



▶ 3

Small scale fishing, Mauritania, 2018 (© ILO/ A. Cáliz)

Activities promoting decent work opportunities for youth and migrant workers contribute to prevent forced labour (ILO Promopêche project).

▶ 3. Defining the NAP strategy

To start defining the NAP strategy, it is important that the government, the social partners and other key stakeholders discuss how the NAP will lead to lasting changes. In other words, they must agree on the **Theory of Change**.⁶ What is their long-term goal? What conditions should be in place to reach that goal? Therefore, to design effective and relevant strategies for the NAP, it is important to:



▶ **Understand the current situation** – **Tool No. 4** provides further guidance on building the knowledge base on forced labour to ensure that strategies and action points are designed based on context-specific evidence. See also section 2 on defining the scope of the NAP.



▶ **Define the desired end result** – the more specific the end result is, the easier it will be to design specific steps to take, and to evaluate whether the result has been achieved. Rather than stating that the end result or long-term goal is “to eradicate forced labour” it may be helpful to specify that the end result is for example: “The complete eradication of all forms of **forced labour** by 2030 in all provinces in country X.” By specifying a time frame, the geographical focus and other relevant details, it will be easier to prioritize and focus interventions.

▶ **Identify the steps and resources needed** to get to the end result – once the end result is clear, the intermediate results and the specific outputs or activities needed to bring about the results can be identified. Section 6 will provide more details on how to **measure** whether the desired result has been achieved, explain how and, if it has not been achieved, why not. This is critical to learning and to be able to adjust strategies in future NAP phases or other interventions.

Once the end result is defined, national stakeholders should discuss the different intermediate objectives that will serve this purpose. The 4Ps constitute a good approach to encompass the various elements to be considered when tackling forced labour.

The 4Ps – Prevention, Protection, Prosecution and Partnerships

Forced Labour Protocol

Article 1

1. In giving effect to its obligations under the Convention to suppress forced or compulsory labour, each Member shall take effective measures to prevent and eliminate its use, to provide to victims protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour.

6- This short open-source presentation from the Results for Development Institute introduces the basic elements of theories of change. It focusses on organizations and projects but the elements are equally relevant to national action plans. See: <https://vimeo.com/106389971>.

The Forced Labour Protocol and Recommendation No. 203 list a number of specific measures that can be taken towards the eradication of forced labour. These fall within the overall approach of “the 4Ps”:⁷

- ▶ prevention (of forced labour);
- ▶ protection (of victims);
- ▶ prosecution (of perpetrators); and
- ▶ partnerships (between multiple partners in government, social partners, civil society, media, academia, among others).

When devising NAP strategies, the 4Ps can be a helpful categorization for structuring the different objectives. The goals and activities that are included under each of the 4Ps will depend entirely upon the context. It can be very useful to learn from other countries or sectors/issues, but the NAP must be specific to the country context to be relevant. The following section provides details on each “P” as a guidance to stakeholders involved in the design and implementation of the NAP, with reference to the relevant articles of the Forced Labour Protocol and further guidance provided by the Recommendation No. 203.

Tool No. 5 provides a checklist of technical questions for each of the 4Ps to help partners reflect on which elements need to be taken into account for the NAP strategy. The specific elements and types of interventions contained in Recommendation No. 203 can also serve as guidance and it can be used as a “good practice guide” when designing specific action points.



Preventing forced labour

Forced Labour Protocol

Article 2

The measures to be taken for the prevention of forced or compulsory labour shall include:

- (a) educating and informing people, especially those considered to be particularly vulnerable, in order to prevent their becoming victims of forced or compulsory labour;
- (b) educating and informing employers, in order to prevent their becoming involved in forced or compulsory labour practices;
- (c) undertaking efforts to ensure that:
 - (i) the coverage and enforcement of legislation relevant to the prevention of forced or compulsory labour, including labour law as appropriate, apply to all workers and all sectors of the economy; and
 - (ii) labour inspection services and other services responsible for the implementation of this legislation are strengthened;
- (d) protecting persons, particularly migrant workers, from possible abusive and fraudulent practices during the recruitment and placement process;
- (e) supporting due diligence by both the public and private sectors to prevent and respond to risks of forced or compulsory labour; and
- (f) addressing the root causes and factors that heighten the risks of forced or compulsory labour.

⁷ The ILO policy report “Ending forced labour by 2030: A review of policies and programmes” (ILO, 2018b) provides in-depth information about the Protocol’s strategic framework to eradicate forced labour.

The first “P” refers to **prevention** of forced labour as a key strategic element. Not only is prevention often more effective than the cure, preventing forced labour from occurring in practice means saving individuals from abuse and exploitation and the related ramifications. Prevention strategies should address the root causes of forced labour in order to remove the drivers behind it; preventing it from occurring in the first place. This could include employment policies and migration management systems that promote decent working conditions, ensuring universal access to basic social services or ensuring access to quality education and skills training for all children and young people.

Prevention also encompasses raising awareness and educating at-risk groups and individuals to enable people to recognize signs of forced labour and promote attitudes that do not accept or turn a blind eye to forced labour. Sometimes, an important element of awareness raising, is raising awareness on the NAP itself.

Comprehensive awareness raising strategy

Awareness raising is instrumental in preventing forced labour. It is important for stakeholders to fully understand the issue and to break the stereotypes and prejudices about victims and perpetrators.

To that aim, the **Democratic Republic of the Congo**, in its NAP on the worst forms of child labour (2012-2020), adopted a comprehensive approach to awareness raising, by involving all interested parties, such as: affected communities, employers’ organizations, trade unions, NGOs and churches. The NAP includes measures to sensitize these actors about child labour and to mobilize them through concrete actions. For example, the NAP provides for awareness raising programmes targeting directly affected communities, which will be followed by the creation of a community based monitoring system.



Prevention strategies should aim to incentivize responsible business conduct and strengthen the capacity of employers and businesses to recognize signs of forced labour.⁸ Cases of decent work deficits and human rights violations, including forced labour, have been identified along national and global supply chains. An important preventive measure is to support private and public employers in their efforts of **due diligence**,⁹ as required by the Forced Labour Protocol. The Global Business Network on Forced Labour provides employers with a platform to discuss their concerns and share good practices.¹⁰



Preventive measures should also target the recruitment phase which is particularly critical. The **recruitment** stage can make a critical difference in a worker’s quest for safe and decent work. At best, recruitment opens pathways to safe and decent job opportunities; at worst, it can lead to entrapment in exploitative work or in forced labour. Thus, regulating recruitment practices helps to effectively prevent workers from falling into forced labour situations.

8- The ILO, the Organisation for Economic Co-operation and Development (OECD), the International Migration Organization (IOM) and UNICEF, under the auspices of the Alliance 8.7, have recently completed the first research by international organizations on child labour, forced labour and human trafficking in global supply chains. Findings and recommendations can be found in ILO, OECD, IOM, UNICEF, 2019.

9- Partners are invited to consult existing guidance on due diligence, such as the OECD Due Diligence Guidance for Responsible Business Conduct, 2018 (OECD, 2018), the UN Guiding Principles on Business and Human Rights (UN, 2011) and the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (ILO, 2017a).

10- See: <https://fbusiness.network>.

Recruitment practices: Be fair!

The ILO defines recruitment as a process that “includes the advertising, information dissemination, selection, transport, placement into employment. For migrant workers, it includes return to the country of origin where applicable.” This definition applies both to job seekers and to those in an employment relationship.

Recruitment can take many forms and patterns and affect men and women differently. Labour recruitment is often characterized by a complex intermediation landscape, and involves a multitude of stakeholders in a worker’s community of origin and at destination. This complexity exposes workers, in particular vulnerable workers and migrant workers, to unfair recruitment practiced by unscrupulous recruiters and employers worldwide. These include the charging of illegal **recruitment fees**; deception about the nature of the job and living and working conditions; retention of personal identification documents; deposits and illegal wage deductions; threats if workers want to leave their employers, and in some instances physical and sexual violence.

According to ILO’s definition, “recruitment fees and related costs” refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection; these should not be collected from workers directly or indirectly.

*For more information, please visit ILO’s topic page on fair recruitment: www.ilo.org/fair.



Recommendation No. 203 provides further guidance to prevent forced labour:

4. Taking into account their national circumstances, Members should take the most effective preventive measures, such as:

- (a) addressing the root causes of workers’ vulnerability to forced or compulsory labour;
- (b) targeted awareness raising campaigns, especially for those who are most at risk of becoming victims of forced or compulsory labour, to inform them, inter alia, about how to protect themselves against fraudulent or abusive recruitment and employment practices, their rights and responsibilities at work, and how to gain access to assistance in case of need;
- (c) targeted awareness raising campaigns regarding sanctions for violating the prohibition on forced or compulsory labour;
- (d) skills training programmes for at risk population groups to increase their employability and income earning opportunities and capacity;
- (e) steps to ensure that national laws and regulations concerning the employment relationship cover all sectors of the economy and that they are effectively enforced. The relevant information on the terms and conditions of employment should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations or collective agreements;
- (f) basic social security guarantees forming part of the national social protection floor, as provided for in the Social Protection Floors Recommendation, 2012 (No. 202), in order to reduce vulnerability to forced or compulsory labour;

Recommendation No. 203 provides further guidance to prevent forced labour:
(continued)



- (g) orientation and information for migrants, before departure and upon arrival, in order for them to be better prepared to work and live abroad and to create awareness and better understanding about trafficking for forced labour situations;
- (h) coherent policies, such as employment and **labour migration** policies, which take into account the risks faced by specific groups of migrants, including those in an irregular situation, and address circumstances that could result in forced labour situations;
- (i) promotion of coordinated efforts by relevant government agencies with those of other States to facilitate regular and safe migration and to prevent trafficking in persons, including coordinated efforts to regulate, license and monitor labour recruiters and employment agencies and eliminate the charging of recruitment fees to workers to prevent debt bondage and other forms of economic coercion; and
- (j) in giving effect to their obligations under the Convention to suppress forced or compulsory labour, providing guidance and support to employers and businesses to take effective measures to identify, prevent, mitigate and account for how they address the risks of forced or compulsory labour in their operations or in products, services or operations to which they may be directly linked.

Protecting victims

Forced Labour Protocol

Article 3

Each Member shall take effective measures for the identification, release, protection, recovery and rehabilitation of all victims of forced or compulsory labour, as well as the provision of other forms of assistance and support.



The second “P” refers to the **protection for victims**, which has multiple dimensions. Victims not only need to be identified and removed from situations of forced labour but also have their rights upheld in legal proceedings against their exploiters and be provided with the means to recover from the exploitation they have been subjected to. Comprehensive protection measures should not only protect victims but also provide them with effective means to prevent re-victimization. Access to victim protection and rehabilitation systems should be made available for every victim, irrespective of their status (age, gender, ethnicity, migration status or any other ground for **discrimination**).

Protecting all victims

In its National Plan against human trafficking for 2017-2022, Panama has adopted specific and inclusive protection measures to cover all victims. According to the NAP's goals, assistance should be provided to all victims, regardless of their nationality, to ensure their recovery and safe rehabilitation into society. Nationals of Panama that are victims of human trafficking abroad, should receive support in the foreign country and be offered the possibility of voluntary repatriation. Similar assistance should be provided to foreign victims who have been trafficked into Panama or who are in transit through the country.

The timely identification of victims of forced labour is the necessary starting point for protecting them. This can be extremely difficult since forced labour often happens behind closed doors or in remote areas, or can disguise itself within situations that seem legitimate. Victims can also be reluctant to come forward due to lack of awareness, cultural acceptance, shame, or from the fear of being punished or deported.

Protection should be provided without delay and should not be conditional on the willingness of victims to take part in judicial proceedings that may be lengthy. The participation and testimonies of victims are often instrumental in securing convictions of unscrupulous employers, however victims may fear potential retaliation from their former exploiters. They could also feel afraid or ashamed of being recognised as victims of forced labour by a court decision or in the media covering the lawsuit. All measures needed to ensure their safety should therefore be taken, including witness protection if needed.

In order to increase the number of identified victims of forced labour and to ensure their protection, countries can set up forced labour complaints mechanisms. Such mechanisms aim to make it easier for a victim to be identified and seek redress without any fear of retaliation, and for a partner or civilian to report a forced labour case. These mechanisms may take different forms: it can be operated by local government officials, acting at the village or district level; a dedicated unit within social services; or an independent administrative authority (Human Rights Commission, Ombudsman, etc.), in charge of receiving complaints and initiating prompt and transparent interventions. Some countries have opted for hotlines services, allowing victims to submit anonymous complaints.

Forced labour complaint mechanisms

In Myanmar, the government and the ILO signed an agreement to allow citizens to lodge complaints alleging the use of forced labour with the assistance of the ILO Liaison Officer. This complaint mechanism is designed to allow genuine victims of forced labour an opportunity to seek redress and/or remedies from the government authorities in full confidence that no retaliatory action will be taken against them. The ILO Liaison Officer is entitled to verify that no such retaliatory action has been taken against the complainant and can also pursue the complaint on behalf of the citizen.

Partners can also support victims and law enforcement in this endeavour, in particular victims' organizations. They can help raise awareness of the existing mechanisms among victims, receive complaints themselves and report them to relevant public authorities.

*To know more about the Myanmar forced labour complaint mechanism, please visit: www.ilo.org/yanmar/complaints/lang_en/index.htm.

Effective protection measures should include immediate protection, such as access to a safe house or medical care, as well as long-term rehabilitation. Rehabilitation aims to ensure reintegration and prevent re-victimization. It can take the form of specialized packages or leveraging existing public services and programmes, through vocational training, psychosocial support, microcredit, micro-enterprises development or financial assistance, for example.

Recommendation No. 203 provides further guidance on protection measures:

9. Taking into account their national circumstances, Members should take the most **effective protective measures to meet the needs of all victims** for both immediate assistance and long term recovery and rehabilitation, such as:

- (a) reasonable efforts to protect the safety of victims of forced or compulsory labour as well as of family members and witnesses, as appropriate, including protection from intimidation and retaliation for exercising their rights under relevant national laws or for cooperation with legal proceedings;
- (b) adequate and appropriate accommodation;
- (c) health care, including both medical and psychological assistance, as well as provision of special rehabilitative measures for victims of forced or compulsory labour, including those who have also been subjected to sexual violence;
- (d) material assistance;
- (e) protection of privacy and identity; and
- (f) social and economic assistance, including access to educational and training opportunities and access to decent work.

Frontline actors – social partners, victims associations, social services – should be consulted and involved early in the process in order to identify the current gaps in the different elements of the protection mechanisms.

It is also important to take into account the special needs of some vulnerable groups, such as women, children or migrants. Protective measures should be gender-responsive: for example, ensuring that women have the possibility to talk to a female law enforcement officer as they may be more comfortable talking to a woman. Furthermore, it is important to ensure that not all shelters are restricted to women so that safe accommodation can also be proposed to men and families.

Recommendation No. 203 provides further guidance on protection measures for specific groups:



10. **Protective measures for children** subjected to forced or compulsory labour should take into account the special needs and **best interests of the child**, and, in addition to the protections provided for in the Worst Forms of Child Labour Convention, 1999 (No. 182), should include:

- (a) access to education for girls and boys;
- (b) the appointment of a guardian or other representative, where appropriate;
- (c) when the person's age is uncertain but there are reasons to believe him or her to be less than 18 years of age, a presumption of minor status, pending age verification; and
- (d) efforts to reunite children with their families, or, when it is in the best interests of the child, provide family based care.

Recommendation No. 203 provides further guidance on protection measures for specific groups: (continued)

11. Taking into account their national circumstances, Members should take the **most effective protective measures for migrants** subjected to forced or compulsory labour, irrespective of their legal status in the national territory, including:

- (a) provision of a reflection and recovery period in order to allow the person concerned to take an informed decision relating to protective measures and participation in legal proceedings, during which the person shall be authorized to remain in the territory of the member State concerned when there are reasonable grounds to believe that the person is a victim of forced or compulsory labour;
- (b) provision of temporary or permanent residence permits and access to the labour market; and
- (c) facilitation of safe and preferably voluntary repatriation.

Prosecution - Enforcing legislation

Forced Labour Protocol

Article 4

1. Each Member shall ensure that all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory, have access to appropriate and effective remedies, such as compensation.
2. Each Member shall, in accordance with the basic principles of its legal system, take the necessary measures to ensure that competent authorities are entitled not to prosecute or impose penalties on victims of forced or compulsory labour for their involvement in unlawful activities which they have been compelled to commit as a direct consequence of being subjected to forced or compulsory labour.

The third “P” refers to **prosecution**, and more generally to law enforcement. It encompasses the effective enforcement of forced labour legislation and regulation, such as inspection regimes, police investigations, victim identification or the prosecution of perpetrators. In many countries, forced labour victims are entitled to initiate a legal recourse. However, in practice, they commonly face significant obstacles to seek justice, including discrimination (for instance when the recourse is only open to nationals), or lack of financial or technical means (when do not have access to free legal advice). These obstacles should be identified and addressed in the NAP to ensure effective access to justice for victims.

Prosecution should also include remedies. Victims should be able to seek remedies before the courts, tribunal or resolution mechanisms, through both civil and criminal proceedings. The remedy of financial compensation, for instance, whether for material damages (such as medical costs, unpaid wages, legal fees, and loss of earnings and earning potential) or for moral damages (such as pain and emotional distress), can provide critical support for victims’ recovery and act as a deterrent for would-be offenders.

Specific training related to law enforcement

In **Denmark**, the successive NAPs on Trafficking in Human Beings (2015 2018 and 2019 2021) underline the need for judges and police forces to be specifically trained to address the complexity of trafficking cases, taking into account the particular vulnerabilities of victims.

In particular, the NAPs give the Director of Public Prosecutions the responsibility to develop – and continuously update – guidelines relating to the handling and recording of trafficking cases. The aim of these tools is to renew focus on trafficking and forced labour cases, and to “provide prosecutors with knowledge about developments in legal practice in this area”.

In order to protect the rights of victims and punish the perpetrators, a solid law enforcement system is needed. Enforcement of forced labour legislation is complex and may have links to other, equally complex, issues and crimes (e.g., financial crimes, smuggling of goods or illegal mining / logging / fishing). Thus, an important component of the NAP strategy may be not only to strengthen the capacity of policy-makers in order to formulate strong and comprehensive legislation but also to strengthen the capacity of law enforcement officials, including labour inspectors, in order to identify victims and collect and secure evidence; and of judges, to accurately prosecute perpetrators. Recommendation No. 203 provides guidance on steps that can be taken to ensure the effective enforcement of forced labour legislation.

Law enforcement is essentially the responsibility of public authorities. In some countries, the mandate to deal with forced labour is mainly in the hands of the police force, overlooking the important role of the labour administration. Indeed, due to their mandate, labour inspectors are well equipped to detect forced labour cases and to access workplaces. Thus, the labour administration should be provided with the legal mandate and means to be actively involved in combating forced labour. Moreover, other actors such as social partners or civil society organizations can support the enforcement efforts. For example, workers' organizations can bring cases to the attention of relevant authorities or victims associations can provide the injured party with free legal advice. These issues of coordination and collaboration amongst the different actors involved in law enforcement should be addressed in the NAP.

It is also important to incorporate the financial aspect in the prosecution and law enforcement strategies developed in the NAP. The use of forced labour by unscrupulous employers is estimated to generate USD 150 billion of illegal profits per year (ILO, 2014). In addition to penal sanctions, financial penalties represent an efficient deterrent to discourage the use of forced labour as a means to maximize profit. Recommendation No. 203 highlights the importance of the imposition of penalties such as the confiscation of profits and assets, in accordance with national laws.



Moreover, the principle of **non-criminalization of victims** should be reaffirmed in the NAP. It means that forced labour victims should not be punished or prosecuted for the illegal activities they have been compelled to commit as a direct consequence of being subjected to forced or compulsory labour, in accordance with the basic principles of their national legal systems (Forced Labour Protocol, Article 4). This could include, for instance, the violation of migration or labour legislation.

Financial penalties to fund rehabilitation projects

In Brazil, offenders that are prosecuted in front of a criminal court, can also be prosecuted by the Labour Prosecution Office, a specialized prosecution branch that pursues financial damages on behalf of the community. In addition to individual compensation to victims, offenders can be requested to pay “collective compensations” due to the harm that serious violation of fundamental principles and rights at work does to the community as a whole. Depending on the elements in each case (number of victims, length of the exploitation, profits generated, aggravating circumstances, etc.), these can amount to a very significant sum of money. In some cases, perpetrators have had to pay more than USD 1,000,000.

The money collected has been used to support the rehabilitation of former victims and to promote decent work. One example is the “Integrated Action” project, implemented with the support of the ILO. The project has provided access to education, professional training and other services to forced labour victims using the funds collected by the Labour Prosecution Office from collective compensations.

*For more information on the Brazil Integrated Action project, please visit: www.acaointegrada.org (in Portuguese). To discover the story of a worker that received support from the Integrated Action project, please visit:

<http://50forfreedom.org/blog/stories/from-slave-to-university-student/>.

Recommendation No. 203 provides further guidance on access to justice:

12. Members should take measures to ensure that all victims of forced or compulsory labour have access to justice and other appropriate and effective remedies, such as compensation for personal and material damages, including by:

- (a) ensuring, in accordance with national laws, regulations and practice, that all victims, either by themselves or through representatives, have effective access to courts, tribunals and other resolution mechanisms, to pursue remedies, such as compensation and damages;
- (b) providing that victims can pursue compensation and damages from perpetrators, including unpaid wages and statutory contributions for social security benefits;
- (c) ensuring access to appropriate existing compensation schemes;
- (d) providing information and advice regarding victims’ legal rights and the services available, in a language that they can understand, as well as access to legal assistance, preferably free of charge; and
- (e) providing that all victims of forced or compulsory labour that occurred in the member State, both nationals and non nationals, can pursue appropriate administrative, civil and criminal remedies in that State, irrespective of their presence or legal status in the State, under simplified procedural requirements, when appropriate.

Recommendation No. 203 provides further guidance on access to justice: (continued)

Paragraph 13, includes specific steps that should be taken to ensure effective law enforcement:

13. Members should take action to strengthen the enforcement of national laws and regulations and other measures, including by:

- (a) giving to the relevant authorities, such as labour inspection services, the necessary mandate, resources and training to allow them to effectively enforce the law and cooperate with other organizations concerned for the prevention and protection of victims of forced or compulsory labour;
- (b) providing for the imposition of penalties, in addition to penal sanctions, such as the confiscation of profits of forced or compulsory labour and of other assets in accordance with national laws and regulations;
- (c) ensuring that legal persons can be held liable for the violation of the prohibition to use forced or compulsory labour in applying Article 25 of the Convention and clause (b) above; and
- (d) strengthening efforts to identify victims, including by developing indicators of forced or compulsory labour for use by labour inspectors, law enforcement services, social workers, immigration officers, public prosecutors, employers, employers' and workers' organizations, non governmental organizations and other relevant actors.

Partnerships - Mobilizing and involving partners

Forced Labour Protocol

Article 5

Members shall cooperate with each other to ensure the prevention and elimination of all forms of forced or compulsory labour.

Article 6

The measures taken to apply the provisions of this Protocol and of the Convention shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned.

The fourth "P" refers to **partnerships**. Partnerships between multiple stakeholders with different mandates, skills and specializations is essential to tackle multi-causal, complex issues like forced labour. This is why the Forced Labour Protocol calls upon governments to formulate and implement NAPs on forced labour **in consultation with employers' and workers' organizations**, but also with other interested parties, such as civil society organizations or victim associations. Only such a transparent, participatory process can generate the national ownership that is necessary for effective implementation.

Involving all stakeholders

In Ireland, the NAP on trafficking (2016) seeks the support from “all those involved with victims of human trafficking including An Garda Síochána [the police], the health professionals, the educators, civil society and international organisations” but also “law enforcement agencies in other jurisdictions” as well as religious leaders.

In Lebanon, many partners are identified in the National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016, including government ministries; employers’ and workers’ organizations; civil society; United Nations agencies (including the ILO); judicial authorities; health and social services; teachers and education services; community and religious leaders; and even volunteers!

Partnerships can be local, national, or international – they are all valuable. Creating and strengthening partnerships and ensuring good communication and coordination is essential in developing and implementing NAPs. The role of partnerships and having a coordination framework is often given its own chapter in NAPs (see also sections 4 and 5).

Recommendation No. 203:

1. Members should establish or strengthen, as necessary, in consultation with employers’ and workers’ organizations as well as other groups concerned:
 - (a) national policies and plans of action with time bound measures using a gender and child sensitive approach to achieve the effective and sustained suppression of forced or compulsory labour in all its forms; and
 - (b) competent authorities such as the labour inspectorates, the judiciary and national bodies or other institutional mechanisms that are concerned with forced or compulsory labour, to ensure the development, coordination, implementation, monitoring and evaluation of the national policies and plans of action.

Recommendation No. 203, paragraph 14, includes priorities for international cooperation in partnership:

14. International cooperation should be strengthened between and among Members and with relevant international and regional organizations, which should assist each other in achieving the effective and sustained suppression of forced or compulsory labour, including by:
 - (a) strengthening international cooperation between labour law enforcement institutions in addition to criminal law enforcement;
 - (b) mobilizing resources for national action programmes and international technical cooperation and assistance;
 - (c) mutual legal assistance;
 - (d) cooperation to address and prevent the use of forced or compulsory labour by diplomatic personnel; and
 - (e) mutual technical assistance, including the exchange of information and the sharing of good practice and lessons learned in combating forced or compulsory labour.

Global partnership: Alliance 8.7



The UN 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) are an important framework for devising national strategies to eradicate forced labour. **Tool No. 6** is a slide presentation on forced labour, which can be used, for example, in workshops and meetings with stakeholders to explain the broader international context, especially in **pathfinder countries**.

Alliance 8.7 is an inclusive global partnership created to support countries in the achievement of SDG Target 8.7 on eradicating forced labour, modern slavery, human trafficking and child labour. The Alliance is open to all partners willing to contribute to achieving the target: governments, international and regional organizations, workers' organizations, employer and business membership organizations, civil society organizations, academic institutions and other relevant stakeholders and networks.

The Alliance brings together more than 250 global and regional partners and focuses on three strategic objectives: accelerating action; conducting research and sharing knowledge; driving innovation and leveraging resources.

The Alliance serves partners as a platform for exchange, access to data, information, innovation and good practice, support for political commitment, and assists in leveraging resources, in particular through the Delta 8.7 Knowledge Platform and the Pathfinder Country Strategy.

*For more information, see the Alliance website (www.alliance87.org) and the Delta 8.7's website (<https://delta87.org>).

Guiding principles

The right to be free from forced labour applies to all human beings – adults and children, nationals and non-nationals, including migrants in irregular situations. All actions undertaken in the framework of the NAP should follow a human rights-based approach, following the Universal Declaration of Human Rights: equal rights apply to everyone, regardless of status (i.e., social, economic or cultural). Besides, human rights are indivisible – meaning one cannot respect one but violate another.¹¹



As a backbone to the strategy, it may be worth spelling out in the NAP what are the core values and principles that will guide its implementation. The NAP should make reference to the other three **fundamental principles and rights at work**, namely: **freedom of association and the right to collective bargaining**, the **effective abolition of child labour**, and the **elimination of discrimination in respect of employment and occupation**. As far as children are concerned, it is important to refer to the **best interest of the child**, originating from the UN Convention on the Rights of the Child, 1989.

11- Read the Declaration here: www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf.

Defining guiding principles

In Peru, the National Action Plan for the Fight against Forced Labour (2013-2017) clearly identifies the following as fundamental, guiding principles underlying the NAP:

- ▶ Equality of opportunity for all.
- ▶ Human development and individual human rights, i.e. the possibility for every individual to fulfil his/her rights and develop his/her potential. This includes a special focus on the rights of victims of forced labour.
- ▶ Elimination of discrimination in respect of employment and occupation.
- ▶ Respect and protection of freedom of labour and human dignity as ultimate goals.

By providing explicit and up front definitions of these fundamental principles, it reminds partners (and others who read the NAP) of how important these principles are to the mission, vision and objectives of the NAP.

Once agreed upon with partners, the guiding principles will constitute the overarching principles that shall support the development and implementation of the entire NAP. They should therefore be reflected in the different objectives and targets. For instance, if gender equality and non-discrimination are chosen as guiding principles, partners should make sure to adopt a gender-responsive strategy and specific targets aimed at addressing the needs and vulnerabilities of women.

Agreeing on core values

The United States NAP on human trafficking (2013-2017) highlights core values that federal partners agreed upon and that inform the objectives and action steps outlined in the Plan, in particular:

- ▶ "(...) Meaningful engagement with survivors in all aspects of program development, implementation, and evaluation is critical in order to develop effective service networks.
- ▶ Services should be accessible for all trafficking victims, regardless of race, color, national origin, disability, religion, age, gender, sexual orientation, gender identity, immigration status, or type of trafficking (sex or labor).
- ▶ Victim services should promote safety, healing, justice, and rights for victims, and should empower them to participate in efforts to bring traffickers to justice.
- ▶ Public awareness and an understanding of human trafficking at federal, state, territorial, tribal, and local levels are needed to improve victim identification and access to services.
- ▶ Anti human trafficking efforts should be **victim-centered** and culturally relevant, holistic, comprehensive, evidence based, gender responsive, and trauma informed.
- ▶ All those who engage with survivors must acknowledge and respect an individual's experience of victimization and capacity to move beyond victimization.
- ▶ Services for long term needs, in addition to services that address immediate and emergency needs, are critical. Survivors should be provided with tools and opportunities for financial stability that will support their long term independence."





▶ Bibliography

Domestic worker, Costa Rica, 2010 (© ILO/G. Bolanos and F. Vindas).

With ILO support, Costa Rica adopted a Roadmap to free the country from child labour and its worst forms (including forced labour).

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International Instruments

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Useful links

50forfreedom: <http://50forfreedom.org/>

The 50 for Freedom campaign is led by the International Labour Organization (ILO) and its partners, the International Trade Union Confederation (ITUC) and the International Organization of Employers (IOE), and is supported by more than 35 organizations, artists and human rights activists. Its aim is to reach 50 ratifications of the 2014 ILO Forced Labour Protocol and promote its implementation. It also aims to raise awareness, share innovative practices and enhance action to combat all forms of forced labour.

Alliance 8.7: www.alliance87.org/

Launched in 2016, the Alliance 8.7 is a global partnership that is bringing together all interested parties to join forces in achieving SDG Target 8.7 aiming at a world without forced labour, modern slavery, human trafficking and child labour. In 2020, the Alliance has so far gathered 17 pathfinder countries and 225 partner organizations.

Global Business Network on Forced Labour: <https://flbusiness.network/>

The ILO's Global Business Network on Forced Labour brings together businesses of all sizes and sectors, and their networks, from around the globe to eradicate forced labour. Its members and partners work to engage smaller enterprises, develop resources and tools, and devise local solutions that help shape national frameworks to create lasting change.