

WORKSHOP REPORT

CONSULTATION WORKSHOP ON ELIMINATING MODERN SLAVERY AND TRAFFICKING WITHIN COMPANIES AND SUPPLY CHAINS: “RECOGNIZING THE POTENTIAL OF THE PRIVATE SECTOR AS A KEY DRIVER OF CHANGE”

DHAKA, BANGLADESH ■ 31 JULY 2018



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I would like to thank all the panellists and speakers who took time out of their busy schedules to participate in and enrich the event, namely: Md. Aminul Islam, Dr. Yeameen Akbory, Dr. Engr. Md. Sakawat Ali, as well as Mr. Md. Ruhul Amin, Mr. Shovon Islam Shawn, Ms. Marina Sultana, Mr. Basirun Nabi Khan, Mr. Joe Morley and Ms. Rahnuma Salam Khan.

Additional thanks to the government officials, development partners, private sector, UN agencies, civil society organizations for attending the workshop and provide their valuable inputs during the discussion.

Sincere thanks are due also to Sharon Dimanche and Khondker Zunaed Rabbani who moderated the two panels.

Giorgi Gigauri,
Chief of Mission
IOM Bangladesh

BACKGROUND

The latest global estimates of modern day slavery indicate that over 40 million people were victims of modern slavery in 2016. According to estimates by Walk Free Foundation, ILO and IOM, there are approximately 25 million victims of forced labour globally, with the highest prevalence in the Asia Pacific region (an estimated 4 out of every 1000 people). An estimated 16 million victims of forced labour were in the private sector, and migrant workers make up almost one in every four victims of forced labour. Modern slavery remains a major challenge for businesses around the world and across multiple sectors. In today's globalized marketplace industries utilize global supply chains to meet market demands for competitively priced goods and services. As a result, companies are often operating in and sourcing from high-risk markets with limited supply chain transparency and are required to navigate complex local and international legal requirements.

Many companies have therefore identified migrant workers as one of the key vulnerable groups in their operations and supply chains and recognize the complexity of effectively addressing the migrant worker vulnerabilities of. Abuse of migrant workers often begins in their home country with recruiters who charge excessive fees, provide misleading information about jobs, or through discriminatory job selection processes. In countries of destination, migrants are subject to restricted movement, retention of documents and personal property, illegal wage deductions, and barriers to accessing remedy and this can create a situation that makes it impossible to walk away from exploitative working conditions.

With a growing population, employment generation is a challenging task for Bangladesh. Per year, it is estimated that there are approximately 1.8 million new entrants into the labour market, with only 200,000 new formal jobs being created. Approximately 87 per cent of all new entrants are absorbed by the informal sector (LO/FTF Council, 2016), which is characterized by unsafe working conditions and limited regulation. Therefore, many Bangladeshi nationals seek employment abroad. According to the Government of Bangladesh's Bureau of Manpower, Employment and Training's (BMET) data, approximately 0.7 million to 1 million (2017) Bangladeshi workers migrate abroad every year.¹ The primary destination countries for Bangladeshi migrant workers are Saudi Arabia, the United Arab Emirates (UAE), Qatar, Oman, Kuwait, Singapore, Malaysia, the Republic of Korea and European countries. Up to June 2017, approximately 8,241 Bangladeshi nationals crossed the dangerous Mediterranean passage by sea, accounting for over 12 per cent of all irregular migrants from the country.

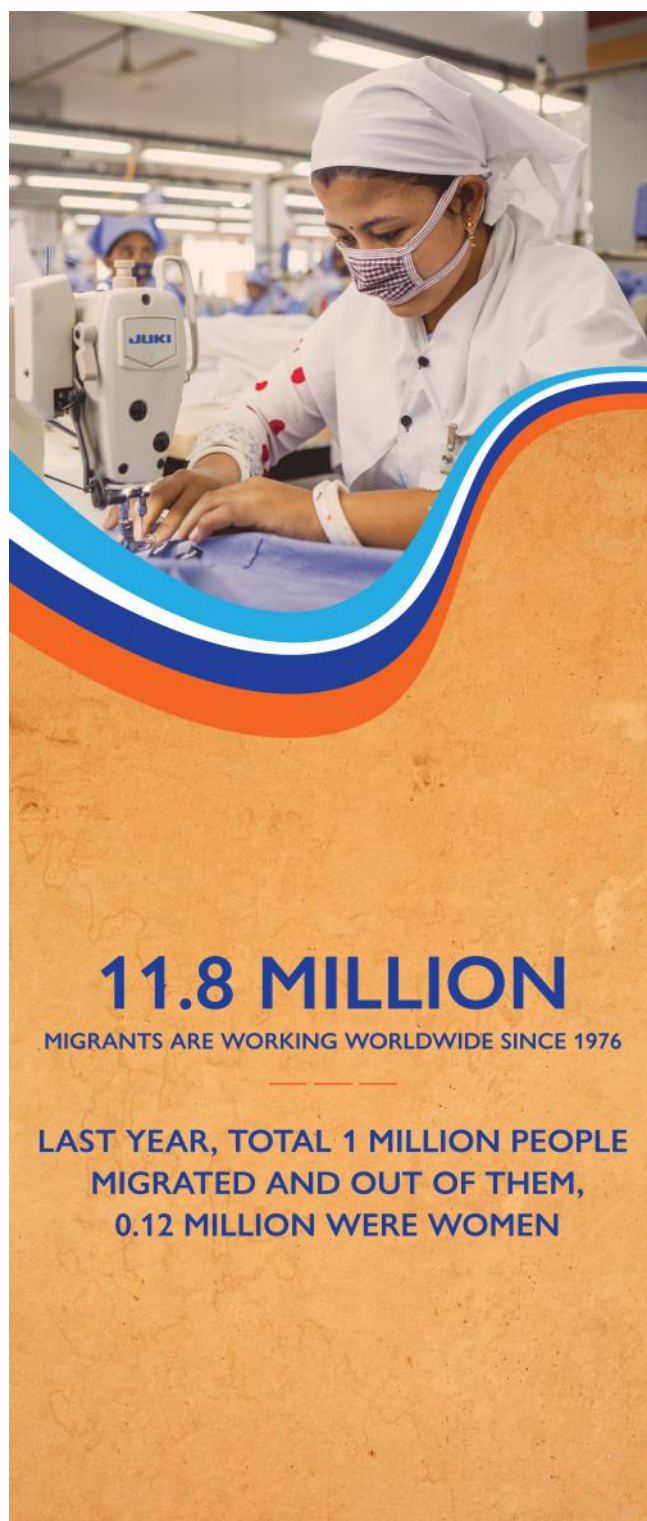
IOM's Corporate Responsibility in Eliminating Slavery and Trafficking (CREST) initiative, with support from the Development Cooperation Section of the Swedish Embassy in Thailand, is working to enable private sector to increasingly protect the human and labour rights of migrant workers in Asia, in key industries and supply chains. The CREST initiative is unique in its ability to support businesses with tools and methodologies developed specifically to help businesses be better able to comply with comprehensive and robust legal frameworks developing around the world that target modern slavery in business supply chains. It is thus able to help companies become more competitive and to build and protect industry and brand reputation in an era of increasingly focused efforts to target slavery and trafficking in the private sector.

¹ <http://www.old.bmet.gov.bd/BMET/viewStatReport.action?reportnumber=20>

CREST, as an initiative of the UN Migration Agency with its 65 years of experience in advising, assisting and implementing diverse programmes to promote orderly and human migration, is able to draw on IOM's extensive regional and international partnership networks, and to drive sustainable change by engaging governments and businesses, bringing business voices to policy dialogues. In addition, to better enable companies to identify recruitment intermediaries who are committed to ethical recruitment principles, IOM in collaboration with stakeholders has developed an international recruitment standard and are creating a voluntary certification system for recruitment intermediaries, the International Recruitment Integrity System (IRIS), to support ethical recruitment of migrant workers. The CREST framework is closely related to IRIS and promotes the use of IRIS tools to help develop companies' knowledge and technical capacity to address modern slavery risks in their supply chains, and ultimately to positively impact the migrant worker experience.

The CREST project objectives and outcomes are aligned with the targets of under the United Nations Sustainable Development Goals (SDGs), particularly goal 1, 5, 8, 8.7 10, 13 & 17.² The SDGs recognize migration as a poverty reduction strategy for women and men migrants worldwide. Guided by the Ten Principles of the Global Compact, the Guidelines on Cooperation between the United Nations and the Business, and the United Nations Guiding Principles on Business and Human Rights, the project seeks to build partnerships with business, regional actors and other stakeholders.

To this end, IOM organized a multi-stakeholder workshop bringing together representatives from the Government of Bangladesh, international community, global brands, suppliers, civil society, recruitment industry and development partners to promote good corporate practice on social and labour standards and public-private partnerships in the context of labour mobility.



² Goal 1: End poverty in all its forms everywhere, Goal 5: Achieve gender equality and empower all women and girls, Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, Goal 10: Reduce inequality within and among countries, Goal 13: Take urgent action to comeback climate change and its impacts; Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development.

INTRODUCTION TO THE WORKSHOP AND PANELS

With the support of the Swedish Embassy, IOM organized a one-day panel and consultation workshop on “Eliminating Modern Slavery and Trafficking Within Companies and Supply Chains: Recognizing the Potential of the Private Sector as a key Driver of Change” on 31 July 2018 as part of the regional CREST project funded by Sweden.

The event brought together over 50 representatives from the Government of Bangladesh, international brands, suppliers, NGO's, development partners, civil society and recruitment agencies including Walmart, H&M, Puma, Tesco, The Westin Dhaka, the International Labour Organization (ILO), the United Nations Development Programme (UNDP), UN Women, the Refugee and Migratory Movements Research Unit (RMMRU), the Bangladesh-Korea Technical Training Center (BKTTTC) as well as numerous local businessmen from the readymade garments and labour recruiting industries to discuss practical solutions to meet or exceed internationally recognized principles and standards for human and labour rights, particularly as they pertain to modern slavery. The event aimed to:

1. Identify potential issues and challenges within the supply chain and develop risk mitigation measures along with the public and private sector
2. Better understand on how greater protection of migrant workers' rights at all stages of migration cycle through significantly reduced risk of indebtedness and exploitation are good for business

This workshop report captures the main points, key themes and best practices discussed during the event along with the recommendations on ways forward.

OPENING SESSION

- **Giorgi Gigauro**
Chief of Mission, IOM Bangladesh
 - **Dr. Yeameen Akbory**
NDC, Executive Director (Joint Secretary)
Bangladesh Overseas Employment and Services Limited, BOESL
 - **Md. Aminul Islam**
Additional Secretary, Administrative and Financial Wing
Ministry of Expatriates Welfare and Overseas Employment, MoEWOE
 - **Maximillian Pottler**
CREST Project Manager, IOM
-

PARTNERSHIPS WITH PRIVATE SECTOR VITAL TO ENDING MODERN SLAVERY

IOM Bangladesh's Chief of Mission, Giorgi Gigauri in his opening address acknowledged the role labour migration has had in the economic development of Bangladesh but pointed to the fact that most migrant workers face significant risks of unsafe working conditions and conditions of modern slavery in destinations with limited regulations. Calling on all actors to combat modern slavery and trafficking on all fronts, he stressed that it is imperative to address the underlying factors that impel migrants to desperate measures and into the hands of smugglers and traffickers. Ensuring ethical recruitment and fair labour supply chain practices are integral to the protection of migrant workers at all stages, but governments cannot act alone to curb these problems. There is at the same time, a clear business case to be made for the private sector to come forward and engage on issues of modern slavery and human trafficking. Ethical recruitment practices, like the employer pays model, can potentially significantly reduce risks of forced labour in supply chains, by eliminating the risk of indebtedness and therefore exploitation of workers, while at the same time improving their overall welfare and leading to a better motivated and more productive workforce. The

Corporate Responsibility in Eliminating Slavery and Trafficking (CREST) initiative offers insights into the complex challenges with regard to ethical recruitment and global labour supply chain practices, and also provides a set of specifically designed methodologies and tools like IRIS to address these challenges.

“It is incumbent on us all not just to decry but to combat the scourge of human trafficking and modern slavery on all fronts. It behoves us to address the underlying factors that impel migrants to desperate measures and into the hands of smugglers and traffickers. Renewed and concerted focus on collaborative approaches with the private sector on safe migration pathways will go a long way in safeguarding migrant rights and preventing tragedies”

– Giorgi Gigauri



40.3 MILLION
PEOPLE WERE VICTIMS OF
MODERN SLAVERY IN 2016

APPROXIMATELY

25 MILLION
VICTIMS ARE OF FORCED LABOUR GLOBALLY



He reaffirmed IOM's commitment to curb modern slavery issues and counter trafficking and to promote ethical recruitment practices, and called upon all stakeholders to acknowledge and act on their shared responsibility towards promoting ethical recruitment practices and eliminating forced labour.

PRIVATE SECTOR RESPONSIBILITY IN SKILLS DEVELOPMENT FOR LONG TERM MIGRATION BENEFITS FOR ALL

Dr. Yeameen Akbory, NDC, Executive Director (Joint Secretary), Bangladesh Overseas Employment and Services Limited, BOESL, highlighted the unsustainability of a manpower exporting industry that does not focus on migrant worker skills and knowledge development in a competitive world market characterised by changing demand by employers. Private recruitment agencies carry out the bulk of the work of sending migrant workers from Bangladesh abroad while the government owned manpower export company BOESL, only carries out a very small portion of this work in Bangladesh. Recruiting agencies however often do not vet or ensure that the workers they are sending abroad have the necessary skills and knowledge to live and work in the destination countries according to Dr. Yeameen Akbory. This shortcoming contributes to the unwillingness of employers from some destination countries to recruit Bangladeshi migrant workers.

"I am again urging my other sector (private recruitment agencies): come forward to establish such an ethical model that may enhance our capabilities. Because we have plenty of (human) resources, and that can only give us growth."

– Dr. Yeameen Akbory

The current unethical business practices therefore will not be sustainable in the long run and might also explain why many licensed recruiting agencies are not active given that no orders for Bangladeshi labour force are being placed.



She stated that BOESL attempts to run its operations in a manner that does not seek immediate profits, but in an ethical way that might be followed by private sector agents. She stressed that private recruitment agencies need to adopt an ethical recruitment model to ensure benefits to themselves, to employers and as well as to migrant workers, while also generating greater remittance flows and overall socio-economic growth for Bangladesh.

SHARED RESPONSIBILITY AND ACCOUNTABILITY AT ALL LEVELS TO ENSURE MIGRANT'S RIGHTS

For Md. Aminul Islam, Additional Secretary, Administrative and Financial Wing, Ministry of Expatriates Welfare and Overseas Employment (MoEWOE), "Migration is the oldest tool of survival". Migration is particularly important for Bangladesh: over 10 million Bangladeshis are working in over 150 countries around the world. Bangladesh is one of the top 5 countries from which people migrate as well, with over a million people migrating each year to work abroad and with migration contributing 7-8% to the GDP. Migration and ethical recruitment are thus important policy concerns for the Government of Bangladesh, as can be seen by the bilateral agreements concluded, and the fact that this thematic area is given specific consideration in the 7th 5-year plan. Md. Aminul Islam recognized the importance of ethical recruitment; following for example the employer pays principle to reduce the likelihood of indebtedness or other forms of exploitation, and the need for

"It is a shared responsibility and accountability of all key stakeholders both public and private, to promote ethical recruitment practices, eliminate forced labour and labour exploitation within supply chain through responsible recruitment initiatives."

– Md. Aminul Islam



recruitment agencies to avoid charging migrant workers excessive fees for their services. Given BOESL's primarily facilitating role, he called upon the private agencies, who conduct most of the recruitments, as well as international organizations and UN bodies to form effective collaborations to ensure migrants' welfare, both in the home and destination countries. Conflict, war and extreme poverty are major reasons for large numbers of people becoming vulnerable to trafficking and slavery and these forces must be kept in check in the broader fight against slavery and trafficking. Declaring inhuman treatment and conditions of slavery as unacceptable, he stressed the responsibility of destination countries in protecting and upholding the fundamental rights of migrant workers in the countries of work. He reaffirmed the shared responsibility and the need for accountability of all stakeholders, both from the private and public sectors, in combating trafficking and slavery and ensuring migrant workers' rights.

THE ROLE OF BUSINESS IN ADDRESSING RISKS OF MODERN SLAVERY IN INTERNATIONAL SUPPLY CHAINS

Human trafficking and slavery are far-reaching, affecting nearly all industries in some form: manufacturing, fishing, agriculture, construction, entertainment and domestic work to name but a few. ILO and the Walk Free Foundation in partnership with IOM has concluded in their worldwide estimation that over 40 million people were trapped in modern slavery. Forced labour accounts for over 60% of all modern slavery cases in 2017 with 16 million people being victims of forced labour in the private sector. Debt bondage affects over 70 per cent for adults who are forced to work in agriculture, domestic work, or manufacturing³ in 2016. Many of these victims are migrant workers who are employed in companies' global supply chains. The manufacturing

“While migrant workers account for 5 per cent of the global workforce, they make up 25 per cent of all victims of modern slavery. There is really something that affects and exposes migrant workers disproportionately to risks.”

- Maximillian Pottler

³ These are the sectors where debt bondage affects over 70% of the adult workers, according to the Global Slavery Index 2018 (which uses figures from 2016).

sector accounts for 15 per cent of identified forced labour exploitation cases. The prevalence of forced labour is highest in the Asia-Pacific region where four out of every 1,000 people were victims. While it is widely acknowledged that unethical recruitment practices expose international migrant workers to significant risks, supply chain dynamics often conceal substantial vulnerabilities of workers within supply chains in their own domestic economies. Organizations can be implicated in modern slavery both directly and indirectly – either in their own operations, through their global supply chains, or through their involvement with business partners. Additionally, the complex nature of a supply chain makes it difficult for businesses to monitor as well as ensure regulations are in practice. In response to these risks, as ethical business operations, some of the possible steps that can be taken by the private sector are:

- i) Adopting business commitments and partnerships to maximize impact on eliminating slavery and trafficking. There is increasing support from the private sector for the application of international standards relating to migration and employment already. The Leadership Group for Responsible Recruitment, for example, is a collaboration between global companies and expert organizations, of which all member companies are committed to the employer pays principle. Given this demand for ethical recruitment services, stakeholders in Bangladesh, especially private recruitment agencies, could take the opportunity to respond to this demand.
- ii) Utilizing appropriate tools and methodologies to address vulnerabilities of migrant workers to ensure elimination of modern slavery and place ethical recruitment practices all throughout the supply chain.
- iii) Engaging in multi-stakeholder dialogues between business, governments and civil society towards solutions, while complying with international standards and multi-stakeholder compliance schemes, such as IRIS. Sustainable change cannot be created without alignment with policy makers, civil society and most importantly the private sector additionally to all other stakeholders and actors.



PANEL DISCUSSION 1: TOWARDS ETHICAL RECRUITMENT: THE EMPLOYER PAYS PRINCIPLE IN BANGLADESH

Panellists:

- **Mr. Md. Ruhul Amin**
Proprietor, Catharsis International
Ex- Secretary General, BAIRA
- **Mr. Shovon Islam Shawn**
Managing Director, Sparrow Apparels
- **Dr. Engr. Md. Sakawat Ali**
Principal, Bangladesh-Korea Technical Training Center (BK TTC)
- **Ms. Marina Sultana**
Programme Director
Refugee and Migratory Movements Research Unit (RMMRU)
- **Moderator: Sharon Dimanche**
Programme Manager, Migration Governance and Development
IOM Bangladesh

Representatives from an RMG company, a recruiting agency, a technical training institute and a research centre shared their experiences of working toward ethical recruitment practices. Particular focus was placed on exploring the development of the outward migration potential, ethical recruitment opportunities for Bangladesh, current challenges to meeting ethical recruitment demands and benefits of ethical recruitment for companies and migrant workers.



THE PARAMOUNT IMPORTANCE OF AN EFFECTIVE ONLINE RECRUITMENT SYSTEM

Mr. Md. Ruhul Amin is the ex-Secretary General of BAIRA and proprietor of Catharsis International, a manpower recruiting agency that has sent over 80,000 workers abroad to multiple countries since its inception in 1997. He laid out the difficulties and risks of exploitation that migrant workers from Bangladesh are facing.

Some workers are lured with false promises of overseas employment with no intention of sending them abroad, or are cheated with false employment contracts, “double visas”, false medical reports, forged work permits, being made to pay for and take medical examinations even before immigration clearance. A lack of receipts of payment is another common practice, as is that of migrants being made to pay excessive recruitment fees far exceeding the amount agreed upon, and far in excess of legal limits imposed by the government. Migrant workers suffer through anxiety because of the complicated and slow manual recruitment and visa approval processes. Once in the destination countries, workers often cannot be given training for their work due to the low education levels paired with language barriers.

“But days are changing, it is exploitation in terms of law, it is exploitation in terms of ignorance, especially if we talk about workers, employers, and the recruiting agents”

– Mr. Md. Ruhul Amin

According to Mr. Amin, migrant workers are often not provided with insurance coverage, their benefits, and the salary as specified in the contract, while there are some cases in which no salary is paid to the workers at all. Meanwhile, migrant workers are exposed to higher risks of compulsory overtime, either without compensation or with levels below the statutory requirements, which can lead workers to quit and run away from employers. When workers’ medical bills exceed a certain amount, they are often sent back home. Non-renewal of their work permits on time can cause legal workers to become irregular migrants in countries of destination. Mr. Amin also indicates the existence of

WHAT IS IRIS?

IRIS is a social compliance scheme that is designed to promote ethical international recruitment. It works by defining and setting a benchmark for ethical recruitment (the IRIS Standard), and through establishing a voluntary certification scheme for ethical labour recruiters, and a compliance and monitoring mechanism.

IRIS takes a management systems approach to ensure ethical recruitment, transparency, and due diligence are prioritized throughout the recruitment process. The prevailing recruitment business model is based on the exploitation of workers. As such, IRIS fosters partnerships across sectors aimed at achieving industry-wide change. IRIS is being developed through multi-stakeholder consultations led by the International Organization for Migration and a coalition of partners committed to the ethical recruitment and protection of migrant workers.

IRIS aims to bring transformative change to the recruitment industry by:

- Identifying and supporting ethical labour recruiters
- Promoting the Employer Pays Principle (the employer, not the worker, pays for recruitment)
- Improving due diligence by companies, governments and workers
- Increasing transparency in recruitment processes and labour supply chains

origin, no excessive costs being imposed on them, with their training being ensured, and a process where employers and workers are brought directly in contact with each other, instead of through multiple middlemen.

EMPLOYER PAID TRAINING AND RECRUITMENT IN JORDAN – A BANGLADESHI ENTREPRENEUR SHARES HIS EXPERIENCES

Mr. Shovon Islam, CEO and owner of Sparrow Group has multiple RMG factories in Bangladesh, as well as plants in Jordan where he employs Bangladeshi workers. All the Bangladeshi workers at the plant in Jordan are women. Mr. Shovon explained that given the high level of technical skills of Bangladeshi RMG workers, while they do not require technical training before moving abroad, they do however require training to adjust to the new environment, climate, culture and the challenges that come with the migration experience. The company initially faced challenges with Bangladeshi workers who found it difficult to adapt to the drastic difference in climate and social context of Jordan. In response to this challenge, the company provides all its Bangladeshi workers with soft skills training, with support from BOESL, to prepare them for life and work in Jordan. The cost of training is reimbursed to the workers after the completion of their tenure. The workforce at the plant in Jordan being 100% Bangladeshi makes soft skill training easier with regard to cultural differences at the workplace. The primary challenges Sparrow Group currently faces in the overseas recruitment process are:

- i) The involvement of third parties in the recruitment process
- ii) Workers having difficulties obtaining passports from the passport authorities (a process in which the company does not intervene)
- iii) Workers dropping out at the very last minute, even after visa approval, due to family pressures

The company is trying to tackle this last challenge by employing counsellors for the workers' families, to address any concerns they have about the work and living conditions in Jordan. They are also working on designing different contracts of varying lengths and with different provisions for leaves, so that workers can choose not to stay abroad for extended periods of time.

“Bangladeshi workers know how to sew a garment, they're very good at it, they're some of the best in the world. So we're not worried about their skills. But we are worried about their soft skills.”

– Mr. Shovon Islam

A MIGRANT WITHOUT SKILLS IS LIKE A BUILDING WITHOUT A FOUNDATION

Dr. Sakawat Ali, principal of the BKTTC highlighted the link between both better work opportunities and better payment as well as safe and properly and informed migration with skills and knowledge development and training. The Centre provides technical training in 29 trades for workers to acquire skills that fit employers requirements, thus ensuring workers are able to secure better jobs and remuneration levels. Language and soft skills training is also provided, as “language is the first problem solving tool of the migrants”, according Dr. Ali. This helps better ensure that migrants are equipped to work and live overseas. He pointed out that safe migration is a key part of ethical recruitment and migration, and that these trainings make the migration process safer for workers. Migration itself and training for migration therefore are closely interrelated. He pointed out the SDG Goal number 17, of Partnerships for the SDG goals, and underlined the need to form working partnerships to address the different interrelated issues around ethical recruitment and migration.

“Workers from Bangladesh are migrating to more than 150 countries but not getting expected wages! Why? The only answer is – Skills, skills of the migrants. A migrant without skills is like a building without foundation”.

- Dr. Sakawat Ali

EXPLOITATION: IN NUMBERS, AND THE NEED FOR INVOLVED ACTION AT EVERY LEVEL

Ms. Marina Sultana, Programme Director at RMMRU, shared findings from their research⁴ which showed that most migrant workers face some form of fraudulence, harassment, or inhuman or degrading treatment either in the home country (51%), or in the destination country (32%). Many jobseekers do not manage to migrate abroad, even after having made large payments (19%). Many migrants experience non-payment and irregular payment of salaries by employers. Many face police action, harassment, jail or detention (10%), and some migrants also end up in extremely harsh environments, such as deserts, jungles or isolated islands (12%). Pointing out other concerns like non payment or irregular payment of wages, poor food and accommodation facilities for migrant workers, Ms. Marina stressed the timeliness and importance of putting serious thought to issues of exploitation and modern slavery. She pointed out the importance of the fact that at the grassroots level, aspiring migrants have nearly no access to proper information about migration, making them vulnerable to various forms of exploitation. She suggested that given the multi-layered system of exploitation which affect workers at every stage of the migration process, only national and also global collaboration between all stakeholders in the entire process can meaningfully address the challenges of ethical migration, trafficking and slavery.

“The institutions in government and non-government who are working with the migration process, most of them are not working at the grassroots level, and that’s why we are very much dependent on middlemen in this country.”

– Ms. Marina Sultana

⁴ RMMRU Policy Brief No. 22 Experience of fraudulence in current migration system

AUDIENCE ENGAGEMENT: PANEL 1



The event brought together a highly engaged set of participants who made invaluable contributions to the proceedings of the day.

Participants from the private sector recruiting agencies pointed out the working realities in the industry that drive up the costs borne by the migrant workers. Recruiting agents in Bangladesh needing to make payments of up to thousands of dollars themselves in order to ensure contracts, coupled with the operational costs they must bear along with their commissions added in, mean that the costs carried over to migrant workers become excessively steep. They pointed out that even if they engage in good business practices by venturing to train Bangladeshi migrant workers for their work abroad, they must find ways to recuperate the costs of that investment in order to sustain their businesses. In this regard, they urged international bodies such as IOM and ILO to contribute to opening up new market opportunities for Bangladeshi migrant workers, and to ensure that employers in destination countries abide by ethical employment standards, so that recruiters can avoid having to charge migrant workers excessive fees. They urged relevant government bodies to work with recruiting agents and to encourage migrant workers to make payments only through licensed recruiting agents and to keep receipts of all payments. They also called on government bodies to take strong steps by way of inter-governmental cooperation to protect migrant workers from exploitation abroad, and also to ensure compliance with laws and policies for all actors involved with the migration process.

Participants from development partner agencies highlighted the need for gender disaggregated data and nuanced understandings of gendered vulnerabilities of migrant workers. Migrant workers are not a homogenous group, and neither are migrant women. Careful and conscious consideration of the particular needs of different groups of migrant workers is needed from both government and non-government actors working to improve the migration process in formulating appropriate policy responses to effectively counter migrant worker exploitation and abuse in all its forms.

Representatives from the Government of Bangladesh highlighted some of the measures the government is taking toward its commitment to promote ethical and safe migration practices. Some of these measures include the passing of the Expatriate's Welfare and Overseas Employment Policy 2016, the G2G process being negotiated with Malaysia, an important destination for Bangladeshi migrant workers, and the monitoring role the Embassy of Bangladesh in Malaysia plays in routinely inspecting the workplaces and working conditions of employers who hire Bangladeshi workers. However, representatives pointed to the limitations, with the government not being able to effect all the necessary changes by itself. Cooperation, participation and conscious involvement of all relevant parties will be necessary to take on the challenges of unethical recruitment given its scale and scope.

PANEL DISCUSSION 2: INCREASING ACCESS TO MARKET: THE ROLE OF THE PRIVATE SECTOR IN ELIMINATING MODERN SLAVERY IN THE CONTEXT OF BANGLADESH

Panellists:

- **Mr. Basirun Nabi Khan**
Relations and Public Affairs Manager
Hennes & Mauritz AB, H&M
- **Mr. Joe Morley**
Migration and Modern Slavery Advisor
Department for International Development, DFID
- **Rahnuma Salam Khan**
Programme Officer, Application of Migration Policy for Decent Work of Migrant Workers
International Labour Organization, ILO
- **Moderator: Khondker Zunaed Rabbani**
Consultant

The second panel discussion focused on the role of the private sector in driving positive change on modern slavery, the role of national and international legal instruments on modern slavery in the context of Bangladesh and the importance of a proactive approach to social compliance to ensure Bangladesh is a sustainable production hub.



UK MODERN SLAVERY ACT: RELEVANCE FOR BUSINESSES IN BANGLADESH

Mr. Joe Morley, Migration and Modern Slavery Advisor at DFID, gave an overview of the various involvements of DFID around issues of decent work and modern slavery. DFID's activities in this area revolve around 3 pillars:

- i) Vulnerabilities of individuals due to economic or structural reasons
- ii) Criminal acts and enterprises that put people into modern slavery
- iii) A permissive environment that allows for situations of modern slavery to exist.

He also touched upon the various collaborations DFID maintains with international bodies and initiatives and provided an overview of the UK Modern Slavery Act 2015, with insights into its important provisions, namely identifying and defining forms of exploitation considered to be offences under the Modern Slavery Act, placing provisions for protection of victims of modern slavery, mandating an independent anti-slavery commission to combat modern slavery, and compelling companies operating in the UK to publicly reveal what they are doing to prevent modern slavery. The UK Modern Slavery Act aims to create a competitive environment amongst firms to improve their stance and initiatives on slavery related issues: “We are seeing thousands and thousands of companies bringing this forward without the need for high court orders, creating this race to the top, creating best practice and increasing sharing”. The civil society in the UK,

notably NGO groups, have also come forward and set up their own platforms to monitor transparency requirements, helping to create an enabling environment for compliance. The Act impacts Bangladesh as well, as any firm operating in the UK to which the Act applies, if it sources from Bangladesh would not only have to reveal where they source from, but would also have to comply with the law's dictates about the defined criteria of modern slavery, and would have to reveal the measures taken to prevent modern slavery in their operations and supply chains located in Bangladesh. According to Mr. Morley, while the global modern slavery legislative landscape is currently not standardized, the increasing demand for monitoring, accountability and compliance creates opportunities for engaging with businesses on risks of modern slavery, ultimately creating an enabling environment for increased compliance where non-compliance of companies becomes increasingly evident in the public sphere and becomes easier to prosecute as well.

“There are opportunities to work with business and respond to that demand at a global level, to make sure that every country has got a standardized approach to preventing modern slavery and encouraging transparency. And that would make it easy for companies to get it right, and easy for us to see the organizations that are choosing not to get it right”

– Mr. Joe Morley

PROACTIVE APPROCHES AND SOCIALLY RESPONSIBLE OPERATIONS BY GLOBAL BRANDS

Mr. Basirun Nabi Khan, Relations and Public Affairs Manager, H&M, stated that the brand has a top-down commitment to take a stance against unethical employment practices. Its size can be used to leverage positive change in policies and practices in sourcing locations.



He highlighted several initiatives taken by H&M globally:

- i. Commitment to ethical practices through their anti-slavery policies
- ii. An attempt to be transparent about their supply chain, with regard to where H&M sources from, where their suppliers source from and the capacities of each one of the suppliers at each stage of the supply chain by making this information publicly available on their website
- iii. A collaboration with international unions, resulting in a mandatory requirement for all their suppliers globally to have a workplace dialogue system allowing for better communication between workers and employers on workplace grievances and workplace rights and responsibilities. Through this initiative H&M also trains both the elected representatives of the workers and the employers who are party to these discussions on their roles, responsibilities and how they can best work together

“Try to look inwards, what is in your area of influence and take the self-criticism – what can you do?”

- Mr. Basirun Nabi

- iv. With the Sustainable Apparels Coalition, H&M looks into their supplier's supply chains and organizational capacities and works to strengthen them where needed
- v. Under the Action, Collaboration, Transformation (ACT) agreement between global brands and retailers, H&M is promoting the achievement of living wages for workers in the RMG sector in Bangladesh, as one of the countries where this initiative is being piloted, and commits to not reduce placements and orders in Bangladesh for the first 5 years of the initiatives' implementation.

Mr. Basirun Nabi encouraged all actors not to wait for other parties to take responsibility for ethical recruitment practices, but to see what each party can do to improve their own practices, and to take steps accordingly.

MODERN SLAVERY AS SOCIAL, CULTURAL, ECONOMIC AND LEGAL ISSUE

Ms. Rahnuma Salam Khan, Programme Officer, Application of Migration Policy for Decent Work of Migrant Workers, ILO, identified slavery and forced labour as a complex social, cultural, legal, economic and sometimes, religious issue. Within such a complex context, ILO works through dialogue between government, employers and workers' representatives and through technical cooperation with governments to implement international labour standards and conventions on modern slavery. The project she is involved with for example, works to update the existing legal framework into a rights-based approach to address the push factors leading into modern slavery, and towards a platform for multi-stakeholder involvement in the implementation of policies and commitments by the government. Getting governments to make these commitments can be challenging, as the difficulties in getting countries to ratify the Protocol on Forced Labour 2014 under the 50 for Freedom initiative shows. Only 25 out of the target 50 countries have ratified the Protocol, with the end of 2018 being the deadline for the initiative. However, even ratification of protocols and treaties does not necessarily guarantee compliance. Pointing out that most instances of forced labour occur in the private sector, Ms. Rahnuma emphasized that the private sector must play an important role in combatting this issue. Given that forced labour exists in complex, multi-faceted contexts, solutions must be generated through engagement from the private sector, the civil society, think tanks, research organizations and other relevant actors. ILO also recognizes that developing skills and knowledge is key to ensuring that Bangladesh continues to be a sustainable production hub. For instance, ILO is working on projects such as Skills 21 and are working with BMET as well on skills development. Mutual recognition of accreditation and certification between Bangladesh and destination countries, she pointed out, will be necessary if workers trained in Bangladesh seek migration opportunities. She stressed the importance of collaboration among the different ministries involved with migration related issues and also with multiple actors all involved in the multiple stages of the migration cycle.

“Because forced labour is an issue related to culture, concept, sociology, and also somewhat, in some cases related to religion, we have to involve the private sector, the civil society, the think tanks and researchers into the platform (of multi-stakeholder collaboration).”

– Ms. Rahnuma Salam

AUDIENCE ENGAGEMENT: PANEL 2

Participants from both the private sector and NGO's and development partners engaged with the panel to highlight important points and challenges relevant to the discussions..

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Private sector participants from the hospitality and RMG sectors stressed that there is a “need to treat slavery like crime, it's very serious and it's a critical issue”. Ms. Rubina Husain Farouq, Secretary General, Tourism & Hospitality Sector Industry Skills Council (ISC) pointed out that even with policies and laws in place, it is of utmost importance to have an action plan to ensure implementation. To combat modern slavery and work toward SDG 8, Decent Work and Economic Growth, a standardized, methodological approach needs to be adopted. Best practices from other countries or industries and brands should be identified and replicated. Organizational structures, business and supply chains must be mapped out and data analyses and tools such as structural organograms should be used to identify risks of modern slavery within supply chains. The government should also be involved in funding anti-slavery initiatives and working to re-engineer supply chain systems where necessary. This would involve collating, evaluating and updating existing policies and laws as well. A grievance system to remedy instances of modern slavery where they occur must be in place to extend support to victims and tackle the issue in a proactive manner. She also pointed to skills development of migrant workers as an important aspect to ensure better protection of workers who go abroad. Not only do better skills offer better job prospects, but informed workers are able to better protect themselves against exploitative practices.



Representatives from the RMG sector inquired if brands would be willing to follow up with corresponding increases in the suppliers' commission if wages were indeed to be increased. Mr. Khan (H&M) informed that as entities that operate globally, brands like H&M must have uniform global policies. The wages paid to Bangladeshi workers are currently much lower than the wages paid in other H&M sourcing countries in the region. A direct, necessary link to price increases as a result of increasing the wages in Bangladesh therefore is not an absolute inevitability. He reiterated that ethical business practices require a sharing of responsibilities by all actors and urged the RMG sector representatives to respond to the actions taken up already by H&M, by identifying how they can improve their own labour supply chain practices.

Responding to a question from a development partner agency representative about how to ensure that all the parties partaking in the fight against modern slavery can be best brought together to avoid a fragmentation of efforts, Ms. Rahnuma Salam Khan (ILO) admitted that this is one of the challenging aspects of this endeavour. She suggested that the set-up of a national coordination committee, bringing together relevant government bodies and ministries, NGO's and UN bodies, which recognizes the fight against modern slavery as an overarching issue that cuts across all their various lines of work could be a possible avenue to bring all different stakeholders into dialogue. A more formalized coordination mechanism that allows information and knowledge sharing on individual efforts and lessons learned would allow to avoid duplication and build communities of best practice, and ultimately benefit all actors involved in the fight against modern slavery.

CONCLUSION

With panellists with various backgrounds and perspectives, from recruitment service providers, an employer hiring Bangladeshi workers in a plant abroad, experts from technical training and research organizations, the first panel discussion identified the need for an overhaul in the system of recruitment of migrant workers in Bangladesh. At the same time, the panel found that safe and ethical recruitment cannot be ensured unless workers are trained in both the hard and soft skills they require in order to work and live in their destination countries. Additionally, it is crucial to make businesses and relevant stakeholders aware about issues of modern slavery and ethical recruitment. However, these recommendations are not without their own possible drawbacks. The very feasibility of these solutions, down to the ability to implement them at the grassroots level where they must reach in order to be effective at all, might be subject to question itself. It would be crucial for all relevant stakeholders, especially the private sector to take part for the improvement of the lives of the migrant workers throughout the migration cycle.

The second panel discussion brought together representatives from H&M, DFID and ILO and revolved around the various avenues for engagement of the private sector in the fight against modern slavery. Given that supply chains are organized globally in complex multiple tiers, businesses must aim to promote and ensure transparency and positive engagement at each tier level to ensure full compliance by all actors in the supply chain. With the growing scope of legal requirement for companies with regard to social compliance, with rising global demand by legislators, investors and consumers for effective anti-slavery measures, evident in the fact that laws like the UK Modern Slavery Act have the ability to hold businesses operating globally accountable, global brands and their suppliers must adapt to these challenges. Business involvement into the global efforts against modern slavery, human trafficking and labour exploitation ultimately are absolutely imperative in the complex social contexts where they operate.

KEY TAKE-AWAYS

The opportunity for dialogue between representatives of the Government of Bangladesh, representatives of multiple private sector entities and various development and research organizations yielded some vital insights in the area of countering slavery and trafficking:

- Meaningful and sustainable improvements in ethical recruitment practices, and in the welfare of migrant workers in complex global supply chains can only come through collaboration and **joint efforts by governments, the private sector and other relevant stakeholders.**
- **The private sector, as an important stakeholder** in the effort against modern slavery and trafficking must have the ability to properly identify risks of modern slavery in their supply chains, and the ability to effect ethical recruitment practices throughout all tiers of their supply chains to address these risks.
- The growing legal capacities of countries throughout the world to prosecute modern slavery leads to opportunities for multiple stakeholders; especially the private sector; to work together and to create an environment that allows better protection of vulnerable people. Modern slavery aspects and consequences should not be ignored and unresolved.
- Training on both technical and soft skills for workers is absolutely necessary for ethical and safe migration.



