



OSCE Human Dimension Implementation Meeting

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Working Session 6: Trafficking in human beings

TRAFFICKING IN HUMAN BEINGS AND ECONOMIC EXPLOITATION

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Trafficking in human beings and economic exploitation

Trafficking in human beings is inseparable from economic exploitation and tax evasion in various sectors: textile industry, construction, agriculture and hospitality sector.

Most of the time, the victims are foreign citizens on illegal stay, in precarious situations, or in search for employment with their future exploiters. To survive in our countries they are forced to accept working conditions similar to those at the beginning of the 20th century.

Economic exploitation entails a number of illegal activities such as the clandestine hiring of undocumented foreign workers without any contract, the non-respect of the laws on security and hygiene at the workplace, the non-abiding of the maximum working hours, the payment of starvation salaries far below the legal minimum wage, tax evasion, the unfair competition with law-abiding businesses sometimes leading to their bankruptcy, and the ensuing aggravated deficit of the state budget.

The human, financial and social toll of trafficking in human beings is immeasurable and costs a lot to society and the state budget.

The various administrations and courts seized about such problems have repeatedly but vainly drawn the alarm bell and made concrete proposals: more on-site surveys of working and living conditions, more inspections of businesses, more human and financial resources, more severe financial sanctions, seizures and closing of companies, etc. It is also important to reduce the number of suspended sentences that the traffickers in human beings usually benefit from, not to speak of non-verdicts and acquittals. It would also be beneficial to encourage the Prosecutor's office to work more willingly on the human trafficking dossiers that span several jurisdictions. Often the magistrates face, alone, important and complex criminal organized structures with international ramifications.

The increase in the budgets of the various law enforcement agencies would not be lost money but would be a productive investment with an effective return. Fines and a better labor tax collection would feed the budget of the fight against fraud. In the current situation, social inspectors, local and federal police and judges feel powerless, useless, frustrated and discouraged in front of a growing phenomenon because of the scarcity of the means put at their disposal and the lack of political will.

Political will is the key to the solution of the social and fiscal fraud, and the economic crisis we are going through cannot be a valid excuse for postponing this fight. A tougher policy towards traffickers and exploiters would send an encouraging signal to the law enforcement forces and have a deterrent effect to other criminal gangs.

Human Rights Without Frontiers recommends

To the participating states of the OSCE which are on the receiving end of the trafficking in human beings:

- To mandate the national prosecutor's office to deal with THB cases spanning several jurisdiction;
- To adopt laws imposing more severe financial sanctions on the perpetrators and collateral profiteers of trafficking in human beings and economic exploitation;
- To create a fund fed by the fines imposed on the ground of tax evasion, by the seizures and sales of the companies involved in illegal activities in order to increase the budget of the fight against economic exploitation of trafficked people;
- To increase the financial and human resources of their social inspection departments;

To the judges:

- To fully use the sanctions provided by the law in order to put an end to the THB activities of the perpetrators and to have a deterrent effect on potential perpetrators.

(*) **Willy Fautré**, director of *Human Rights Without Frontiers Int'l* (Brussels), co-author with Stijn Smet of the NGO's 20-page report "Trafficking in Human Beings in Belgium in 2007-2008" (See <http://www.hrwf.net>). On this issue, the organization works closely with Samilia Foundation, Frédéric Loore, journalist for Paris-Match/ Belgique and Jean-Yves Tistaert, social inspector, both co-authors of the book "Belgique en sous-sol: Immigration traite et crime" (Publishing House Racine)