La Strada International extends membership & elects new board

At LSI’s last General Assembly meeting, held on 24-25 October 2017 in Skopje Macedonia, the Assembly has decided to extend LSI’s membership in order to create a stronger European wide content platform. In practise this means that the current LSI network and the larger NGO platform will be merged, while also other organisations might be invited to become member of LSI.

At the meeting further a new interim board has been elected by the General Assembly, which will guide LSI secretariat to develop the planned new structure and ensure accession of new members into the Association. The new board comprises NGO representatives; Marieke van Doorninck (former LSI secretariat), Eefje de Volder (Comensha/La Strada Netherlands) and Evelyn Probst (LEFO). Former members Kateryna Levchenko, Marija Todorovska and Irena Konecna stepped down.

9th LSI NGO platform meeting – United We Stand

From 25th until 27th October, La Strada International organised its 9th NGO Platform meeting, hosted by Open Gate, in Skopje, Macedonia. Two days of plenary sessions and workshops took place on the role of civil society in the counter trafficking field; GRETA’s monitoring work and involvement NGOs;
social media work to reach out to target groups; advocacy and assessment around residence permits; promotion of early identification and early support and more linkages between asylum and trafficking procedures; access to compensation and referral of clients among NGOs. At the last session a common action plan for 2018 has been approved by all NGOs.

During the NGO platform also a side event was organised to the Refugee Tabanovce centre, which has been one of the two main entry points for refugees and migrants to arrive to Macedonia from Greece, where Open Gate provided support and help with the identification of possible trafficked persons and risk groups.

Rights@work – Tackling labour exploitation in all economic sectors
Since September 2017, La Strada International coordinates the project Rights at Work, an international project, supported by the Dutch Ministry of Foreign Affairs. This project focuses on tackling labour exploitation including severe forms of THB and forced labour in Poland, Romania and Bulgaria. The project includes country visits, national capacity building, exchange and research and aims to strengthen cooperation between trade unions, migrant rights NGOs and counter trafficking NGOs, to improve common identification and referral of cases of labour exploitation. The research includes a desk study and analysis of cases and will be presented at a final conference in the Netherlands, planned for the 2nd half of June 2018.

Justice at Last - Access to compensation
On October 1, 2017 the two year project ‘Justice at Last – European Action for Compensation of victims of crime’ started, coordinated by LSI secretariat. This project – partly funded by the European Union’s Justice Program (2014-2020) - aims to enhance access to compensation by ensure that EU legislation on the right to compensation is adequately implemented at national European level. The international project consortium comprises 10 partner organisations; LEFO (Austria), FairWork (Netherlands), MRCI (Ireland), KOK (Germany), Animus Association (Bulgaria), Open Gate (Macedonia), La Strada (Czech Republic); Adpare (Romania); ASTRA (Serbia) and two Associate partners; Gender Perspective (Belarus) and La Strada (Ukraine).

Project activities include the identification and legal analysis of compensation claims; assessment of gaps related to victims’ needs, referral, and receipt and payment of claims; international and national trainings, seminars and focus group meetings for professionals on claiming compensation; and a European information campaign to promote compensation to reach victims of crime and other groups; and the establishment of interactive online resource centre.

The project is a follow up of earlier projects and initiatives to promote access to compensation, like the COMP Act project and the earlier Justice at Last campaign conducted in the framework of the Balkan Act Now II project, coordinated by ASTRA. A kick off meeting with all consortium partners will take place on 11 and 12 January 2018 in Amsterdam, the Netherlands.
TRAM project - trafficking Along Migration Routes continues
Since January 2017, LSI is partner of the international consortium of the TRAM project coordinated by ICMPD. This project funded by the European Commission (AMIF) aims to establish a multidisciplinary and transnational approach for early identification, referral, service provision and protection in the context of the current migration and asylum processes in transit and destination countries along the migration route. Project activities include research in Austria, Bulgaria, Finland, Germany, Greece and Sweden, different exchange meetings, development of prevention materials and an e-learning tool. The first research findings will be presented in the first quarter of 2018. More information can be obtained via ICMPD.

Second year of SAFE! project to start
LSI further partners in the SAFE! Project (Safe & Adequate Return, Fair Treatment & Early Identification of Victims of Trafficking. A two year project, started on January 1, 2017, coordinated by the Dutch shelter organisation HVO Querido and implemented with an international consortium comprising NGO’s, GO’s and IGO’s from the Netherlands, Hungary, Bulgaria and Macedonia. This project is also funded by the European Commission (AMIF fund).

Similar to TRAM, the project focuses on the identification of victims in the context of the current asylum and migration processes’ and comprises a survey and national and international capacity building. In 2017 a survey questionnaire was launched by LSI and Comensha/La Strada Netherlands to collect input about trends, bottlenecks, needs and best practices related to the issue. The findings will be included in the final report. LSI and Comensha will further be developing a social map of organisation online. A final conference is planned in Bulgaria early October 2018.

What’s going on?

Agreement reached on revision of the Posted Workers Directive
In October 2017, after 18 months of talks, the European Council reached an agreement on revision of the posting of workers directive. The reform was strongly backed by French president Emmanuel Macron, with support also coming from Germany, Belgium, Luxembourg, the Netherlands and Austria. Hungary, Lithuania, Latvia and Poland voted against the compromise, with the UK, Ireland and Croatia abstaining over concerns that the new rules would hurt their transport industries.

The new deal, based on a 2016 European Commission proposal, aims to modify current rules and allow people who work temporarily in another Member State to earn as much as workers in the country where they are posted. Due to the agreement, certain elements of the original 1996 directive will be revised.

The President of the Council, Jevgeni Ossinovski, Minister for Health and Labour of Estonia, confirmed it being essential to ensure that workers are treated fairly in Europe. ‘People who do the same job at the same place should also have the same working and wage conditions’.

The revised directive should ensure fair remuneration and a level playing field between posting and local companies in the host country and provides for:

- Remuneration of posted workers in accordance with host member state law and practices
- Long-term posting of 12 months that can be extended to 6 months (18 months in total) on the basis of a motivated notification by the service provider
- Application of universally applicable collective agreements to posted workers across all sectors
- Equal treatment of temporary agency workers and local workers
- All rules on remuneration which apply to local workers will also have to apply to posted workers.

LSI supports the revision as members and partner NGOs have reported misuse of the directive and bad working conditions of workers that were posted. Further the Fundamental Rights Agency (FRA) identified posting as a risk for labour exploitation in their report on labour exploitation.

**European Commission sets counter trafficking priority actions for 2018**

On 4 December the European Commission has put forward a list of priority actions to prevent trafficking in human beings, as follow up of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)" instead of a multi-annual strategy plan, which LSI and other NGOs had expected to be adopted. The current priority actions for 2018, which were presented at the EU’s Civil Society Platform, are broadly combined under three themes: stepping up the fight against organised criminal networks, providing trafficked persons with better access to their rights, and intensifying a coordinated and consolidated response, both within and outside the EU. Although the priorities aim to treat human trafficking in all sectors equally, there seems to be an underlying focus on the sex industry as a site of exploitation, particularly of women and girls. While the Commission sees the fact that most persons, in particular women and girls, are still identified to be exploited in the sex industry, LSI rather sees that as a need to focus more on the identification of all forms of human trafficking.

At the meeting, it was also announced at the meeting that Joëlle Milquet has been appointed as Special Advisor of EU President Juncker for the compensation of victims of crime, including human trafficking. A questionnaire will be launched to identify obstacles on compensation, next to a EU awareness raising campaign. The Office of the Anti-Trafficking Coordinator further announced plans for a study on the economic, social and human costs of trafficking and a EU-wide awareness-raising campaign, targeting users, consumers, and vulnerable groups and high-risk sectors.

Further at the IV Global Conference on the Sustained Eradication of Child Labour in Buenos Aires, Argentina, the European Union committed itself to support the 2030 Sustainable Development Goals 8.7 on the eradication of forced labour, modern slavery and human trafficking and worst forms of child labour by committing to ratify the ILO core instruments on child labour and forced labour, fight against child labour and forced labour in Global Supply Chains, in particular through projects in garment, agriculture, conflict minerals and fisheries sectors and work on education of children, youth employment and protection of migrant children. Read all Pledges.

**EC announces plans for establishment of European Labour Authority**

In his State of the Union Address 2017 at the European Parliament in September 2017, President Juncker announced plans for a European Labour Authority, which should ensure that ‘EU rules on labour mobility are enforced in a fair, simple and effective way’. As stated by the Commission ‘concretely, building on existing structures, the Authority would support national administrations, businesses, and mobile workers by strengthening cooperation at EU level on matters such as cross-border mobility and social security coordination. It would also improve access to information for public authorities and mobile workers and enhance transparency regarding their rights and obligations’. Juncker mentioned in his speech, that by the end of 2018 a proposal to establish such a European Labour Authority should be ready. In the end of November, the Commission launched a public consultation on the announced European Labour Authority and the possible introduction of a
European Social Security Number, feedback is to be submitted by January 7, 2018. Find more information on the European Labour Authority in this factsheet and online.

La Strada International, PICUM and others have expressed to hope that the new European Labour Authority will not only look at enforcing labour standards for EU citizen workers, but for all migrant workers, regardless of their status and that the new Authorities will not be tasked with tackling employment of irregular migrants. Earlier the ILO Committee of Experts stressed that immigration enforcement interferes with labour inspectors primary role and undermines trust relationship needed between inspectors and workers and that there has to be a clear separation in roles.

End of phase I of the Global Compact on Safe, Orderly and Regular Migration
The preparatory process towards the adoption of a Global Compact for Safe, Orderly and Regular Migration (GCM) was launched in April 2017. Throughout phase I, six informal thematic sessions, five regional consultations, seven regional civil society consultations and numerous national consultations have contributed inputs to the process. At the end of 2017, the GCM consultation phase has come to an end with the last UN REC regional consultation which was co-organized by UNESCAP and IOM at the beginning of November in Bangkok, Thailand. The Co-facilitators’ summaries of all six Informal Thematic Sessions and outcome documents of the regional consultations are available online.

The next, so called stocktaking phase recently started with a preparatory meeting in Puerto Vallarta, Mexico on 4-6 December 2017. During this phase, inputs received during the consultation phase will be assessed and results will be: i) a Chair’s summary of the meeting and ii) a report of the Secretary-General of the United Nations with concrete recommendations for the GCM. These two documents will inform the co-facilitators’ zero draft of the GCM, which marks the beginning of phase III. The intergovernmental negotiations will start in February and conclude in July 2018.

PICUM and ETUC call for undocumented workers rights
On 18 December 2017, International Migrants’ Day, the European Trade Union Confederation (ETUC) and Platform for International Cooperation on Undocumented Migrants (PICUM) issued a leaflet to support trade unions in their efforts to speak up for and organise undocumented workers.

Undocumented workers across Europe are performing vital jobs, but are often unable to do so regularly, and are frequently paid below the minimum wage, paid late or subject to wage theft. They are required to work very long hours, without adequate breaks, overtime, holiday or sick leave, or other basic social security. They are often not provided with necessary safety equipment and training, making them at greater risk of injuries, accidents and occupational illnesses, while also having very limited access to health services. PICUM Director Michele LeVoy highlighted: “Like any of us, undocumented workers aspire to earn a decent living in normal conditions to support their families. But if they challenge abusive conditions, they might risk being fired, or even deported if they seek help from the labour authorities. They thus become a zero-risk victim for unscrupulous employers. Trade unions can make a huge difference by advocating for undocumented workers’ rights, and helping them to file complaints and get redress without risking immigration enforcement. Trade unions have a key role to play in reaching out to undocumented workers to provide them with information, advice, and support such as mediation and collective actions.”

See further also ETUC’s brochure “Defending undocumented workers - means defending all workers” and PICUM’s leaflet “UNDOCUMENTED MIGRANT WORKERS: Guidelines for developing an effective complaints mechanism in cases of labour exploitation or abuse”, which is also available in in Czech, Dutch, English and German here.
In November 2017, PICUM also launched a call for action to the European commission to call for a more holistic, human-centred approach to migration and health that does not focus only on responses at the border and to humanitarian crises, but also on ensuring sustainable, accessible and appropriate care for all migrants in Europe. The call for action was co-signed by LSI, which is member of PICUM.

New Dutch National Rapporteur on Human trafficking appointed

Mr. Herman Bolhaar, former chairman of the Attorney General’s College of the Public Prosecutor in the Netherlands succeeds Mrs. Corinne Dettmeijer as new Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children on February 1th 2018. Bolhaar is currently affiliated as a Senior Fellow with the Ash Center for Democratic Governance and Innovation at Harvard University in Cambridge, United States.

Corinne Dettmeijer was appointed as Dutch National Rapporteur on Trafficking in Human Beings on October 1st, 2006. In 2009 her mandate as rapporteur was extended to include child pornography, which was replaced and broadened in 2012 to include the whole area of sexual violence against children. During her farewell symposium on 13th November 2017, the former, Corinne Dettmeijer was appointed Officer in the order of Oranje-Nassau. The Minister of Justice and Security Mr. Grapperhaus, praised her efforts in the Netherlands and abroad concerning trafficking in human beings and sexual violence against children. La Strada International would like to thank Corinne Dettmeijer for the good cooperation during all those years.

What’s new?

BHRRC and ITUC launch report on Modern Slavery in supply chains

In October 2017 a new report on Modern Slavery in Company Operation and Supply Chains was published by Business Human Rights Resource Centre report and commissioned by International Trade Union Confederation (ITUC) with support from the Friedrich Ebert Stiftung. This report gives a clear insight into the growing body of law and practice from international standards to emerging national legislation. As stated in the foreword of the report; ‘the critical ingredient to end slavery is political will. G20 Labour Ministers accept that the global economy cannot be built on oppression and rights violations, now we need government leaders to stare down corporate greed. Everybody’s sons and daughters must be afforded the same rights, wages and decent work we want for our own’.

Clean Clothes publishes report on poor working conditions garment factories

The report "Europe’s Sweatshops" published by Clean Clothes Campaign documents poverty wages and poor working conditions in the garment and shoe industry throughout Eastern and South-Eastern Europe. The report is presented together with new country research into the situation of workers in Ukraine, Serbia and Hungary. The factories featured in the report produce for many global brands, upon whom Clean Clothes Campaign is calling to start paying a living wage and to work with suppliers to improve working conditions. Business & Human Rights Resource Centre invited the 53 brands named as sourcing from the countries featured in the report to comment, of which 18 responded.
10 priorities to help shape a key international agreement on migration

A broad civil society coalition has put forward 10 priorities to help shape a key international agreement on migration that governments will negotiate in early 2018. Their vision for a new international agreement on migration has been constructed in the document Now and How: Ten Acts for the Global Compact. Placing a central emphasis on implementing rights and standards that already exist, the document urges states to come up with “a Global Compact on Migration worth agreeing to”. According to the civil society vision, the new agreement should be complementary to the Sustainable Development Goals and directly benefit migrants, refugees and society while bringing them all together in discussions and solutions.

Doing Responsible Business

More and more, Small and medium-sized enterprises (SMEs) are aware of their responsibility of taking care of human rights in their entire business operations. To assist SMEs respecting human rights in their operations, the Dutch (global focused) organisation ICCO Cooperation together with Fair & Sustainable Consulting, developed a practical guide: Road map Doing Responsible Business.

With this guide, SMEs sourcing internationally, can make their chain sustainable and reduce the risk to have a negative impact on human rights. The roadmap helps the reader in three steps to navigate through the large amount of existing guides and tools. It shows what to do, why and how. It provides useful clickable links and shows examples of other SMEs taking steps in this respect.

NGO recommendations for Alliance 8.7

A NGO forum was convened on 12 and 13 September 2017 in London, United Kingdom for NGOs to contribute their feedback to Alliance 8.7 in achieving SDG Target 8.7 on the eradication of forced labour, modern slavery and human trafficking and worst forms of child labour, with support of The Freedom Fund. The Forum, which brought together over 60 leaders of organizations from 20 countries, the majority from the South, was attended by GAATW-IS and LSI secretariat.

NGO representatives raised a number of challenges but also feedback on how best to optimise the goals of Alliance 8.7. One of the biggest challenges emphasised was the lack of alignment amongst various stakeholders, like the divergence of interests between CSOs and governments. Further it was felt that some UN agencies are not aligned around the issues of forced labour and child labour creating barriers for effective implementation on the ground. Some negative impacts of global estimates were also highlighted. A significant further obstacle identified by participants was the Alliance 8.7 governance model, as the Global Coordinating Group only two seats for CSOs are reserved. This was clearly perceived as not enough to encourage meaningful CSO contribution.

The report of the meeting, includes concrete recommendations by NGOs for Alliance 8.7. It is suggested by the Freedom Fund, that a small group comprising of ILO focal points and CSO representatives will assess the recommendations and develop a strategic plan of action with concrete timelines and responsibilities. LSI will continue to monitor Alliance 8.7, aiming to ensure that NGOs remain strongly involved.
Global Trafficking trends in Focus
Earlier this year, IOM published its “Global Trafficking Trends in Focus” summary, which analyses IOM’s victim of trafficking data from 2006 to 2016. The analysis is based on data from 50,000 victims of trafficking that have been assisted by IOM during this period. The main trends show an increase in trafficked persons assisted annually, as well as an increase in the proportion of male victims identified and an increase in the share of victims of labour exploitation. The data of IOM over 10 years reveal among others that victims have been in the human trafficking process for an average duration of 2.2 years.

UN Rapporteur on Trafficking call for input for report on early identification
The UN Special Rapporteur on trafficking is preparing a report on early identification of victims and potential victims of trafficking in persons and identification of indicators of vulnerabilities to trafficking in the context of mixed migration flows. The report will be presented to the Human Rights Council in June 2018 and will include recommendations to stakeholders, primarily States, to take measures to improve current practices and approaches to early identification with a view to guaranteeing appropriate referral mechanisms and effective coordination to ensure the protection and assistance to victims and potential victims, as well as vulnerable migrants. For this report several case studies will be examined with a view to inform the policy recommendations. Civil Society is called to share information and challenges from field experience, to current approaches to identification, including screening tools, methodologies and capacities as well as the challenges of current protection systems in providing appropriate assistance responses. Responses can be sent until 25th of January 2018 to cpascualdevargas@ohchr.org

What’s new on the web?

OECD bargaining webpage
In all the member and accession countries of the Organisation for Economic Co-operation and Development (OECD), workers and employers can associate to express their interests and concerns and negotiate the terms and conditions of employment. Building on a rich set of survey and administrative data and using detailed information collected through new OECD policy questionnaires that were addressed to Labour Ministries and social partners, a new OECD webpage provides an updated and comprehensive picture of collective bargaining systems and their different building blocks.

New apps to increase knowledge on child labour and forced labour
The U.S. Department of Labor’s Bureau of International Labor Affairs (ILAB) aims to combat modern day slavery internationally through research, policy engagement, and technical assistance projects including capacity building of civil society organizations. To support their efforts and empower knowledge increase, they have developed two applications; ILAB’s Sweat & Toil and Comply Chain mobile applications. Sweat & Toil contains information on goods produced by child labor or forced labor and the latest findings on government’s efforts to address child labor.
What’s happening where?

only a selection of upcoming NGO events is provided

- 10 January 2018 – LSI board meeting Amsterdam
- 11 – 12 January 2018 - Kick off meeting Justice at Last project, Amsterdam, the Netherlands
- 17 – 18 January 2018 – Consortium meeting Rights at Work project, Amsterdam, Netherlands
- 19 January 2018 – Conference on Labour Exploitation, organised by Tilburg University, Netherlands
- 19 January 2018 – Launch event for the report of the EU Agency for Fundamental Rights (FRA) on 'Challenges facing civil society organisations working on human rights in the EU' followed by a panel discussion.'- European Economic and Social Committee (EESC) Brussels , to register please click here
- 29 – 30 January 2018 – Conference ‘BEYOND THE MIDLANDS - How to move forward between old and new forms of human trafficking, policies to adapt and human rights to guarantee in Italy and in the world'- Rome, Italy
- 6-7 March 2018 – European Migration Forum on integrating migrants in the labour market with workshops related to impact of irregular status, preventing labour exploitation and ensuring decent working conditions’.

What’s on your mind?

Mitsuru Suzuki: ‘European Due diligence laws to fight modern Slavery’

Mitsuru Suzuki (Italy) is a volunteer of La Strada International with specific research tasks. Since September 2017 he works as trainee for the EU parliament for a research project concerning the right to go to court in Europe and in common law countries. He wrote his master thesis study for the Free University of Amsterdam (VU) on Modern slavery in supply chains.

Following the introduction of UN Guiding Principles Reporting Framework in 2011, States are striving to adopt national legislation that aims to make companies more conscious of the global consequences of their actions. In Europe, the debate over the responsibility of multinational companies has entailed relevant legislative development: the European Union has issued the Directive 2014/95/EU concerning non-financial reporting of large undertakings, and certain States have successfully adopted due diligence laws.

The first product of the above-mentioned effort in Europe is certainly the UK Modern Slavery Act, that came into force in the Kingdom on 29th October 2015. It targets companies that carry out business in the UK and have an annual turnover of £36 million or more. The law obliges them to communicate, for each financial year, the steps they have taken to prevent or fight slavery in their global supply chain, although it is not clearly specified what action is expected. Companies have to issue a public document, written in a simple language and clearly setting out the steps taken. The statement must be (1) approved by the board of directors; (2) signed by a director; (3) published on the company’s website. Thus, the law brings the human rights issues of the organisation directly to the attention of management. Subsequently, lack of positive action will have significant reputational consequences for the board members and for the company itself. If the organisation fails to publish such document, the State may ask the High Court for an injunction, and continued resistance could result in unlimited civil fines. The guidance notes suggest companies provide two separate documents for non-financial disclosure and modern slavery, which
seems eventually to undermine the consistency of the latter. It is estimated that about 12,000 companies are impacted by this law.

A more recent example is represented by the French Law No. 2017/399, which was adopted in March this year, and which introduced the duty of vigilance (or duty to care) for companies. The obligation at issue is envisaged for parent companies, the companies they directly or indirectly control, and subcontractors and suppliers with whom they maintain a stable business relationship within the meaning of French law. In particular, the law is applicable for any company established in France that: • at the end of two consecutive financial years employs at least five thousand employees within the company head office and its direct and indirect subsidiaries, whose head office is located on French territory; or employs at least ten thousand employees within the company and its direct and indirect subsidiaries, whose head office is located on French territory or abroad. Researches show that 100-150 companies will be affected.

Unlike the UK law, the French one specifies the content of the report, which has to be published on the company’s website. It has to include risk mapping, regular assessment procedure, list of adapted actions, alerting mechanism and monitoring mechanism. Unfortunately, because of the vague phrasing of the law, the French Constitutional Court removed the civil penalty of €10 million, which could have been raised up to €30 million in certain cases. Nevertheless, the corporations at hand could still be ordered by the court to develop a human rights due diligence plan when anyone with standing to sue requests so. The Government clarified that this law envisages an obligation of means: therefore, organisations may not be held liable for their damages among the supply chain if they prove that have effectively implemented a due diligence plan. The burden of proof still falls on the claimants: accordingly, victims will still need to prove a fault by the company and a causal link between that and the damage they have suffered.

In the Netherlands, the Child Labour Due Diligence Law is still pending approval by the Senate, and will need a General Administrative Order specifying some of its elements, such as the scope. At the current state, the law is applicable to all the companies that are registered in the Netherlands and to all the companies that deliver products or services thereto at least twice a year. They will have to submit a document to a yet to be designated public authority, in which they affirm that they have applied due diligence to exclude child labour from the supply chain. For this assessment, the law refers to a recent guide of the ILO and the IOE (International Organisation for Employers). If the company can reasonably presume child labour has contributed to this product or service, it is expected to make an action plan in line with international guidelines (UNGP or OECD) to prevent it. This declaration does not have to be sent annually, but only once. Any legal or physical person can file a complaint against a company in presence of concrete evidence that it is involved in child labour. Cases of continued failure to submit the statement or continued non-compliance with the requirements of the law can lead to a fine and imprisonment.

These attempts confirm the commitment of Europe to fight modern slavery directly and indirectly in third countries as well, in compliance with the UN and ILO principles. The three States are not by themselves: Germany, Italy and Switzerland are currently debating over the introduction of similar legislation, and hopefully it will encourage other States to follow their steps.

La Strada International receives (project) funding from the European Commission and the Dutch Ministry of Foreign Affairs. We greatly appreciate financial support from private donors for our work. For more information on how you can contribute to La Strada’s work see our website

La Strada International wishes everyone a happy 2018