



Ministry of Security and Justice

TeamWork!

Strengthening
multidisciplinary cooperation
against trafficking for labour
exploitation

- The role of municipalities

24 April 2015





Structure of session

- 1) Introduction of project TeamWork!
- 2) Discussion of two questions:
 - Which tasks of municipalities are relevant in fight against trafficking for labour exploitation (and what do they need for those tasks)?
 - Which organisations do / could municipalities cooperate with to fight trafficking for labour exploitation?



Basis for project TeamWork!

- EU presidency of the Netherlands: 1st half of 2016
 - fight against THB for labour exploitation less advanced than that against THB for sexual exploitation
 - second Eurostat working paper on THB:
 - 15 Member States reported prosecutions for THB for sexual exploitation during 2010-2012;
 - only 7 reported prosecutions for THB for labour exploitation;
 - 19% of victims were victims of THB for labour exploitation.
 - UNODC Global Report on Trafficking in Persons 2014: 40% of THB victims worldwide are victims of labour exploitation.
 - 4th Gen. Report GRETA: more attention labour exploitation needed
- >> More effort needs to be devoted to tackling labour exploitation.



Basis for project TeamWork!: forced begging

Forced begging:

- In some countries seen as type of forced labour:
 - EU anti-trafficking directive art 2 para 3: "Exploitation shall include [...] forced labour or services, including begging [...]"
- Other countries: type of forced services or criminal exploitation

- More cases each year; scale not known exactly (included in "Other" in Eurostat figures 2010 – 2012)
- EU anti-trafficking strategy: 2008 – 2010: 3% of cases
- Difficult to identify:
 - Victims do not see themselves as such
 - Focus on public order or crime instead of (organised) trafficking
 - Weak social background; reintegration difficult



Project TeamWork!

Objective: to stimulate the fight against THB for labour exploitation (including forced begging) through increased multidisciplinary cooperation, both within and between countries

Concrete goals:

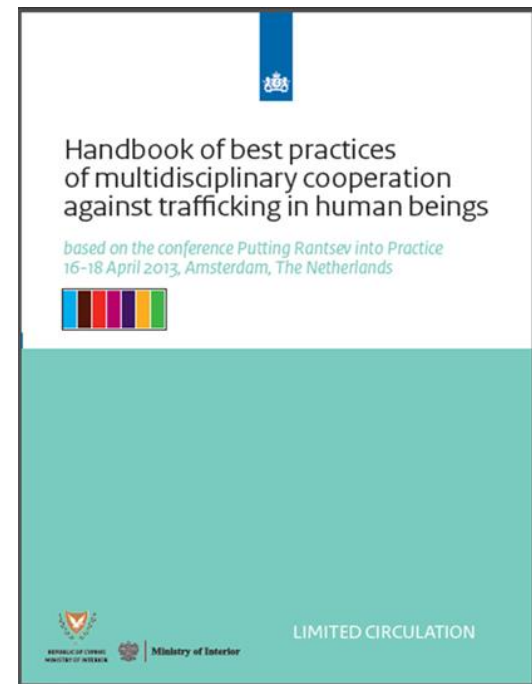
- 1) draw up a manual on multidisciplinary cooperation against THB for labour exploitation (including forced begging) for implementing bodies
- 2) multidisciplinary conference to be held on 18-19 January in Amsterdam (including presentation of manual).



Project TeamWork!

Follow-up project to conference Putting Rantsev into Practice (Amsterdam, April 2013) and handbook of best practices (ISEC-project of the Netherlands, Poland and Cyprus).

Best practices from Frontex and twelve countries (Austria, Belgium, Bulgaria, Germany, Greece, Ireland, Latvia, Norway, Sweden, Cyprus, Poland and the Netherlands).





Manual on multidisciplinary cooperation against trafficking for labour exploitation

Stimulate multidisciplinary cooperation:

- Include input from about a dozen types of organisations:

- prosecution services
- labour inspectorates
- **municipalities**
(local governments)
- tax authorities
- NGOs
- trade unions
- companies
- police forces and criminal investigation services
- immigration services
- judges
- coordinating organisations / ministries
- National Rapporteurs
- border forces



Manual on multidisciplinary cooperation against trafficking for labour exploitation

Involve experts from Member States:

- their expertise and ideas are needed to make a manual that is useful for organisations across the EU
- Dutch organisations involved have been asked to collect input from their EU-counterparts in workshops:
 - e.g. 13 May immigration officials, The Hague
 - e.g. 19/20 May municipal officials, CBSS conference
Local Action against Human Trafficking in
Riga, Latvia



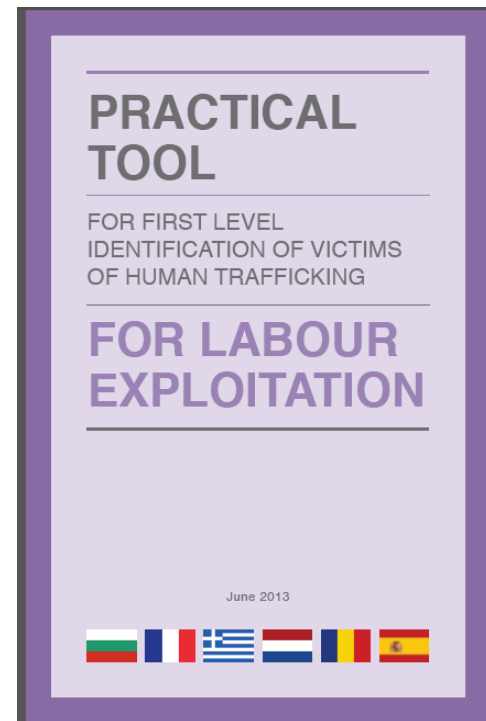
Manual on multidisciplinary cooperation against trafficking for labour exploitation

Make sure project is complementary to existing projects, activities and publications, e.g.:

- EMPACT subproject
- Report FRA
- Activities GLA and ICMPD
- Adstringo project CBSS
- Etc.

Example:

- Refer to and/ or include in annex
Practical tool EuroTrafGuID
for first-level identification





What is labour exploitation? Forced begging?

Labour exploitation

- Relation employer – employee
 - Labour contract, written or oral
 - Organised sector
- → **Help victims**
→ → **Unfair competition**

Forced begging

a) Labour exploitation?

b) Forced services (e.g. forced begging / selling of street newspapers)?

- No typical employer – employee relationship, no contract
- Work not organised through sector organisation

c) Criminal exploitation?

- Work or services that are criminalised (depending on national or local legislation)
- Victim is perpetrator and runs the risk of being punished; non-punishment clause (*definitions from Dutch National Rapporteur*)



Sectors where labour exploitation can be found

- Most common sectors for exploitation (ILO 2012)
 - Domestic work,
 - Agriculture,
 - Construction,
 - Manufacturing
 - Entertainment

Netherlands:

- Agricultural sector (mushrooms, asparagus, strawberries; victims from Eastern Europe)
- Catering sector (mostly Chinese cooks)
- Cleaning industry
- Domestic servitude and au pairs
- Inland shipping (Filippinos)



Differences in roles of municipalities

Different types of work (and therefore labour exploitation) in different types of municipalities:

- municipalities with tourism: hotels, restaurants, souvenir shops
- rural municipalities: farms
- municipalities near sea or river: shipping, fishing

Different types of powers and responsibilities in different countries:

- Provide licenses to businesses yes / no
- Housing inspections yes/no
- Etc



Multidisciplinary cooperation

Cooperation against labour exploitation:

- Inspectorate SZW, Criminal Investigation Division
- Inspectorate SZW, Labour Inspectorate
- Police
- Military and border police (KMar)
- **Municipalities (local governments)**
- Prosecution service
- Immigration and Naturalisation Service (IND)
- Expertise Centre on Human Trafficking and People Smuggling (EMM)
- Hotline Report Crime Anonymously
- NGO's (Fairwork)
- Tax authorities



WORKSHOP:

What role can municipalities play in the fight against trafficking for labour exploitation?



WORKSHOP: Two questions

1) Identify relevant tasks of municipalities.

> What do municipalities need to play their role / use these tasks?

- Rules / Regulations
- Procedures / Activities
- Awareness / Training

2) Multidisciplinary cooperation: who do / could municipalities cooperate with?



Example 1: closing buildings / businesses: Belgium

The Mayor has the authority to close down an establishment if there are serious indications that incidents of human trafficking or migrant smuggling are taking place in this establishment.

(article 134quinquies New Municipality Act)

Example taken from: Administrative approaches to crime - Administrative measures based on regulatory legislation to prevent and tackle (serious and organized) crime. Legal possibilities and practical applications in 10 EU Member States, edited by A.C.M. Spapens, M. Peters and D. Van Daele, Ministry of Security and Justice, the Netherlands, Leuven Institute of Crime and Tilburg University, to be published in June 2016.

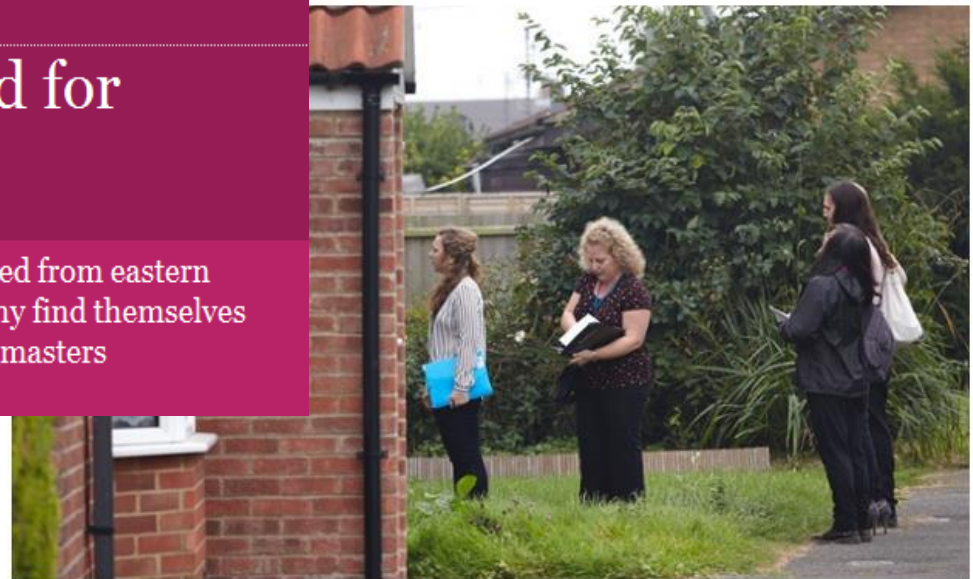


Example 2: (joint) housing inspections with the police: UK

Immigration and asylum

Wisbech: the end of the road for migrant workers

Most of Wisbech's 10,000 migrant workers have travelled from eastern Europe with dreams of earning a better living – but many find themselves housed in squalid conditions, exploited by corrupt gangmasters



Council officers on a house inspection in Wisbech. Photograph by Andy Hall for the Guardian

While local politicians are grappling with the political fallout from the surge in migration to the area (and [Ukip has taken several seats from the Conservatives in the council elections](#)) police and council officials are increasingly concerned about exploitation of the new workers. Because poor housing and labour exploitation are usually linked, they use regular housing inspections of the town's many houses of multiple occupation (HMOs) as a way of investigating trafficking and exploitation.

Example taken from The Guardian, 8 October 2014:
<http://www.theguardian.com/uk-news/2014/oct/08/wisbech-migrant-workers-exploited-gangmasters-eastern-europe>



Example 3: registration of citizens in a municipal database: The Netherlands

Desk clerks who register citizens in the municipal database have been provided with a “sign card” on labour exploitation, so they can recognise the signs and know where to report them

The infographic is divided into several sections. At the top left, a red box contains the equation $1+1=2$ and the text 'Herken Arbeidsuitbuiting'. To its right, a light blue box shows a plus sign between two boxes: 'bedenkelijke lichaamstaal' and 'geen identiteitspapieren', followed by an equals sign and a box 'meerdere personen ingeschreven op één adres', with the text 'Arbeidsuitbuiting?' below. The middle section has a green background with the heading 'De ernst van de situatie bij gemeenten' and a paragraph explaining labor exploitation as a form of human trafficking. Below this is the text 'Herken jij signalen, verdachte situaties of vermoed je dat er iets niet klopt?' and 'Meld Arbeidsuitbuiting!'. At the bottom left, a dark blue box titled 'Meerdere buitenlandse mannen in particuliere woning' describes a scenario with a Romanian man and a landlady. At the bottom right, a red box titled 'Meld Arbeidsuitbuiting' lists contact information: 'Binnen je gemeente', 'Polsie: 0900-8844', 'M: 0800 - 7000', and 'arbeidsuitbuiting.nl'.

1+1=2
Herken Arbeidsuitbuiting

bedenkelijke lichaamstaal + geen identiteitspapieren = meerdere personen ingeschreven op één adres
Arbeidsuitbuiting?

De ernst van de situatie bij gemeenten

Arbeidsuitbuiting is een vorm van mensenhandel en gaat verder dan alleen slecht werkgeverschap. Bij uitbuiting op het werk gaat het om misbruik van kwetsbare mensen. Zij worden gedwongen om zwaar of ongezond werk te doen. Daartoe is de huisvesting slecht, is hun paspoort ingenomen, hebben ze hoge schulden bij de werkgever, worden ze zwaar onderbetaald, maken zij te lange werkdagen of mogen ze niet uit vrije wil het bedrijfsterrein verlaten. Arbeidsuitbuiting komt vooral voor in de horeca, land- en tuinbouw, bouw, huishoudelijk werk bij particulieren, fabrieken en havens.

Herken jij signalen, verdachte situaties of vermoed je dat er iets niet klopt?

Meld Arbeidsuitbuiting!

Meerdere buitenlandse mannen in particuliere woning

Een Roemeense man meldt zich bij de gemeentebale, hij spreekt geen Nederlands. De man wordt vergezeld door een landgenoot die alles voor hem vertaalt. De man wil zich laten inschrijven op een bepaald adres. Tijdens de inschrijving ziet de baliemedewerker dat er al veel Roemenen staan ingeschreven op het adres.

Meld Arbeidsuitbuiting

- Binnen je gemeente
- Polsie: 0900-8844
- M: 0800 - 7000

arbeidsuitbuiting.nl



Municipalities and human trafficking

Examples of areas where municipalities could come into contact with THB

- Housing inspection in relation to building permits
- Supervision and inspection activities in relation to public order
- Public Health Service
- Department of Civil Affairs, Municipal Personal Records Database



Question 1:

Which tasks of municipalities in your country could be relevant for the fight against or prevention of labour exploitation?

20 minutes:

- Discuss with your neighbours
- Fill out form



Question 2:

Which organisations do municipalities cooperate with (or would they like to cooperate with) against trafficking for labour exploitation in your country?

15 minutes:

- Discuss with your neighbours
- Fill out form



Conclusion

1) draw up a manual on multidisciplinary cooperation against THB for labour exploitation (including forced begging) for implementing bodies

>> share draft texts

- with participants of this conference and**
 - with EU Informal Network on the Administrative Approach to Organised Crime**
- for comments**

2) multidisciplinary conference to be held on 18-19 January in Amsterdam (including presentation of manual).



Thank you!

TeamWork! - Strengthening multidisciplinary cooperation
against trafficking for labour exploitation

Evelien Pennings
Ministry of Security and Justice,
the Netherlands

e.p.pennings@minvenj.nl

Brian Oedayrajsingh Varma
City of Amsterdam,
the Netherlands

B.Varma@amsterdam.nl