

Identifying and investigating cases of forced labour and trafficking



A SUSTAINABLE
TRAINING
INSTITUTION



International Training Centre
Centre international de formation
Centro Internacional de Formación

Course starts:
09 April 2018

Course ends:
13 April 2018

Deadline:
28 February 2018

Code:
A9011177

Venue:
Turin Centre

Contact:
ils-clflt@itcilo.org

Language/s:
English

Registration form:
<http://intranetp.itcilo.org/STF/A9011177/en>

JUSTIFICATION

Most ILO member States criminalize forced labour, either as a stand-alone offence or through related offences such as trafficking in persons, abuse of vulnerability and working and living conditions contrary to human dignity. The number of prosecutions and convictions remains low, however, for reasons that include difficulties in identifying victims and obtaining relevant evidence, unfamiliarity with applicable laws and a lack of co-operation between different law enforcement agencies and other governmental and non-governmental actors. There is an urgent need to improve identification as well as the enforcement of existing criminal and labour law provisions in order to combat forced labour effectively.

“Front-line” law enforcement officials, including labour inspectors and police officers, are instrumental in identifying forced labour. They need to be able to recognize the first signs of a potential situation of forced labour when speaking with a witness, or during a labour inspection or police raid. The successful prosecution of forced labour also requires an understanding of the different phases of investigation, and how to identify and gather evidence that will establish the forced labour offence.

In addition, more attention needs to be paid to the rights and needs of victims, requiring cooperation with entities such as trade unions and NGOs. There is a growing recognition that victims must receive effective protection and assistance in order to prosecute offenders successfully and avoid leaving workers in vulnerable positions where they may be at risk of re-victimisation.

International labour standards and the ILO’s mandate

Freedom from forced or compulsory labour is a fundamental human right, which the ILO has sought to address since the early days of its existence. The Forced Labour Convention (No. 29), adopted in 1930, defines “forced labour” as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. The Convention also requires that the illegal exaction of forced labour shall be punishable as a penal offence, and that the penalties imposed by law are really adequate and strictly enforced.

Moreover, forced labour is one of the four core labour standards, which all ILO members must respect, promote and realize under the ILO Declaration on Fundamental Principles and Rights at Work, adopted by the International Labour Conference at its 86th Session in 1998. Following the publication of the first ILO Global Report on forced labour, the ILO’s Governing Body set up the Special Action Programme to Combat Forced Labour (SAP-FL) in 2001.

The broad international consensus that forced labour and related practices must be eradicated is reflected in the high ratification rates of the ILO’s forced labour Conventions as well as the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which came into force in 2003. As of January 2017, 178 countries have ratified Convention No. 29 and 175 countries have ratified the Abolition of Forced Labour Convention (No. 105), 1957, which supplements the Forced Labour

Convention. Almost all countries now prohibit forced labour and trafficking through their constitutional, criminal, labour or other administrative law.

Yet despite almost universal recognition of these standards, the persistence of forced labour, human trafficking and slavery-like practices continues to deny millions of people decent working and living conditions, mainly in the private economy.

In June 2014, governments, employers and workers at the ILO International Labour Conference (ILC) decided to give new impetus to the global fight against forced labour, including trafficking in persons and slavery-like practices by adopting a Protocol and a Recommendation which supplement the Forced Labour Convention, 1930 (No. 29). The new Protocol establishes the obligations to prevent forced labour, protect victims and provide them with access to remedies, and emphasizes the link between forced labour and trafficking in persons. In line with Convention No. 29, the Protocol also reaffirms the importance of prosecuting the perpetrators of forced labour and ending their impunity. The Recommendation provides orientations and guidelines to implement these obligations. The Protocol entered into force on 9 November 2016. So far, twenty-two (22) countries have ratified it.

LEARNING OBJECTIVES

By the end of this course participants will better understand the definition of forced labour, how to identify forced labour situations and how the investigation of cases can support the successful prosecution of offenders.

More specifically, the course will:

- Familiarize participants with forced labour, explaining its conceptual and legal framework including the main provisions of the new Protocol and Recommendation which supplement the Forced Labour Convention, 1930 (No.29);
- Enhance participants’ knowledge of global trends and challenges in the enforcement of laws prohibiting forced labour, trafficking in persons and related offences;
- Increase participants’ understanding of forced labour and its practical manifestations, and help them distinguish it from other forms of exploitation;
- Introduce participants to concrete indicators and how these can be utilized to identify forced labour;
- Promote participants’ use of a victim-centred approach throughout the investigation; and
- Enhance cooperation between labour inspectors, police officers and other relevant practitioners by identifying effective models of cooperation.

PARTICIPANTS’ PROFILE

This course is intended for law enforcement actors, including labour inspectors, police officers and prosecutors, as well as other professionals who are likely to encounter forced labour and trafficking in the course of their work, such as representatives of employers’ and workers’ organizations and NGO representatives or health and safety inspectors.

To participate meaningfully and contribute to discussions from an informed position, participants should have a relevant professional experience and background.



GOVERNANCE AND TRIPARTISM
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STRUCTURE AND CONTENT OF THE TRAINING

This one-week course will touch upon the following:

- International legal framework on forced labour and trafficking in persons;
 - The way in which countries have responded to give effect to international and national legislation on forced labour including areas of compliance, implementation gaps and enforcement challenges;
 - The concept and definition of forced labour and related concepts; facts and figures and global trends;
 - Identification of victims and investigation of forced labour cases;
 - Monitoring and regulation in the supply chain;
 - Forced labour indicators and how they can be used to identify and prosecute forced labour situations;
 - Understanding root causes, risk factors and vulnerability;
 - How to treat victims during the investigation and assistance and protection of victims; victim-centred approaches;
 - Ensuring victims' access to justice, including appropriate and effective remedies;
 - Collaboration with other authorities and source countries of trafficked victims;
 - Preventing forced labour: how to bring the business sector into compliance; examples of good practice;
 - The role of fair recruitment in preventing trafficking and protecting workers during the recruitment and placement process; and
- ILO resources including the ILO e-learning tool on forced labour.

METHODOLOGY

The course is built around a series of seminars, plenary and small group discussions, as well as case studies. Certain sessions will be facilitated using select modules from the new e-learning tool on forced labour. The course will actively draw on the experience of participants.

The active engagement of participants will be sought during the course, most notably through the use of case studies and exercises. Participants will be asked to present their national legal framework briefly.

The facilitation of the training will be ensured by experts of the ILO (FUNDAMENTALS, ITC), as well as experts from other international and national organizations actively engaged in the fight against forced labour.

An evaluation of the course methodology and content will be conducted at the close of the training. The e-learning tool on forced labour will also be used to recap and monitor the acquisition of knowledge throughout the week.

Participants will receive all the training materials (presentations and background documents), as well as access to the e-learning tool on forced labour via the course's online platform which will be made available immediately following the completion of the course.

COURSE LANGUAGE

English

COSTS

The total cost of participation in the course is 2,215 Euros and includes tuition fees and subsistence costs.

Tuition fees cover:

- tuition;
- books and training materials;
- course preparation, implementation and evaluation.

Subsistence costs cover:

- full board and lodging at the Turin Centre's Campus;
- emergency medical insurance;
- socio-cultural activities.

The price indicated does not include travel costs between participants' home and the course venue. The cost of passports, visas to enter Italy, airport taxes, internal travel in the participant's home country and unauthorized stopovers is not reimbursed.

Payment should be made in advance by bank transfer to:

Account No. 560002
Bank: Intesa-Sanpaolo SPA
IBAN: IT96 G 03069 09214 100000560002
SWIFT: BCITITMM
Address: Viale Maestri del Lavoro 10, 10127 Turin - Italy

Note: On the bank transfer form, kindly state your name and the course code (A9011177).

FUNDING SUPPORT AND REBATES

A very limited number of partial fellowships may become available to qualifying candidates. Sponsoring institutions enrolling more than two participants will be eligible to receive a 50% discount on the tuition fee for each additional participant enrolled. This rebate does not apply in the case of participants who have been granted a fellowship.

ENQUIRIES AND APPLICATIONS

Enquiries regarding this course may be submitted via e-mail to the following address: ils-clfft@itcilo.org

Individuals interested in attending this course must apply on line, filling in the registration form available at:

<http://intranetp.itcilo.org/STF/A9011177/en>

All applications should be accompanied by a nomination letter from the sponsoring/funding institution. Interested candidates are asked to submit their application by February 28, 2018.

In line with the ILO's mandate to promote social justice and universally recognized human and labour rights, the Turin Centre encourages applications from women.