





Organization for Security and  
Co-operation in Europe

# Introduction to Combating Human Trafficking for Labour Exploitation in Supply Chains and the OSCE's approach

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Sofia, 28 May 2024

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# Agenda for today

- 1. Definition of trafficking and OSCE frameworks**
- 2. Evolution of global supply chains legislation**
- 3. OSCE Approaches to prevent THB for Labour Exploitation ([Model Guidelines](#))**
  - Through business governance and business supply chains
  - Through trade
  - Through public procurement
  - Through fair recruitment and labour market protection

# Definition of Trafficking: The Palermo Protocol

## **Palermo Protocol (supplement to the 2000 UN Convention against Transnational Organized Crime) to Prevent, Suppress and Punish Trafficking in Persons**

**Art. 3:** Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion ... for the purpose of exploitation.

**Art. 9:** States Parties shall

- establish (...) measures to prevent and combat trafficking in persons
- adopt or strengthen legislative or other measures (...) to discourage the demand that fosters all forms of exploitation of persons (...) that leads to trafficking.

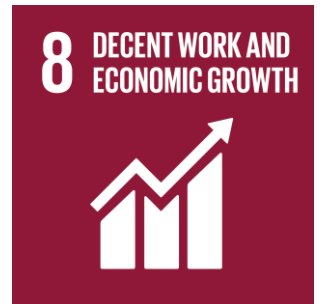
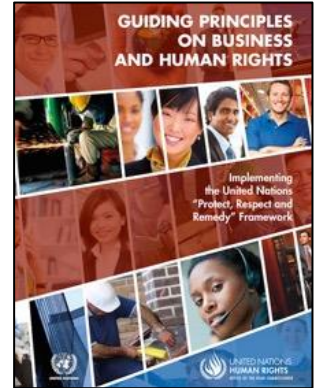
# OSCE frameworks addressing human trafficking and labour exploitation

## 2011 OSCE Ministerial Council Declaration on Combating All Forms of Human Trafficking encourages governments

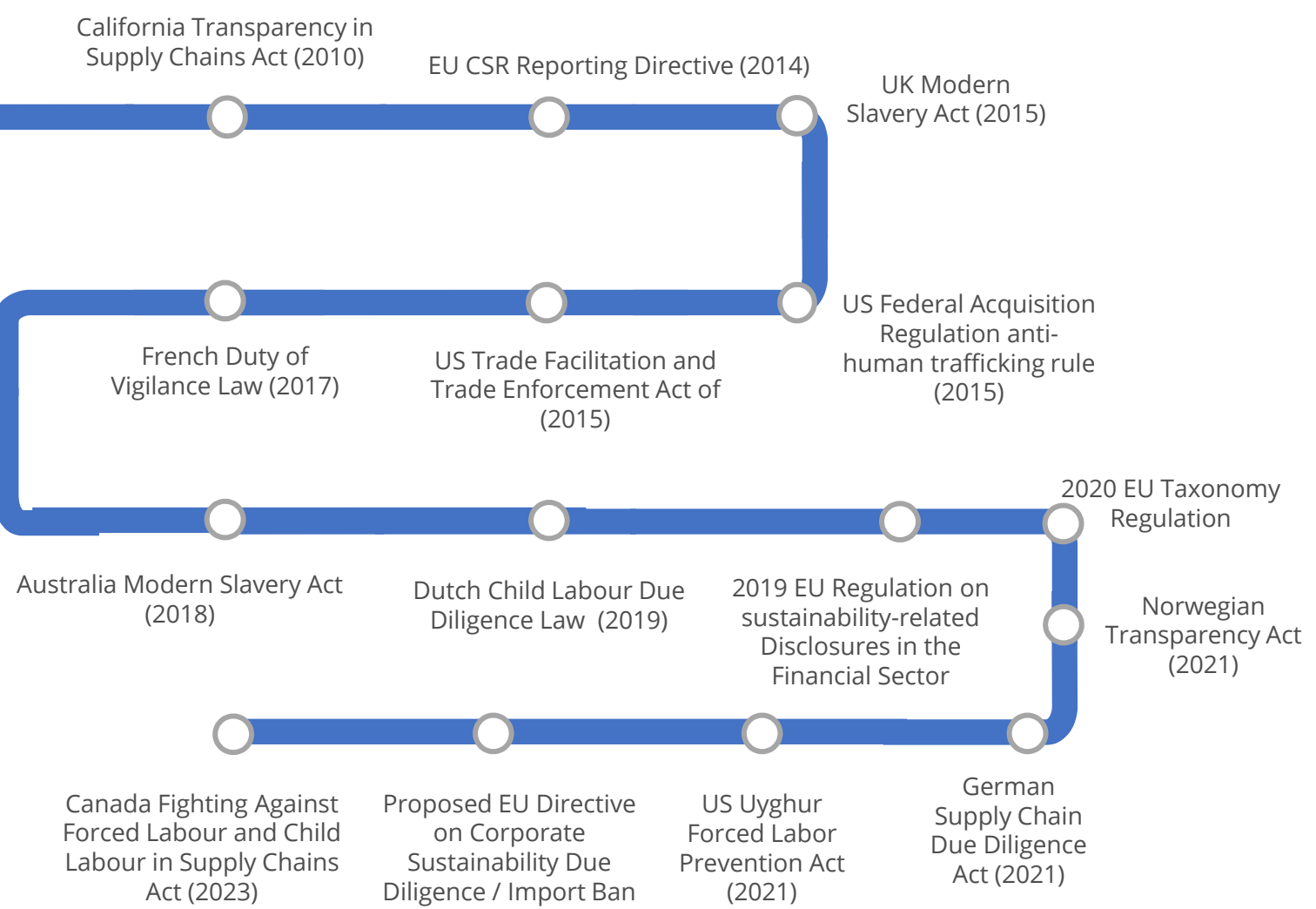
- To work with the business sector to apply principles of **due diligence and transparency** in assessing and addressing **risks of exploitation throughout supply chains** and ensuring that workers have **access to mechanisms for the redress and remedy** of abusive practices;
- To implement the **UN Guiding Principles on Business and Human Rights**;
- To consider incorporating similar standards, including “zero-tolerance” policies, in **government procurement of goods and services**.

## 2017 OSCE Ministerial Council Decision on Strengthening Efforts to Prevent Trafficking in Human Beings tasks the Secretary General

“to review existing policies (...) and to ensure that no activities of the OSCE executive structures, **including the issuing of contracts for goods and services, contribute to any form of trafficking in human beings (...).**”



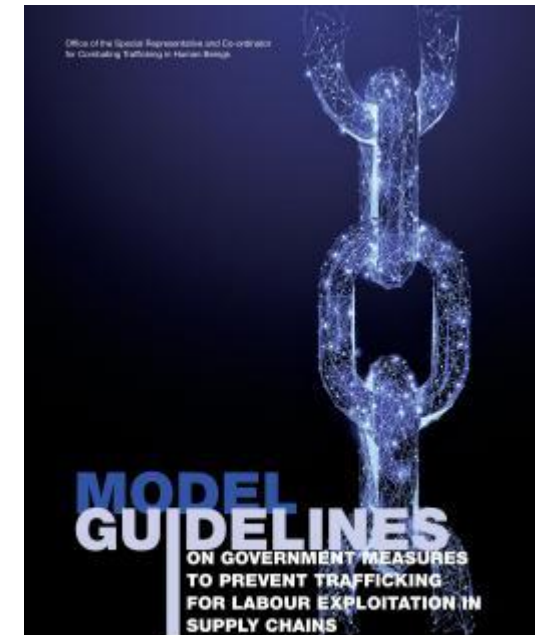
# Evolution of global supply chains legislation



2011 UN Guiding Principles on Business and Human Rights  
 2016 UN Sustainable Development Goals  
 2017 UN Call to Action to end human trafficking

# OSCE Approaches to prevent THB for Labour Exploitation ([Model Guidelines](#))

1	Through business governance and business supply chains
2	Through trade
3	Through public procurement
4	Through fair recruitment and labour market protection



# 1 Through business governance and business supply chains

Reporting laws



Disclosure laws



Due diligence (and due diligence +) laws



## 2 Through trade

### Trade regulations

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- **US Trade Facilitation and Trade Enforcement Act (2016)**
  - To prevent unfair competition
  - Enforced by US Customs and Border Protection
- **US Uyghur Forced Labour Prevention Act (2021)**
  - To prevent importing goods manufactured with forced labour in PRC, especially Xinjiang Region
  - Enforced by US Customs and Border Protection
- **Proposed EU import ban to prohibit products made with forced labour on the EU market (2022)**

### Examples of enforcement

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- January 2021: Ban on cotton and tomato imports from Xinjiang Uyghur Autonomous Region (XUAR), PRC, due to forced labour concerns under the Uyghur Forced Labour Prevention Act
- April 2021: Prohibition on the import of silica-based products from Hoshine Silicon Industry Co. Ltd. and its subsidiaries, following reports of forced labour in the Xinjiang region.
- June 2021: Blocking the importation of disposable gloves from Top Glove, a Malaysian manufacturer, due to allegations of forced labour in its production facilities.
- September 2022: Import restrictions on products manufactured by specific entities in China's Xinjiang region due to forced labour concerns.



### 3 Through Public Procurement

#### Whole Organization Approach

##### Political Level:

Office of the Special Representative, Secretary General, participating States, Civil Society / NGO's

##### Operational Level:

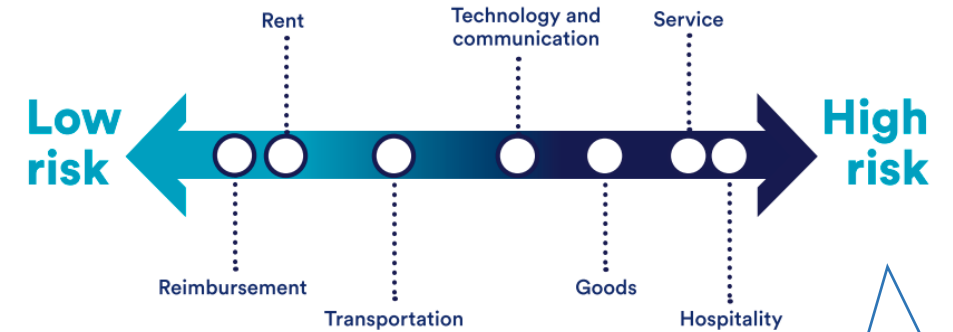
OSCE Procurement Practitioners, Procurement Networks

#### Partnership Approach

##### UN Task Force for CTHB and forced labour in supply chains

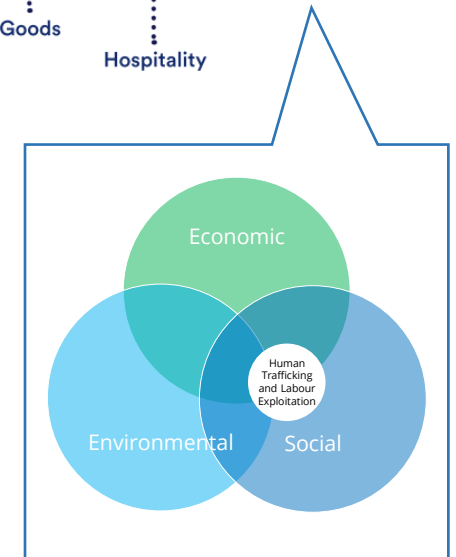
- Established in 2019 as part of the UN Procurement Network
- 16 international organisations
- OSCE as Founding Member, Co-Chair (2019-2022), and Secretariat (since 2023)
- 2019-2022: Development of a joint Policy Framework for all member organisations
- Since 2023: Work Plan Implementation (incl. e-learning)

#### Risk-Based Approach



- Prioritize **high-risk goods and services**

- Specifically target risks of **Human Trafficking and Labour Exploitation** within the broader context of social sustainability



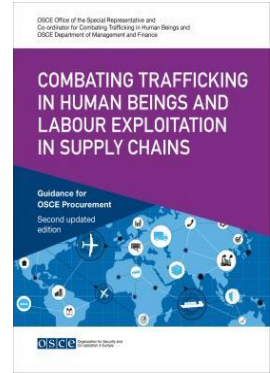
# 3 Through Public Procurement – *Our journey at OSCE*

## Our Roadmap



### 1 Policies & Guidance developed:

- CTHB provisions included in procurement policy, Supplier Code of Conduct, General Conditions of Contract
- [Procurement Guidance](#); [Brochure](#)



### 2 Workshops and Trainings completed:

- Conducted risk-assessment workshops with all 16 OSCE locations
- All OSCE Procurement Practitioners undergoing mandatory [e-learning course](#)
- Library of resources established



### 3 Action Plans defined:

- All 16 OSCE locations have a local Action Plan in place, designed based on risk portfolio

OSCE Location	Local Action Plan	Approved	Implemented	Reviewed	Updated
Albania					
Armenia					
Azerbaijan					
Bulgaria					
Canada					
Czechia					
Denmark					
Egypt					
Estonia					
France					
Germany					
Greece					
India					
Italy					
Japan					
Latvia					
Lithuania					
Netherlands					
Norway					
Poland					
Portugal					
Romania					
Slovakia					
Slovenia					
Spain					
Sweden					
Switzerland					
Turkey					
Ukraine					
USA					
UK					

### 4 Suppliers engaged:

- Supplier Engagement Tool (Questionnaire)
- Business Roundtables and supplier briefings

GENERAL QUESTIONS		
Contracting Authority	Name of Organisation	
Supplier/Contractor	Name of Organisation	
Contact details	Email	
Question	Answer	What is missing?
How do you define Freedom of Association and the Right to Collective Bargaining?		
Do you have a policy on the freedom of association and the right to collective bargaining?		
How do you ensure that freedom of association and the right to collective bargaining is respected throughout your supply chain?		

## 4 Through Fair Recruitment and Labour Market Protection

The recruitment and indirect employment of workers significantly heighten the risk of human trafficking, requiring proactive measures from labour inspection authorities.

### Abusive recruitment practices and labour exploitation

- Signs of trafficking include **charging fees to workers, threats, intimidation, deception, violence, restriction on freedom of movement, retention of identity documents**, etc.
- Measures to consider:
  - **Vigilant Monitoring:** Regular and thorough inspections to detect and prevent abusive recruitment practices and labour exploitation
  - **Education and Awareness:** Educating workers about their rights and enabling access to information on ethical recruitment practices
  - **Collaboration:** Establishing partnerships with NGOs and other stakeholders to facilitate victim disclosure and provide support services

### Private Employment Agencies and Regulatory Approaches

- **Private employment agencies** often operate with **minimal regulation**, posing significant trafficking risks
- Measures to consider:
  - **Prohibition:** Push for regulations prohibiting monopoly for worker recruitment and banning indirect labour from specific sectors
  - **Registration:** Advocate for mandatory registration of employment agencies to enhance transparency and accountability
  - **Licensing:** Lobby for the implementation of licensing requirements for employment agencies, with stringent penalties for non-compliance

Thank you for your attention.



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