DEMAND

Global Alliance Against Traffic in Women International Secretariat (GAATW-IS) www.gaatw.org

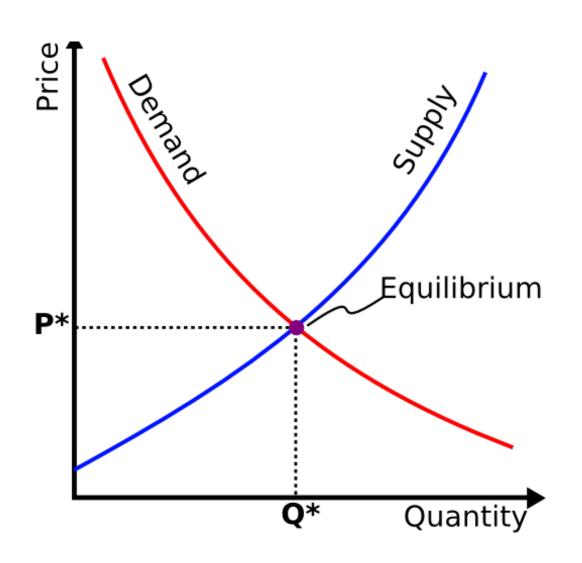




What do we mean when we talk about "demand" for trafficked labour?

- Have you heard mention of "demand" in relation to trafficking?
- Where have you heard mention of "demand" in relation to trafficking? (Nationally? Regionally? Internationally?)
- Who is using that concept/description (NGOs, governments, intergovernmental bodies, etc)?
- What are they talking about? What is being demanded?





Do simple demand supply equations assist or impede our understanding of trafficking?







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Statement on the EU Strategy towards the Eradication of Trafficking in Human Beings 2012 - 2016

Equality Now, an international women's rights organisation with individual and organisational members in 160 countries including Europe, welcomes a sustained focus by the European Union on the Eradication of Trafficking in Human Beings as an important step in the fight against human trafficking. Human trafficking is a huge and complex area of concern and a coordinated, comprehensive approach to combat this human rights abuse is vital in ensuring its end.

As highlighted by the Committee on Equal Opportunities for Women and Men of the Council of Europe Parliamentary Assembly in its report Advancing women's rights worldwide1 "...member states should step up efforts to combat discrimination generally against women and encourage political decision-makers to take into account the gender dimension in the development of policies and legislation." With the majority of trafficked persons being women and girls, according to the Union Nations, Equality Now believes that critical attention needs to be given also to a gendered analysis of the problem of trafficking in order that strategies to combat all aspects of trafficking at their core can be ultimately successful. We encourage the European Commission and EU Member States therefore to pursue an holistic and comprehensive human-rights based approach on trafficking based on a thorough understanding of the impact of discrimination against women and girls at all levels. This would necessitate efforts which promote and protect women's and girls' right to be free from violence and sex discrimination generally.

To be truly effective in preventing trafficking in persons the strategy should encourage Member States to undertake efforts that address both the "demand" and "supply" side of trafficking. The Council of Europe report focuses rightly on the enormous profit being made from women's bodies, yet little sustained effort has been made to address the demand that fuels the sex industry.² Equality Now urges a strong focus on addressing the demand for trafficking which would also send a powerful message that the poor and disadvantaged are not for the exploitation of those with greater means.









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Human Trafficking

Overview

Why Trafficking Exists

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Why Trafficking Exists

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Like drugs and arms trafficking, human trafficking is a market-driven criminal industry that is based on the principles of supply and demand. Many factors make children and adults vulnerable to human trafficking. However, human trafficking does not exist solely because many people who are vulnerable to exploitation. Instead, human trafficking is fueled by a demand for cheap labor or services, or for commercial sex acts. Human traffickers are those who victimize others in their desire to profit from the existing demand. To ultimately solve the problem of human trafficking, it is essential to address these demand-driven factors, as well as to alter the overall market incentives of high-profit and low-risk that traffickers currently exploit.

Why does demand thrive?

Labor trafficking and sex trafficking of U.S. citizens and foreign nationals persist and thrive for a







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Demand fosters human trafficking

"Demands for sexual exploitation, for cheap labour and domestic workers, for organ removal and sale, for illicit adoption and forced marriages, for criminal activities or begging, or for the exploitation for armed groups, all constitute substantial contributing factors to human trafficking," the UN Special Rapporteur on trafficking in persons, Joy Ngozi Ezeilo, said while presenting her annual report to the Human Rights Council in Geneva.



In her report, Ezeilo explained that the "demand" side of human trafficking should be understood more broadly. She referred to a consumer demand for particularly cheap goods and services, which fuels demand for cheap labour that was at times met by trafficked labour.

The expert noted that there are different levels of demand related to human trafficking, as identified by the UN Global Initiative to Fight Human Trafficking, which include: employer demand; consumer demand (clients or prostitute-users, corporate buyers in manufacturing and household members for domestic work); and the third parties involved in the process.

Ezeilo presented measures taken by States, businesses, non-governmental organizations and civil society to prevent trafficking and address its demand side, particularly in business supply chains.

"In today's globalized world, the risks of human trafficking in supply chains are significant in a number of economic sectors ranging from agriculture, to textile and manufacturing as well as services; and these risks have not been adequately dealt with, either by States or by businesses themselves."

Referring to the responses by States to trafficking, the UN expert noted that they had often focused exclusively on demand for commercial sexual exploitation of women and girls, and neglected other types of trafficking such as forced labour or trafficking for the sale of organs.

Ezeilo, who reminded States that they had a responsibility to protect against human rights abuses, including trafficking, also encouraged them to analyse and consider the underlying factors that generate demand for sexual exploitation as well as forced labour.

"They should set out clearly the expectation that all business enterprises shall respect human rights throughout their operations, both at home and abroad, and take appropriate action to prevent and stop trafficking in persons."

"It is necessary to put regulatory and supervisory mechanisms in place whenever they encourage or facilitate any forms of labour migration, as the absence of such mechanisms has had the effect of facilitating trafficking in persons," underlined the Rapporteur.

She added that anti-trafficking measures should not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, migrants, internally displaced persons, refugees and asylum seekers.

Days prior to the presentation of her report, Ezeilo undertook a consultation in Berlin, Germany, with national rapporteurs and other mechanisms on trafficking in persons tasked with monitoring and evaluating countries' anti-trafficking laws and policies, as well as their implementation. The meeting enabled participants from around the world to analyze current trends in trafficking and share best practices to respond to this source.

See also

Special Rapporteur on trafficking





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UN Daily News

Tackling demand key to combating global human trafficking, UN rights expert stresses



Joy Ngozi Ezeilo, UN Special Rapporteur on trafficking in persons, especially in women and children. UN Photo/Paulo Filgueiras

31 May 2013 - The global scourge of human trafficking is being fuelled by demand for sexual exploitation, cheap labour, human organs, illegal adoption and forced marriages, says a new report by an independent United Nations human rights expert.

"However, the demand side should not be understood merely as the demand for [the] services of victims of trafficking, but rather more broadly, as an act that fosters any form of

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Types of demand

- Third parties who recruit and traffic persons for forced labour or services;
- Employers and businesses who use forced labour, whether it's a specific demand for forced labour or a demand for exploitative labour practices that is met with forced labour; and
- Consumers of forced labour (e.g. employers of trafficked domestic workers) and/or products made by forced labour.

"While accepting the need to address demand, it is important to acknowledge the limits of a term that is not properly defined, is under-researched and is still subject to debate and confusion."

United Nations Office of the High Commissioner for Human Rights

Types of demand

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- Consumers of forced labour (e.g. employers of trafficked domestic workers) and/or products made by forced labour.

UN Trafficking Protocol

The UN Trafficking Protocol calls on States to

"discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking"

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Article 9(5)

African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children

In the preamble, identifies

"increased demand for sex trade and sex tourism are among the root causes of trafficking in human beings and must be addressed."

And calls for

"measures to reduce the demand for services involving the exploitation of victims of trafficking in human beings"

The Council of Europe Convention on Action Against Trafficking in Human Beings

Article 6 – Measures to discourage the demand

- "To discourage the demand that fosters all forms of sexual exploitation of persons, especially women and children, that leads to trafficking, each Party shall adopt or strengthen legislative, administrative, educational, social, cultural, or other measures including:
- a) research on best practices, methods, and strategies;
- b) raising awareness of the responsibility and important role of media and civil society in identifying the demand as one of the root causes of trafficking in human beings;
- c) target information campaigns involving, as appropriate, inter alia, public authorities and policy makers; and
- d) preventative measures, including educational programs for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being."

EU anti-trafficking directive

"Member States should establish and/or strengthen policies to prevent trafficking in human beings, including measures to discourage and reduce the demand that fosters all forms of exploitation..."

(Article 25)

EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)

- 2.2. PRIORITY B: Stepping up the prevention of trafficking in human beings
- (1) Action 1: Understanding and Reducing Demand
- (2) Action 2: Promote the establishment of a Private Sector Platform

EU Strategy towards the Eradication of Trafficking in Human Beings

1) Action 1: Understanding and Reducing Demand

The exchange of best practices can help reduce demand for all forms of trafficking, including sexual exploitation. It should build on work done in the areas of public awareness campaigns targeting consumers and users of services, corporate social responsibility, codes of conduct[25], business and human rights and initiatives aimed at eliminating human trafficking from the supply chains of businesses.

To increase understanding on the reduction of demand, in 2013, under the Seventh Framework Programme, the Commission will fund research on reducing the demand for and supply of services and goods by victims of trafficking in human beings, including victims trafficked for the purpose of sexual exploitation and specific categories of victims such as children. The research will provide material for the Commission's 2016 report on the legal measures that some Member States have taken to criminalise the use of services of victims of trafficking in human beings[26].

EU Strategy towards the Eradication of Trafficking in Human Beings

(2) Action 2: Promote the establishment of a Private Sector Platform

Cooperation with the private sector is also essential in order to reduce the demand for trafficking in human beings and to develop supply chains that do not involve trafficking in human beings.

A European Business Coalition against trafficking in human beings will be established in 2014. The coalition should improve cooperation with businesses and other stakeholders, respond to emerging challenges and discuss measures to prevent trafficking in human beings, in particular in high-risk areas. In 2016, the Commission intends to work together with the Coalition to develop models and guidelines on reducing the demand for services provided by victims of trafficking in human beings, in particular in high-risk areas, including the sex industry, agriculture, construction and tourism.

Further attention to "demand"

- Special Rapporteurs on trafficking in persons, especially women and children
- UN Working Group on Trafficking in Persons
- Funders, e.g. USAID

WHAT IS THE LINK BETWEEN TRAFFICKING AND DEMAND FOR SEX WORK?

What is "prostitution"?

"The term "prostitution" does not refer to a uniform experience. To describe as "sex slavery" the condition of an adult woman who works independently as an escort partly because it satisfies her own personal interest in anonymous sex and partly because she can earn upwards of 2000 Euros per week from it is clearly unsatisfactory, just as it would be unsatisfactory to describe as a "sex worker" a teenager who has been kidnapped, imprisoned and physically forced to prostitute."

Dr. Julia O'Connell Davidson

What assumptions is the 'end demand for prostitution' approach based on?

- 1. Demand shaping supply vs. supply shaping demand
- 2. Violence in sex work vs. sex work as violence
- Sex workers' right to consent and to have their consent respected
- 4. Sexual services vs. sexual commodities

Free From Prostitution

Campaign news

- · At the EU level
- · At the national level
- Media coverage

About the campaign

- EWL material
- EWL abolitionist principles
- EWL members involved
- · They support us!
- Partners
- · EWL political demands

About prostitution

- EU context
- National contexts
- Survivors' testimonies
- Resources
- · Frequently asked questions
- · Working with men
- · Supporting persons in prostitution
- · Prevention and education
- · Sport and prostitution

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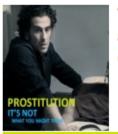
- Join a member's or a partner's campaign!
- · Take the pledge!

The Brussels' Call 'Together for a Europe free from prostitution'

- · News about the Brussels' Call
- · The signatory NGOs
- · The signatory MEPs

EWL CAMPAIGNS & ACTIONS

> TOGETHER FOR A EUROPE FREE FROM PROSTITUTION



The system of prostitution is a form of violence against women. The EWL has launched a campaign calling for abolition.

Welcome to the webpages of the EWL campaign 'Together for a Europe free from prostitution'

Posted on 27 June 2011

Welcome to the web EWL campaign 'Together for a Europe free from

"This is not consistent with the ambition of empowerment that contemporary social work perceives as an important platform for its work. To unilaterally proclaim someone as an exploited victim or needy belongs to the so-called paternalistic tradition where the experts have power to define the clients."

Department of Social Work,
 University of Gothenburg, Sweden

Why are 'end demand for prostitution' approaches being promoted as an anti-trafficking strategy?]

Could eliminating sex work really also end trafficking?

The Swedish Model

- Based on the view that prostitution is a form of gender inequality and VAW
- Explicitly prohibits the purchase of sexual services
- Renders it illegal to work indoors, work with others, to profit from the sexual labour of others, and advertise.
- Developed with the aim of exporting the model to other countries





"The EU anti-trafficking directive is clear on this point: Member States have a legal obligation to discourage and reduce the demand."

EU anti-trafficking directive

"Member States should establish and/or strengthen policies to prevent trafficking in human beings, including measures to discourage and reduce the demand that fosters all forms of exploitation, and measures to reduce the risk of people becoming victims of trafficking in human beings by means of research including research into new forms of trafficking in human beings, information, awareness-raising, and education. In such initiatives, Member States should adopt a gender perspective and a child-rights approach."

(Article 25)

The Swedish government's evaluation of the Sex Purchase Act has been heavily criticised for:

- Lacking a sound research methodology;
- Uncertainty about quantitative estimates before and after the legislation was passed;
- Lacking an objective starting point, as it was stated from the outset that the legislation would continue to be in effect regardless of the evaluation's findings;
- Conflating trafficking and prostitution;
- Using a very narrow understanding of prostitution;
- Lacking analysis of confounding factors; and
- Not consulting with sex workers



What consequences do 'end demand for prostitution' approaches have on anti-trafficking efforts?

- don't reduce trafficking or sex work;
- ignore trafficking into other sectors;
- tend to rely more on ideology rather than sound evidence;
- confuse trafficking with sex work;
- shut down one line of support and information;
- increase stigma against sex workers; and
- are more focused on punishing men who pay for sexual services, rather than protecting women's rights

How do 'end demand for prostitution' approaches harm women's rights?

- Dismiss and silences the concerns, priorities and knowledge of sex workers
- Threaten sex workers' income
- Relegate all women in sex work to the role of victims
- Use racialised imagery and stereotypes
- Have resulted in further harms and human rights violations against sex workers, the very group 'end demand' approaches are meant to protect

What does decriminalising sex work mean?

- Decriminalisation of sex work is the removal of criminal penalties around consensual adult sex work only, including:
 - working with other sex workers in shared premises,
 - keeping the earnings (living on the avails of prostitution)
 - having others assist your work (e.g. as receptionists, accountants, security, etc.)
- Criminal penalties for forced prostitution, trafficking and underage prostitution would remain

Arguing for decriminalisation of sex work does not have to mean endorsement of sex work – it shows awareness of the dangers of the criminal law – criminalising won't eradicate the industry, nor alter the set of power relations that may be associated with it. It recognises that the laws that criminalise sex work punish women and particularly women living in poverty, and women of colour most severely and create a dangerous environment for working and living.

World AIDS Campaign

Decriminalisation vs. Legalisation

- Criminal penalties
 associated with
 consensual sex work are
 removed
- Most sex worker rights groups argue this is a harm-reductionist approach
- Future employment opportunities less limited

- Laws are added: e.g. regulations concerning worker's behaviour, locations, etc.
- Many sex worker rights groups do not want the legalisation approach, which would render some forms of sex work illegal and some workers at risk of exploitation

Who else endorses decriminalisation?

Some:

- UN agencies
- Independent experts
- Researchers
- Trade unions
- States
- Human rights groups
- HIV experts
- Sex worker rights groups

SEX WORK AND THE LAW IN ASIA AND THE PACIFIC









The "end demand" argument & trafficking in other labour sectors

- Employers' and businesses' demand for forced labour;
- Third parties who recruit and traffic persons for forced labour or services; and
- Consumers' demand for cheap, available products and/or services (including those that may be manufactured by exploited labour).

What makes a worker "exploitable"?

- Low cost including non-payment or underpayment;
- Easy to control including keeping workers from leaving abusive situations; and
- Unprotected social attitudes that normalise or justify discrimination, work that is not included under labour protection laws, and systemic labour exploitation.

What might be indicators of exploitation?

- being forced to work,
- preventing workers from leaving their job,
- controlling worker's movements,
- retaining workers' identification documents,
- violence,
- non-payment or underpayment,
- long working hours,
- not providing days off,
- not providing written contracts

Why is there a demand for exploitative labour practices?

Two contexts within which to understand the demand for exploitative labour practices:

- the migration of work, and
- the migration of workers

"There is a demand for the cheapest and most flexible labour, certainly where profit margins are tight, staffing costs form an important part of the production costs and the work requires no expertise."

- C.E. Dettmeijer-Vermeulen,

Dutch National Rapporteur on Trafficking in Human Beings

Cambodian Garment Worker Strike

BY BRYCE COVERT > ON NOVEMBER 12, 2013 AT 2:58 PM

Person Shot Dead After Riot Police Respond To

The Phnom Penh Post

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'Forced overtime' claim in H&M mass fainting

Thu, 25 August 2011 Tep Nimol an

Staff at the garment factory in Kam Tuesday morning while making knit overtime of up to six hours a day fo representative of their union said y

"The factory's boss forced workers two months," union representative they were forced to

work until 11:00pm. She also said fa areas adjacent to the laundry room

Business & Human Rights Resource Centre

Tracking the positive and negative impacts of over 5100 companies worldwide

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Striking garment factory workers in Cambodia

Throughout January 2013 garment factory workers in Phnom Penh, Cambodia, camped out and protested in front of Kingsland factory (part of Gold Ocean) demanding payment of overdue wages and benefits. According to the workers, in September 2012, they were told not to come into work due to lack of orders, but were assured they would be paid 50% of their salary until work resumed in January 2013. Shortly thereafter, Kingsland owners declared bankruptcy and fled the country. The protesters claimed they were owned \$200,000 by the Hong-Kong based company that allegedly worked with Walmart and H&M suppliers.

Business & Human Rights Resource Centre invited the companies involved to respond to the following items:

- "Cambodian Garment Workers seek support from Walmart, H&M shoppers" [video], Paula Stromberg, 30 Jan 2013
- "The Plight of Cambodia's garment workers", Clothilde Le Coz, Asian Correspondent, 1 Feb 2013

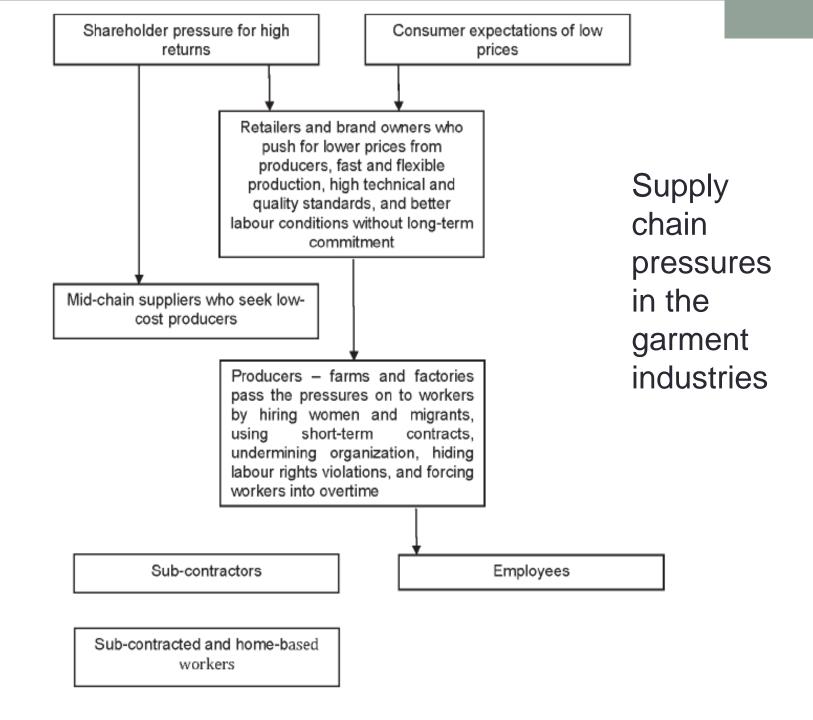
Company responses/non-responses:

- H&M response [PDF]
- Walmart referred us to this Bloomberg article

We attempted to invite Kingsland/Gold Ocean to respond, but were unable to find current contact information.

March 2013 update

According to a recent article, on 1 March 2013 Walmart and H&M suppliers agreed to pay about



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English > Your Human Rights > Trafficking > Human Trafficking and Global Supply Chains

Expert Group Meeting: Human Trafficking & Global Supply Chains (12-13 November 2012)

Introduction



The Special Rapporteur has been requested to amongst others, promote the prevention of trafficking in persons in all its forms and the adoption of measures to uphold and protect the human rights of victims of trafficking in persons. Her mandate addresses all forms of trafficking in men, women, girls and boys, whether committed by State or non-State actors. In the exercise of her mandate, the Special Rapporteur has noted that private actors are implicated in a significant number of trafficking cases. Trafficking in persons has emerged as a key challenge and risk in a wide range of industries and sectors integrated into global markets, such as agriculture, information and communication technology, garments and textiles.

In response, the Special Rapporteur devoted her report to the 67th Session of the UN General Assembly (A/67/261) to the issue of trafficking in global supply chains where she examines the different ways human trafficking manifests itself in the global economy; the response of global businesses to this scourge; existing and emerging strategies to combat abuse; and the immediate and long-term steps necessary for business leaders to take effective and sustainable action. The report also outlines a series of clear and practical recommendations for business and States to eliminate trafficking in the supply chain.

As a follow-up to this report, the Special Rapporteur convened a two-day Expert Group Meeting in Human Trafficking & Global Supply Chains from 12 to 13 November 2012 in Ankara, Turkey. The aims of the Expert Group Meeting were:

- 1. To deepen the discussion around the main findings of the Special Rapporteur's report and its recommendations for follow-
- 2. To enhance and deepen thematic expertise on issues relating to human trafficking and supply chains;
- 3. To share information across stakeholder groups on current trends, good practices and lessons learned, including case studies, in addressing trafficking in global supply chains; and
- 4. To consider and discuss elements of possible standards and indicators for achieving a trafficking free supply chain.

Documentation

- Concept note
- Agenda
- Annotated Agenda
- List of participants
- Background paper
- Press release
- Summary Report of the Expert Group Meeting

Courtesy and translation of The United Nations Inter-Agency Project on Human Trafficking - UNIAP in Chinese, Lao, Khmer and Vietnamese

Presentations*

- End Human Trafficking Now Campaign Join us in ending modern-day slavery
- Fair Hiring Initiative Forced Labour and Trafficking Risks in Global Supply Chains
- FSI Worldwide Ethical Manpower Provision
- Hewlett Packard HP's Response to Risks of Human Trafficking



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Human trafficking: a rights-based approach

Helping victims of trafficking access effective remedies

Survivors of human trafficking breaking the silence

Six UN Agencies Advocate for Change on Anti-Trafficking policies in the European Union

Why is the demand for exploitable labour met by migrant labour? - link with migrants' rights

- In some instances, the demand for exploitable labour is considered synonymous with the demand for migrant labour
- "migrant workers are willing to take jobs that citizens are reluctant to do" – more likely this is about working conditions and workers' power, rather than taboos about specific jobs:
 - "Economic growth tends to result in increased demand for cheap migrant labour, as the domestic workforce is able to move away from low-skilled, low-wage employment."
 - International Labour Organisation

Why is the demand for exploitable labour met by migrant labour? – link with discrimination

In some sectors – such as sex work, domestic work, construction, hospitality – the demand for labour is often based on preferences for a particular gender, race, age, class, nationality, religion, caste or appearance:

 "Despite the relatively high wages of Polish workers in Berlin, they still account for a significant proportion of domestic workers. Filipina workers are the most 'popular' in Athens, and they are also the most expensive."

Dr. Bridget Anderson

Why is the demand for exploitable labour met by migrant labour? – link with state labour and immigration policies

- The risk of trafficking increases when the demand for labour is undermined by migration policies that limit working-class migration.
- Exploitative employers may prefer migrants because they think they will have (or put up with) lower expectations about wages and employment conditions
- Employment restrictions associated with particular types of immigration status may make migrants easier to retain at lower wages and poor employment conditions
- The process of labelling undocumented migrant workers "illegal" makes it easier to control them

There's still so much we don't know...

"The trafficking of people to satisfy the competitive-edge need of employers has not been sufficiently researched and the proportion of trafficked workers to legal migrants, or even national workers, is not clear."

- International Labour Organisation
- what constitutes exploitation and how that may vary within and between sectors, countries, genders, etc.
- how to ensure compliance with human and labour rights in supply chains
- how changing global population dynamics will drive migration and labour
- Etc.

What might work to reduce the demand for exploitative labour practices

- Reducing discrimination against migrants
- Decriminalising migration and protecting migrants' rights
- Fair and legal migration channels for migrant workers, including working-class migrant workers
- Enforcing labour standards and improving working conditions for all
- Educating and raising awareness among investors to reduce exploitative labour practices
- (Consumer education and raising awareness to reduce demand for goods and services produced by trafficked labour)*

^{*} with some caveats

Thank you



