

Regional Implementation Initiative on Preventing & Combating Human Trafficking
Improving National and Transnational Coordination and Cooperation in Preventing and Combating all Forms of Human Trafficking;
Developing and Strengthening National and Transnational Networks and Partnerships



Think-tank Event

International Expert Round Table

Understanding the Linkages between (Labour) Exploitation, Migration & Human Trafficking



**Chamber of Labour, Vienna, Theresianumgasse 16-18, 4th District
14 September 2021, 10:00 – 16:00**

in Cooperation with



supported by

Federal Chancellery

Federal Minister for Women,
Families and Youth

**Federal Ministry
Republic of Austria
Social Affairs, Health, Care
and Consumer Protection**



**The Round Table will be held in English - No interpretation. Attending the Round Table is free of charge.
Registration is obligatory and open from 27 August - 10 September 2021**

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AGENDA

Understanding the Linkages between (Labour) Exploitation, Migration & Human Trafficking

10.00-10.15 Welcome and Introduction

- **Christoph Klein**, Director General, Chamber of Labour, Vienna

- **Helga Konrad**, Head/Coordinator 'Regional Implementation Initiative on Preventing & Combating Human Trafficking'/Institute for the Danube Region and Central Europe IDM: **Moderation**

10.15-12.00 Expert Panel Debate 1:

Narrowing the Gap between Theory and Reality

Assessments, studies and research underline what we have seen in Europe for many years: migrants in general – and irregular migrants in particular - are most vulnerable to exploitation and prone to become victims of human trafficking. Many of them work under very exploitative conditions, often in the cheap unprotected informal labour markets of the transit and destination countries: without health care, unaware of their rights, subject to physical and mental abuse, underpaid, or wages withheld by recruiting agents. The traffickers and their accomplices take advantage and exploit the often total lack of social and legal protection. All this continues despite the fact that international documents such as the UN Protocol, the Council of Europe and ILO Conventions, EU Directives as well as national laws condemn and prohibit such exploitative practices. The Panelists will discuss the problem in general by providing in-depth insight into its reality and suggesting possible solutions.

- **Johannes Peyrl**, Analyst on European Migration and Labour Market Laws, Chamber of Labour, Vienna:
'As long as victims of THB cannot obtain an at least stable residence permit (and thus in many cases cannot claim social benefits), the efforts to combat THB will inevitably fail'.
- **Ryszard Piotrowicz**, Prof. Aberystwyth University, Dept. of Law and Criminology, former Member of GRETA, Wales:
'The ongoing failure to apply the non-punishment principle appropriately results in real miscarriages of justice, and this is well demonstrated in the UK by the treatment of young people trapped into county lines drug dealing.'
- **Roger Plant**, Independent Expert, Former Head of ILO Special Action Programme to Combat Forced Labour, UK :
'For years it has been the same story. Global estimates of labour trafficking go up, while successful law enforcement cases against the labour traffickers go down. Putting all one's eggs in the baskets of criminal law enforcement simply does not work. We need more effective sanctions against the offenders, and more effective compensation and remedies for the offended.'
- **Vassilis Kerasiotis**, Director HIAS GREECE, Lawyer of the Applicants "Chowdury and 42 others vs Greece, ECHR:
'States have to ensure that the investigation and judicial proceedings are effective'
- **Klara Skrivankova**, Independent Expert on Trafficking and Business and Human Rights, London:
'Trafficking for labour exploitation is a consequence of government failures to protect the rights of workers, especially migrant workers.'
- **Helmut Sax**, Senior Researcher, Ludwig Boltzmann Institute of Human Rights, Austria:
'Access to justice for migrants requires institutional backup, for adults and young people alike'

Q & A

12.00-13.45 Expert Panel Debate 2:

Discouraging Exploitation in the Context of Human Trafficking and Migration

There is undoubtedly an urgent need to research and monitor the factors contributing to trafficking for labour exploitation, the contexts in which it is facilitated, the actors involved as well as its nature and dynamics in the various stages of the criminal cycle, such as irregular cross-border movements of migrants which translate into and impact on human trafficking; the labour market conditions that generate demand for irregular workers; means of recruitment and last but not least the responses of state authorities and civil society to the problem. The Panelists will discuss their experience with the promotion of migrant workers' rights and of non-criminalisation, creating conditions in which workers who are abused can safely report their experience to authorities, complaint mechanisms, non-punishment clause and access to compensation etc. as means that discourage exploitation and human trafficking.

- **Albin Dearing**, Project Manager, European Union Fundamental Rights Agency FRA:
'When is a victim of labour exploitation a victim? Or with Bertolt Brecht: 'Food comes first and then morality'?
- **Philipp Schwertmann**, Head of Migration and Decent Work Section at 'Arbeit & Leben', Trade Union/VHS , Berlin:
'Recruitment should pave the way to 'heaven' for migrant workers, not to 'hell.'
- **Suzanne Hoff**, International Coordinator, La Strada International, NL:
'Effectively reducing exploitation requires access to labour rights and remedies for all workers'

- **Evelyn Probst**, Coordinator of LEFÖ-Intervention Centre for Trafficked Women and Girls (IBF), Austria:
'The culture of disbelief enables the exploitation especially in the services close to home.'
- **Roxane Ouadghiri Hassani**, Project Development Officer, Comité contre l'Esclavage Moderne CCEM, France
'In any given contexts, only a durable, trustful and tailored support to grassroots organisations will permit to effectively identify and help victims'.
- **Markus Zingerle**, Sociologist, MEN VIA- Support for Male Victims of Human Trafficking, Vienna:
'In order to reduce the prevalence of labor exploitation, all forms of underpayment, social dumping and labor law violations must be consequently fought against and strictly sanctioned. The situation of exploited workers, including their compensation, has to be a main focus.'

Q & A

13.45-14.15 Networking Break

14.15-16.00 Expert Panel Debate 3:

Challenging EU Policies on Human Trafficking for Labour Exploitation - including Return and Reintegration Schemes

In contrast to the free movement of goods and capital, free movement of people (and labour) has remained a sensitive political and social issue. Recently, intergovernmental cooperation in the field of migration management has again focused primarily on stepping up border controls and preventing irregular (im)migration. As a rule, migrants in general and irregular migrants in particular are at the mercy of criminals including traffickers and their accomplices. The fact that migration is more and more often equated with organised crime, impacts negatively on the attempts that are made to combat the various forms of human trafficking. The often total absence of social and legal protection is taken advantage of by criminals who exploit migrants in many ways including in forced and bonded labour, domestic servitude etc.. Instead of providing appropriate protection and assistance to the victims of trafficking, including an extended stay in the country of destination, they are often returned as soon as possible to their home countries or expelled under the 'Dublin' regulations. This attitude is also influenced by the assumption that the offer of (temporary) residence and other protective measures would be abused and attract more migrants. With regard to the 'new' EU/EC strategies on Human Trafficking and on Voluntary Return/Reintegration, the Panelists will discuss current shortcomings and problems such as massive human rights and children's rights violations, manyfold restrictions of freedom of movement, lack of transparency etc., on the one hand - and potential improvements through the new documents, on the other hand.

- **Mike Dotridge**, Independent Expert and Consultant, UK:
'Squaring a circle is always a challenge. Can European states both increase deportations of irregular migrants and reduce the likelihood that trafficking victims become victims of human rights violations by being deported without the authorities identifying or protecting them? Only if they try much harder and build genuine protection systems'.
- **Kiril Sharapov**, Researcher, Associate Professor of Applied Social Sciences, Edinburgh Napier University, Scotland:
'Anti-trafficking programmes, including those focussing on the identification, assistance and reintegration are failing and will continue to fail unless there is a fundamental rethink and focus on the conditions in which current victims and the growing number of people in precarious situations have 'no other choice but'
- **Conny Rijken**, Researcher, Univ.Prof. Tilburg University, Member of GRETA, NL:
'What is legally permissible is not necessarily desirable. Challenges to strike a balance between national interests and international obligations on labour exploitation'
- **Sara Prestianni**, Migration & Asylum Program Officer, EuroMed Rights, Brussels:
'Reducing human trafficking and human rights violations must include two elements: addressing the opacity of current return procedures - due to the lack of a real monitoring mechanism - and increasing legal and safe pathways to Europe.'

Q & A

16.00 Closing of the Event