model employer, which would take into consideration the environment, implement minimum wage, have economic goals, and practice non-retaliation efforts. He noted that this progression is not just a compliance exercise but rather a process of change.

In 2015, new prohibitions were imposed on contracts over USD 500,000, such as the obligation to inform employees of prohibited trafficking activities, to take appropriate action, and to inform the government on any anti-trafficking violations. Mitigating circumstances are taken into consideration regarding compliance, in an effort to boost pro-activism vs. apathy. *Mr. Glock* highlighted the challenges this implies, including the lack of resources to follow up on potential cases, the novelty of the process, and the steep learning curve.

Ms. Pauline Göthberg introduced the Swedish County Councils and Regions (SCCR), which comprises 250,000 employees and procures 13 billion EUR of goods and services. It is responsible for healthcare, dental care, and public transport in eight risk areas—instruments,

food, ITC, gloves and disposables, medical technology, textiles, pharmaceuticals, and medical dressings.

Ms. Göthberg highlighted the benefits of sustainable public procurement: the obligation to protect human rights, the opportunity to influence markets and create a demand for sustainable products and services, and the consequential risk-management. She went over the five steps to sustainable procurement: (1) the dissemination of a Code of Conduct for suppliers; (2) the integration of contract clauses; (3) Follow-up I, policy and routines; (4) Follow-up II, documentation, audit-reports, CAPs; and (5) Follow-up III, on-site audit. She gave the example of disposable gloves, two thirds of which are manufactured in Malaysia, where 128,800 people are victims of modern slavery today. Out of 24 found violations, ten were major, such as passport confiscation, compulsory overtime, fees from recruitment agencies, and workers locked-in in the factories.

Ms. Göthberg ended on a valuable lesson learned, highlighting that follow-ups are necessary but not sufficient. Capacity building and a good dialogue with suppliers is needed as well as internal health-checks and an increase leverage of public procurement through collaboration with other public buyers.

Ms. Mercia Silva started with a timeline of the response to the issue in Brazil. In 1995, the Brazilian government officially recognized the problem of slave labour in Brazil and started making public apologies; in 1997, a Mobile Inspection Group was created to monitor and combat forced labour; in 2003, the government established the National Registry of Employers to convict companies at an administrative level, known as the “Dirty List”, available on the website of the Labour Ministry; in 2005, the ILO and a coalition of NGOs launched the National Pact, a voluntary action for companies to share information amongst them and first check the Dirty List before doing business.

Ms. Silva used Article 149 of the Brazilian Criminal Code to define “modern slavery,” which entails four factors: subjecting a person to forced labour; arduous working days; degrading working conditions; and restriction of mobility. She noted that the arduous working days and degrading working conditions were not restricted to the amount of time worked but rather to the conditions in which the victims worked.

Ms. Silva finished by introducing InPacto, which monitors companies and sees that they fulfil the ten commitments of the National Pact. She demonstrated the great impact her NGO has in putting businesses on the Dirty List and overall in helping to fulfil the National Pact.

Mr. Luuk Esser explained the purpose of the due diligence on child labour bill, which at the time of reporting, is in the Senate in the Netherlands. The starting point of the bill, he explained, is the protection of the Dutch consumer against the danger of buying goods that are the result of child labour, the eradication of child labour only being a derivative protected legal interest. The bill contains obligations for companies which must declare that they apply due diligence to prevent child labour. If there is any lead to child labour in a given supply

chain, companies are obliged to investigate and if the lead is true, they must develop and implement an Action Plan. The business needs to take into account the ILO Child Labour Guidance Tool for Business in developing their Action Plan.

The bill is a soft law and entails implementation through grievance mechanisms and complaints, which can be filed by legal persons. The enforcement of the bill consists of two tracks: an administrative fine for the companies that do not fulfil obligations and criminal proceedings for those that do not fulfil obligations a second time in a row. Similarly to the French *devoir de vigilance* and the UK Modern Slavery Act, the bill does not contain any exemption clause for small and medium companies. However, the Minister of Labour will have the power to exempt certain small companies, though the criteria for these companies are not yet clear.

Mr. Darryl Dixon spoke of the Modern Slavery Act and its Section 54, Transparency in Supply Chains, emphasizing the need for practical, positive action in order to determine whether exploitation takes place in a given supply chain and take action if it is indeed occurring. He gave the example of his organization, the Gangmasters and Labour Abuse Authority (GLAA), which in the search for a new IT system, discovered the lack of a clear requirement in the contract to implement the Modern Slavery Act.

The GLAA, founded in 2004 as the GLA, created a set of standards to monitor whether or not a company complies with UK labour legislation and whether or not exploitation of workers takes place. In the development of these standards, the GLAA drew from ILO standards and the Ethical Trading Initiative Base Code of Practice to create a Temporary Labour Working Group Code, bringing together various stakeholders. The GLAA Standards' key areas comprise: payment of wages and tax; debt bondage, harsh treatment or intimidation; workers accommodation; working hours and working time regulations; health and safety, including training; recruitment and contractual arrangements; sub-contracting; identity issues and under-age working; legality and rights of workers.

Mr. Dixon further indicated that the GLAA created a Supplier/Retailer Protocol (available online: <http://www.gla.gov.uk/i-am-a/i-use-workers/supplier-retailer-protocol/>), and a Labour User Best Practice guidance for supply chains (available here: <http://www.gla.gov.uk/media/2220/labour-users-best-practice-guide.pdf>). The GLAA also takes part in training with the GLAA Academy in partnership with the University of Derby, training workers, supervisors, contract managers, and senior managers. Lastly, the Immigration Act of 2016 enabled the GLAA to investigate offences of labour exploitation in the United Kingdom and provided it with police powers (within England and Wales only).



The experts from the OSCE participating States had the opportunity to share the policies and practices of their countries in prevention of THB in supply chains and also to discuss the shortcomings and opportunities currently existing in this field.

As a country of origin for trafficking in human beings, **Belarus** enacted robust legislation in 2003 and 2005 to crack down on THB. In 2013, Belarus issued legislation and a presidential decree on public procurement, creating conditions under which companies could be banned from participating in public procurement, such as the committing or the risk of committing of crimes. Belarus has supported the strong work and roles of the OSCE and ILO in the fight against human trafficking, as active participants of ICAT, the Inter-Agency Coordination Group against Trafficking in Persons.

In July 2017, the **Belgian** government adopted a National Action Plan on business and human rights, with a section on THB. In 2016, the Belgian law on public procurement was amended to include the obligation for public services to exclude companies or subcontractors that have been convicted for THB from any public procurement market for five years, in order to pay more attention to the risk of social dumping. In September 2017, a new law was adopted establishing a due diligence mechanism requiring major companies to issue public reports on human rights activities, such as non-financial information on diversity.

In 2002, the “social label” was launched in Belgium. The system granted labels to products made by companies that respected the ethical procedure to produce goods. The system did not work, however, as companies had to request the label and that did not catch on—only ten companies received the social label.

The Procurement Office in **Croatia** works in close co-operation with the Ministry of Economy, which is in charge of public procurement. The Procurement Office is in charge of contracting for over 600 companies all over the country. The new Modern Public Procurement Act is in line with Directive 2014/24/EU on public procurement, in other words no company can be contracted if they have received a criminal conviction of certain crimes,

including THB or child labour. The Modern Public Procurement Act also contains non-mandatory grounds of exclusion, such as the exclusion of a company that is not in line with Croatian labour laws and/or ILO conventions. Croatia's public procurement system is based on "meet criteria" rather than "lowest price criteria," to advance the rights of workers, particularly in cleaning services.

The Labour Inspection Office of the **Czech Republic** collaborates with the police on inspections to prevent and uncover forced labour and human trafficking for labour exploitation. Labour inspections have revealed that some companies create supply chains with the purpose of hiding labour exploitation, making it difficult to find the person or company responsible for the exploitation. The Czech Republic is looking to create rules in order to create responsibility on every step of the supply chain.

In **Finland**, the Ministry of Finance has expertise on procurement, and the National Trafficking Coordinator works under the Ministry of Interior, thus requiring close co-operation within the government to combat trafficking. The Nordic Council Project provides guidelines for businesses, in co-operation with NGOs and other entities. In full implementation of Directive 2014/25/EU on procurement by entities operating in the water, energy, transport and postal services sectors, Finland co-operates with boat and ferry companies to increase efforts in finding victims of trafficking. The Labour Inspector also plays a role in advising local and small businesses on correct practices, and informing travel companies on responsible travelling and the risks of child sex trafficking.

In **France**, the recent Act of March 2017 on duty of care—"Devoir de vigilance des sociétés mères et des entreprises donneuses d'ordre" (Due diligence of corporations and main contractors)—requires joint stock companies with at least 500 employees in Europe, or 10,000 worldwide, to implement and publish a due diligence plan. The plan must include a risk map, procedures to regularly assess conditions of subcontractors and suppliers, a mechanism for issuing alerts and reports, a monitoring system for the assessment of implemented measures, and it must mitigate risks and prevent harm. The Act was designed in response to the Rana Plaza tragedy in compliance with soft international law and OECD Guidelines. The Act is similar to the one adopted in The Netherlands, with the exception that only large companies are concerned in the French one. Its first evaluation will take place in 2019.

The **former Yugoslav Republic of Macedonia (FYROM)** stated that they have a good and solid framework in place to prevent trafficking in human beings. All FYROM national laws are in line with the Council of Europe Guidelines, and in 2001, a National Commission for Combating Human Trafficking and Illegal Migration was created. In 2005, a national referral mechanism was established for victims of trafficking in the Ministry of Labour. In 2009, a National Rapporteur on THB was appointed. Furthermore, in 2017, a National Strategy and Action Plan for combating trafficking was adopted by the government. The main focus of the Strategy and Action Plan is to improve co-ordination with civil society, and combat trafficking for labour exploitation.

With the G20 Declaration in July 2017, **Germany** committed itself to take immediate and effective measures to eliminate forced labour and THB in global supply chains. In 2015, during its presidency of the G7, Germany launched the Vision Zero initiative addressing fair standards in supply chains. Germany transposed international obligations to protect human rights in its domestic law, including the EU Directives on public procurement and the core ILO conventions. The federal government has a national action plan to investigate inclusion of due diligence into public procurement. Further federal-local collaboration is to be witnessed in the Alliance for Sustainable Procurement.

Italy has undertaken strong action to prevent and combat human trafficking, and has made this a priority of the upcoming OSCE Chairmanship. Under the Italian presidency at the G7 Summit, the leaders adopted a gender-sensitive economic environment and included actions to prevent THB for both sexual and labour exploitation. In 2016, Italy adopted the National Action Plan on Business and Human Rights, aimed at identifying multiannual strategies for this phenomenon and at raising social awareness and protection of victims. The NAP is divided into the four familiar categories of the OSCE Action Plan: prevention, prosecution, protection and partnership, recognizing that encouraging partnerships with businesses and leveraging social responsibility to ensure ethical supply chains and certification is necessary.

Labour exploitation in Italy is linked with the agriculture sector, where workers are subjected to inhuman working conditions perpetrated by illegal intermediaries. To combat this, the government started providing ethical certifications in 2015 to law-abiding companies, including them in a committee. This network was created to focus the surveillance action on companies not included in the network. In 2016, a new law was adopted for the protection of seasonal workers in agriculture, to be jointly implemented by the Ministry of Agriculture and the Ministry of Labour.

Montenegro intensified its efforts to harmonize its legislation on THB. It shows strong interstate co-operation, having recently signed a protocol with Kosovo and Albania, and currently preparing another one with FYROM. It undertakes co-operation between the public and private sectors on sexual exploitation of children in travel and tourism. It also trains persons in countries of origin and destination, and provides information to travellers.

The role of labour inspection in the **Netherlands** includes two small and operational initiatives: attention focused on facilitators of supply chains—like banks—in order to come to public-private partnerships; and a ‘knock-and-talk’ method where inspectors inform companies about the non-compliance of their suppliers—e.g. telling a hotel about the labour exploitation taking place in cleaning companies used by that same hotel. This gives a chance for companies to take responsibility and the action needed to remedy the shortcoming.

In 2012, **Russia** signed the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Council of Europe Convention on Child Labour. It strengthened its national mechanisms on trafficking and persecution and promoted advanced co-operation

on tackling human trafficking amongst the members of the Commonwealth of Independent States (CIS).

In Russia, 98 per cent of detected human trafficking crimes are related to sexual exploitation. Russian legislation expanded the term of forced labour to include international norms: any work can be recognized as compulsory if it is not voluntary or if it is under threat of punishment. Russia promotes a combined effort between various ministries and civil society organizations to combat trafficking in human beings. It was mentioned that the Russian MFA held a conference with the OSCE in Moscow in July 2017 on The Public Private Partnership in the Fight against Trafficking in Human Beings.

In **Serbia**, contracting authorities must tell the State that they comply with the laws on employment. A provision envisages the possibility for the contracting authorities to use social criteria and check abnormally low prices of suppliers. However, authorities may require companies to submit evidence. Public procurement includes social procurement, prohibiting abuse of child labour or other forms of trafficking. The Public Procurement Office promotes guidelines to ensure their application in practice and encourages the implementation of socially responsible procurement practices.

Slovakia, mainly a source country, has adopted legal provisions against THB in supply chains since 2006. In 2018, Slovakia will have a new five-year plan. An agreement was reached in 2012 between the National Unit for Combating Illegal Migration and the national labour inspectors to make joint inspections of employers, carrying out hundreds of inspections per year. Victims of trafficking are mainly men being trafficked for labour exploitation. Informational leaflets are being prepared to inform workers of their rights and the steps they should take to work in Slovakia. They mentioned that they are co-operating with Serbia currently on the prevention of THB for labour exploitation.

Spain demonstrated its commitment towards combating trafficking in human beings under the Spanish presidency of the UN Security Council, whereby the body approved the first UN Security Council Resolution on THB in situations of armed conflict. Spain has a strong legislative and legal framework on human trafficking, being notably a part of the Palermo Protocol and the CoE Convention, as well as EU legislation and guidelines. The Spanish criminal code has recently been amended to better define crimes under trafficking and exploitation, in order to strengthen punishment of perpetrators, whether individuals or organizations.

Spain is concerned about the linkages of THB to illegal migration and the informal economy in the country. Labour exploitation is most prevalent in agriculture and services for tourism, in the hands of organized crime. Trafficking for indoor drug cultivation is the latest criminal trend in Spain.

Ukraine submitted a draft law on the licensing of employment mediators who provide employment abroad, as Ukrainians who work abroad need a license from a company. A code

of conduct has been created for Ukrainian suppliers, and the government supports an ethics code in public procurement. The government believes there is a strong need for enforced co-operation between public and private entities as well as collaboration with trade unions.

Breakout Sessions

The participants divided into three groups to discuss the issues in greater detail around the specific topics of: ethical and fair labour recruitment, public procurement, and transparency in supply chains. This way, experts from OSCE participating States and civil society had a chance to substantially contribute and share best practices and lessons learned, so as to develop concrete and workable guidelines as a result of this workshop.

Breakout Session: “Trafficking in Human Beings and Labour Regulations”

The breakout session was co-moderated by *Neill Wilkins*, Programme Manager, Migrant Workers and Work with Dignity, *IHRB*, and *Vineta Polatside*, Senior Adviser and Head of Unit, Task Force against Trafficking in Human Beings, CBSS.

Neill started the session by going over the definition of trafficking in human beings, highlighting the concepts of movement, coercion, and exploitation as three key criteria. He noted that forced labour is generally made up of a continuum of experiences, referring to the “forced labour continuum.” This leads to vulnerable workers who lack other viable options and therefore accept exploitation in return for a possible job. This is why it is so important for trade unions to safeguard workers and to help promote workers’ rights.

Answering the question, “*why do we regulate?*” the participants agreed that regulation is a public good when adequately enforced. It raises awareness, ensures the non-exploitation of workers, helps businesses and levels the playing field, frees companies from association with criminality, and prevents contagion to other areas of a business, sector or economy, among other benefits. In every supply chain, there is constant outsourcing. State regulation and enforcement of the law is needed to deal with the bottom feeders that will not adhere to voluntary norms.

In answering, “*how do we regulate?*” the participants agreed that enforcement can sometimes lead to worse results, particularly around immigration status used as coercion. It is important that the regulation achieves its intended result, and for that, many countries need to clarify and/or strengthen their definition of trafficking or forced labour. Regulation in this sense includes a risk-management approach, a chain of responsibility, registration and licensing, self-assessment, tax authorities, labour inspectors, complaint hotlines, and many other means.

A game of incentives and sanctions can be played for regulations to be taken seriously. Sanctions may include fines, removal of licence, improvement or suspension notices, denial of access to public contracts, or naming and shaming. On the other hand, incentives may

include fast track approval for licence renewal, access to government contracts, positive publicity, better information and guidance from the government, and/or fair trade certificates. The challenges to regulation include *inter alia* heavy bureaucracy, a demand for deregulation, gold plating, lack of enforcement or resources to enforce adequately, corruption of state officials, and the “phoenixing” of companies under a new name.

Recommendations:

- ✓ *Take a more proactive stance and request that companies report on what they are doing;*
- ✓ *Take a holistic and understanding approach, including a moral perspective, a consumer perspective, and an efficiency perspective;*
- ✓ *Develop more innovative studies and impact assessments;*
- ✓ *Conceptualize transparency as a tool for supply chains management;*
- ✓ *Develop guidelines on what are good purchasing practices and good incentive structures;*
- ✓ *Raise awareness on the importance of international co-operation to help share information, visibility, and co-ordination between stakeholders;*
- ✓ *Use new technology, such as IT systems, to combat and prevent trafficking in human beings.*



Breakout Session: “Trafficking in Human Beings and Public Procurement”

The session was co-moderated by *Pauline Göthberg*, National Coordinator, Social responsibility in public procurement, Swedish County Councils and Regions, and *Radu Cucos*, Assistant Officer on Combating Trafficking in Human Beings, OSR/CTHB.

The experts gave their inputs on guidelines for governments to design policies for public procurement. The aforementioned U.S. Executive Order on the Federal Acquisition Regulations was taken as an example, as it relates almost exclusively to economic measures. By preventing trafficking, a level-playing field is created entailing no unfair advantage. Competition, on the other hand, is undermined, and it costs more for companies to put the Executive Order into application.

The session focused on the topic at hand, and the work under the OSCE project. It was noted that the workshop serves to provide inputs to developing model guidelines for preventing trafficking in human beings. Participants contributed their perspectives and harvested best practices from around the world. Different countries will choose different models based on their needs, policies, and practices. A data comparison was undertaken between legal frameworks of various countries. The UK and U.S. legislation, for example, is extraterritorial and therefore affects national companies supplying in the UK and the U.S. Legislation is a complex area as it is divided between laws on trafficking, public procurement, labour inspections, wages, business and company law, amongst others.

To effectively implement and put the model guidelines into practice, participants of the session analysed the various challenges public procurement faces, such as corruption risks. For this, it is important to communicate with stakeholders, including the police. A strategic approach is needed, where the whole procurement process is taken into consideration, not just the company itself: from market analysis, to technical specification of the procurement, to contract management. It is to be a gradual process, taken step by step, starting with small procurement agencies first. A standard point in public procurement is the source of goods; companies should accept social audits and share information on where the goods are coming from. This would in turn entail less cost and less work for the suppliers. Another key undertaking includes raising public awareness of rising labour exploitation in Europe, calling for co-operation between countries, corporations, and organizations. As small procurement offices generally do not have the resources, it is important to offer mandatory training to procurement officers when new legislation comes into place.

The OSCE mentioned its work on updating its own internal regulations as regards procurement. The OSCE was tasked in the 2013 Addendum to update its own internal regulations to ensure that no activities of the OSCE, including contracts for goods and services, contribute to any form of THB. In 2014, the OSCE undertook efforts to update its internal legal frameworks and developed a Code of Conduct for suppliers, including combating trafficking. To bring it to full effect, the Organization developed implementing activities. A key aspect of public procurement is the management of supply chains, the first step of which is to map the suppliers, an activity the OSCE undertook together with the

University of Nottingham. Raw data on the identity of suppliers is currently being stored and should be finished by the end of 2018. The second step of supply chain management is the assessment of risks and mitigating risks, and development of a risk management matrix.

The last step of the OSCE project is to focus on co-operation. Acting as an open source, this database aims to share information, audits, and results to companies which may have the same suppliers as others. This would more easily highlight red flags on human trafficking. Finally, connecting to existing programs is key to widening the scope of the project. This would entail co-ordinating with entities that are already active in the field, such as commissions conducting specific professionalization programs on public and strategic procurement, including social and environmental criteria.

Recommendations:

- ✓ *Develop guidelines for governments to design policies in using public procurement;*
- ✓ *Develop a code of conduct for suppliers, which includes concrete steps to take in order to prevent trafficking in human beings in supply chains;*
- ✓ *Share information and audit results amongst companies and governments;*
- ✓ *Adopt a strategic approach to procurement, from market analysis to contract management, step by step;*
- ✓ *Raise awareness.*



Breakout Session: “Trafficking in Human Beings and Transparency in Supply Chains”

The session was co-moderated by *Ernesto Archila*, Independent Labor and Counter-Trafficking in Human Beings Consultant, U.S., and *Mercia Silva*, Executive Director, the National Pact Institute for the Eradication of Forced Labor (InPacto), Brazil.

The OSR/CTHB explained the objectives of the breakout session, and presented some of the planned outputs of the project in more detail, namely the compendium of resources and model guidelines which would result from the workshop discussions, including a model law, as well as the development of a network of participants for the further exchange of information and peer to peer learning. The moderators then provided an overview of the past discussions, stating that transparency is about incentivizing and engaging with companies to be open and truthful about their supply chain concerns and practices, not to penalize them, but to reward leadership and share risk, based on a shared understanding that human trafficking for forced labour can be found in most global supply chains.

The session discussion started with an analysis of how transparent companies should be, particularly where brands and retailers seek to protect their reputations. Cindy Berman informed the participants that the UK government lacks enforcement of legislation on actual reporting and transparency, thereby failing to create a level-playing field. Mercia Silva mentioned that Brazil's Dirty List was unjustly criticized for having negatively impacted Brazil's exports and economy, the critics calling for protection of local productions. Taking this into consideration, it is important to approach companies from a combined moral and business perspective, including attractive investment and market access, as well as brand reputation.

Discussing the impetus for transparency in supply chains, Cindy Berman mentioned that the success of the UK came from pressure from responsible companies, civil society, and parliamentarians. Others mentioned responsible companies may enjoy good PR as an advantage of transparency, as well as positive competition for best statements. C&A, for example, made their supply chains available to the public. Those stepping forward may be used as leverage against those who may not want to be left behind. In addition, the process of mapping risks in supply chains itself adds visibility and control to the field: more secure supply chains lead to lower training costs. Transparency in supply chains is not a concept on its own but rather a part of supply chain management.

The session emphasized the need for a holistic approach and understanding, which transcends legal requirements. It focused on purchasing practices as a major part of the problem, since companies are more likely to be attracted to incentives about efficiency rather than responsibility. Companies working abroad were also mentioned as an issue, as it makes it difficult to enforce recruitment licensing, therefore highlighting the importance of international co-operation in sharing information and strengthening visibility. As an example, Ukraine has a co-ordination mechanism in all 24 of its regions, giving it good visibility in the entire country.

As a step further, the creation of a proactive obligation for companies to be transparent in their supply chains was suggested. This comes with the challenge of convincing companies of the legality of a voluntary norm. The Sector Covenant approach of the Netherlands was given as an example, whereby stakeholders are put together by sector to promote compliance with international norms by not only repeating norms, but also creating a grievance mechanism.

With this approach, 13 risk sectors were identified. With the Covenant approach, the government has the opportunity to provide companies with incentives rather than legally binding norms.

The debate on transparency and—or vs.—accountability was brought to the table as international co-operation should bring countries together as well as hold them mutually accountable and responsible. A mention was also made of the relevance of transparency for small and medium enterprises (SMEs), taking Finland’s request for exemptions and incentives as an example.

New technology, such as IT systems, was discussed as a tool for transparency, for example as a means for traceability. However, it was noted that technology alone cannot manage risk due to the human factor.

Recommendations:

- ✓ *In the implementation of practices and regulations, go further than the letter of the law, taking into account a practical and holistic approach;*
- ✓ *Adopt clearly defined legal definitions of forced labour and human trafficking to make the relevant regulations understandable and applicable;*
- ✓ *Build on existing reform efforts, including National Plans of Action on Business and Human Rights and integrate into efforts to implement the SDG targets 5.2, 8.7 and 16.2;*
- ✓ *Require due diligence throughout company supply chains to prevent and remedy THB and labour related abuses, with publicly reported findings and lists of companies who need to comply;*
- ✓ *Work on how best to incentivize companies and change behaviour, including through: investors, level of details in reporting, not punishing companies for admitting a problem, especially if it is an isolated case and they remedy it, as well as how to enforce sanctions when abuses are systematic and not remedied;*
- ✓ *Design a well-formulated and well-resourced enforcement mechanism;*
- ✓ *Operate on a sanction-incentive-remedy basis;*
- ✓ *Legislative measures have to be complimented with practical implementation activities, such as risk assessments. A good example in this regard is the UK Ethical Trading Initiative tool;*
- ✓ *Guidance can include the development of templates on how to comply with existing laws;*
- ✓ *Importance of mapping of supply chains, the effectiveness of measures, such as the impact of voluntary vs. binding measures, the risks of relying too much on audits and/or certification schemes, etc.;*
- ✓ *Use existing tools and apps such as mentioned above;*
- ✓ *Build capacity and work with all relevant stakeholders, especially those who purchase, to understand what “good” looks like.*

Panel III: Challenges, lessons learned and the way forward

The rapporteurs of the preceding panels and the co-moderators of the breakout sessions featured as speakers in the “*Challenges, lessons learned and ways forward*” panel, moderated

by *Ruth Freedom Pojman*. The speakers summarized the discussions during the panels and breakout sessions and shared the conclusions and recommendations discussed by experts and participants, as outlined above under each session.

In terms of next steps, it was suggested that the forthcoming Model Guidelines would provide an excellent set of advice based on inputs from the workshops, and serve as a valuable resource for participating States, Partners for Co-operation and international organisations, and other stakeholders. A recommendation was voiced that participating States could volunteer to pilot one the implementation of two or all three of the areas outlined in the Model Guidelines. In some cases, countries have already started on their journey, but could further strengthen their policies, or learn from and share with others on the implementation gaps and challenges in bringing the private sector and other key stakeholders on board. In other cases, good labour market inspection and enforcement practices can help countries build their expertise by sharing with others. Some possible entry points for countries to publicly demonstrate commitment and support for this, include: SDG 8.7 ‘demonstration’ countries – through better evidence collection and dissemination of what they are doing, and G20 and G7 countries who are OSCE participating States. The Compendium of Resources developed by the OSR/CTHB, which will be shared with participating States in early 2018, will be an additional practical tool to enable governments and institutions to find like-minded others with whom they want to learn and share good practice and insights.

The OSR/CTHB and the participants discussed the formation of a network of the workshop participants, as foreseen in the project, to create an informal peer group for the online exchange of information, best practices, and recommendations about what is needed and what has worked, on how to solve issues and to move forward. The participants asked the OSR/CTHB to share the participants’ emails, presentations, photos, and the workshop report, and to post on such an online network platform.



Concluding Remarks

The concluding remarks were delivered by *Beate Andrees*, Chief Fundamental Principles and Rights at Work Branch, Governance and Tripartism Department at the ILO, and by *Ambassador Madina Jarbussynova*, the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE OSR/CTHB.

Ms. Beate Andrees urged the participants to promote the ratification of the 2014 ILO Protocol on Forced Labour to their governments, as it includes a binding provision on due diligence for private companies. She informed them of the current work the ILO is undertaking concerning a compliance report on the countries that have enacted legislation and the impact of that legislation. She acknowledged the good existing initiatives in the field of labour recruitment, urging for the amplification of such initiatives in the OSCE region. She pleaded for the discussion on public procurement to continue moving forward, arguing it is the richest and most valuable discussion today. She brought up the G20 Summit and its request that Alliance 8.7 partners develop a report on good practices with regards to transparency in supply chains and related issues.

Ambassador Madina Jarbussynova closed the workshop thanking all speakers and participants for their contributions, remarks, and continuous efforts in their work to prevent trafficking in human beings. Understanding that there is no “one-size-fit-all” solution, the Special Representative acknowledged the different methods adopted by various countries, in particular Belgium, Brazil, France, the Netherlands, Sweden, the UK, and the U.S., who have gone far in setting up specific measures to prevent trafficking in supply chains. Raising the work of the OSCE, the Special Representative mentioned the survey report published in early 2017, highlighting progress made and remaining gaps in the field. She concluded her remarks by urging all countries to ratify the 2014 ILO Protocol, and by adding that the Office was ready to continue to partner with others and to assist States, at their request, with the implementation of their anti-trafficking commitments, including around the prevention of THB in supply chains.

