

EUROPEAN POLICY BRIEF

The Demand-Side in Anti-Trafficking: Current measures and ways forward



Demand and demand-reduction have become catchwords in the anti-trafficking debates. Although at the level of these debates demand is predominantly understood in an economic sense – the willingness and ability to purchase – in anti-trafficking practice the concept is not consistently used. The DemandAT project set out to clarify the meaning and relevance of demand in the anti-trafficking field, as well as to contribute to a better formulation of demand-side policies in this area. The research involved a range of complementary sub-studies, including in-depth case studies on demand-side approaches in the context of trafficking in domestic work, globalised production of goods and prostitution. The project also analysed two specific interventions addressing human trafficking – law enforcement and communication campaigns. The studies yield a series of new insights for the usage and relevance of demand in addressing trafficking.

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Introduction

In the last decades, considerable efforts have been made to eradicate trafficking in human beings. In this context, the role of demand has gained prominence in public and political debates. Activists had lobbied for a reference to demand in the UN Anti-Trafficking Protocol, mainly with the aim to criminalise ‘the demand’ or purchase of sexual services. What was eventually agreed upon was something different and above all vague. Indeed, the Protocol asks signatory states to ‘discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking’, as do the 2005 Council of Europe Convention on Action against Trafficking in Human Beings and the 2011 EU Anti-Trafficking Directive (2011/36/EU). This demand-clause triggered a search for meaningful interpretations in a range of fields. The project DemandAT had the task of mapping what was understood as demand-side measures, to suggest a consistent conceptual and theoretical framework for the analysis of demand-side and alternative policies, and to contribute to a better understanding of the working of selected ‘demand-side’ measures. This policy brief summarises main research results and formulates recommendations for European and national policy makers.

Key concepts

Trafficking in human beings

Trafficking in human beings is a criminal offence that originates in international law. When minors are concerned, the criminal offence consists of an *act* such as recruiting or harbouring for the *purpose of exploitation*. Transferring adults into exploitation is not criminalised by the trafficking offence, unless illicit *means* are used such as coercion, deception and abuse of vulnerability.

Trafficking of minors = transfer act + purpose of exploitation
Trafficking of adults = transfer act + illicit means + purpose of exploitation

Trafficking has been characterised as a poorly formulated criminal offence referring to a wide and open range of social phenomena. Persons can be trafficked for, among others, labour relations, sex work, begging and organ transplantation. Each field requires separate attention.

Exploitation

Exploitation is not legally defined, with one exception: Forced labour is indicated as one exploitative purpose. With regard to other areas such as forced prostitution, criminal activities and the removal of organs, it remains legally open what exploitation could mean. With regard to forced labour, the formula above could be complemented in the following way:

Trafficking of adults into forced labour =
(transfer act + illicit means) + (profiting from work of others + illicit means)

In debates on human trafficking, three types of exploitation are observed.

A person is profiting from an activity of another person by

1. hindering a person to leave by coercive means such as force, threats and locks (coercive exploitation)
2. hindering a person to leave by use of fraud, false information or abuse of vulnerability (manipulative exploitation)
3. employing or engaging the person in an inherently degrading activity (exploitation indicated by a degrading activity)

While the first two types are basically applying forced labour criteria to other activities, it is contested whether activities can be inherently exploitative, even if the person with the weaker position complies and sees his or her compliance as voluntary.

Demand

In anti-trafficking, demand is used as willingness and ability to buy on markets, but not consistently.

Qualitative text analysis shows that in general demand is often used with the correlatives 'supply' and 'market', evoking an understanding of demand as referring to contracting acts on markets. In this setting, demand refers to the willingness and ability to buy a good or service. This understanding originates in economics and is found in virtually all studies and papers on demand in the context of trafficking in human beings. However, the concept is often not used consistently. Demand is also used for factors influencing demand, for actors exercising demand, and for demand in all other lexical meanings of the term that can be found in the dictionary, for example referring to demand as an authoritative claim.

This project suggests to use demand only as willingness and ability to buy a good or service. Confining 'demand' to purchasing plans on markets does not mean that market interactions are most important for understanding trafficking in human beings. A trafficked person is transferred into

and kept in an *exploitative relation*, which often implies coercion. Since a market relation is fundamentally a voluntary relation, coercion nullifies it. Therefore, at the core of understanding trafficking in human beings is a non-market relation.

Trafficking occurs in relations.

Speaking of demand and supply emphasizes the contracting situation in which an exchange takes place for a price. However, many market contracts lead to a longer-term relation between two parties – for example labour contracts, rent contracts and credit contracts lead to long-term economic relations. In conventional economics, these relations are also framed as market relations in a labour, renting and credit market. The analytical value of using demand-and-supply-terminology is highest when it is applied to contracting situations, but are of less value for explaining what happens within long-term relations.

Exploitative relations can be observed in the recruitment, production and consumption context.

In theoretical texts, three types of interlinked contexts are distinguished, addressed here as recruitment context, production context and consumption context. In each context, we can differentiate between *market transactions* – which may be respecting or disregarding legal regulations such as tax laws – and *exploitative relations*.

Consumption	Production	Recruitment
<ul style="list-style-type: none"> • Client demands personal service • Consumer demands consumer good 	<ul style="list-style-type: none"> • Producer/ employer demands labour from worker • Producer demands producer goods and services from other producers 	<ul style="list-style-type: none"> • Migrant demands irregular border crossing service from smuggler • Worker or employer demands matching service from labour broker • Person demands credit from bank or money lender

Table 1 indicates which market transactions are relevant in the three contexts (consumption, production and recruitment). It shows that the actors role in different markets changes. For instance, migrants are on the demand side in markets related to the recruitment situation or on the consumption context, as consumers of smugglers’ services. Producers are on the demand side in markets related to the production context. Consumers or clients are on the demand side in markets related to the consumption context. Exploitative relations may be openly coercive or hidden behind the facade of market transactions in all three contexts. An exploitative relation in the production context is a necessary precondition for trafficking. When ‘demand-side’ measures against trafficking in human beings are discussed, they refer mostly to the consumption context, but sometimes also to labour demand in the production context.

Measures and measurement

Trafficking in human beings is a crime. Traditionally, states address criminal activities with *command-and control* measures, involving the detection and sanctioning of socially undesirable behaviours (e.g. forms of demand) that are criminalised. States can also regulate markets to make undesirable forms of demand less likely. They can use *market-based incentives* such as taxes and subsidies, or use measures promoting specific values or behaviours through *peer pressure*. Measures may also be used for symbolic reasons. They are embedded in political frames that link measures to value-loaded problem definitions.

Qualitative studies with in-depth analysis of the circumstances of specific cases can potentially advance the understanding of quantitative data in anti-trafficking.

In order to assess effects of interventions on trafficking human beings, it is necessary to assess the extent of trafficking. Reference to legal trafficking definitions is not sufficient, as the definition

contains an open list of fields. Establishing causality between an intervention and a targeted change is always difficult. A systematic difficulty is added for interventions that criminalise or stigmatise certain types of behaviour: While seeking to influence the occurrence of a phenomenon, they simultaneously influence its visibility. For example, criminalising purchasers of sexual services sets incentives to abstain from buying sexual services, but it changes also socially acceptable answers in surveys. After criminalisation, an increased number of purchasers of sexual services may deny they have purchased sexual services, when participating in a survey. As a result, it is impossible to provide robust social scientific evidence for the success or failure of interventions against trafficking in human beings. This has widened the scope for arguments without any empirical foundation, based on ideologies and beliefs.

In addition, available quantitative data is not always interpreted with care. It is frequently concluded that trafficking in human beings mainly concerns women and girls forced into prostitution, as this feature is displayed by criminal justice and support agency data. At the same time, global survey data, including migrant origin regions and regions with a suspected predominance of labour exploitation, show a high or dominant representation of males affected by human trafficking. Qualitative studies with in-depth analysis of the circumstances of specific cases can potentially advance the understanding of quantitative data.

There are hardly any evaluation efforts, in accordance with international standards, in the field of anti-trafficking, although evaluation could potentially provide indications how interventions work.

Although evidence-based policy-making is difficult in these circumstances, research may still deliver information and insights to better inform policymaking. There are hardly any evaluation efforts in the field, although evaluation could potentially provide indications how interventions work. Established evaluation quality criteria are less encompassing than criteria for scientific evidence. Evaluation standards require the search for *the best available evidence in a theoretically coherent way*, both with regard to the desired impact of an intervention and potential unintended side-effects.

Role of demand in anti-trafficking interventions in selected fields: Empirical insights

Sexual services

The origin of the demand-clause in the UN anti-Trafficking Protocol lies in the ‘ending demand’-campaign by a coalition of actors active in the area of prostitution policies, particularly opposing prostitution altogether, which they saw as fostering exploitation and human trafficking. For this reason, looking at demand for sexual services required an analysis of prostitution policies. Going beyond the criminalising/decriminalising typologies, research undertaken in DemandAT classifies prostitution policies as *repressive*, *restrictive* or *integrative*. The choice of approach is deeply rooted in value judgements, but research can point out implications of particular policy regimes.

Three case studies (on Sweden, Germany and New Zealand) showcase these policies. Since in Sweden commercial sex is considered to be an undesirable social phenomenon that should be eliminated with the help of criminal law, the Swedish policy can be assessed as *repressive*. New Zealand has a multifaceted understanding of commercial sex and regulates the sector by corporate and administrative labour law, sanctioning crimes with penal laws, like in any other sector. For this reason New Zealand is considered to subscribe to the *integrative* type of policy. Germany is moving simultaneously towards an *integrative* and *restrictive* approach. The integrative approach can be observed at the level of the national law, since it is not a criminal offence to sell or purchase sexual services, but on a ‘Länder’ (constituent state) level, there are regulations and practices seeking to restrict the market for sexual services.

A repressive policy approach might be an obstacle to report suspected crimes.

These different policy types tackle demand differently. In Sweden, demand is addressed through criminal law, making it illegal to purchase sexual services and through various campaigns that

discourage men to purchase sex. In Germany, there are initiatives that encourage cooperation between clients, NGOs and politicians, 'codes of conducts' and awareness-raising campaigns aimed at clients, informing them about trafficking. New Zealand has implemented demand-side measures such as laws that explicitly prohibit pressuring a sex worker to provide services. Illicit behaviour of intermediaries can be sanctioned. The state also seeks to influence clients and intermediaries by 'codes of conduct' for operators within the sector.

Addressing demand exclusively is unlikely to produce the declared end results of policies.

The client study undertaken in the framework of this research suggests that a repressive policy approach might be an obstacle to report suspected crimes because clients risk of being charged themselves when reporting a suspicion of coercion. In all three cases, addressing demand exclusively is not likely to produce the declared end results of policies. Other measures need to be implemented simultaneously, such as reducing sex worker vulnerability, limit opportunities for exploitation and build alliances between sex workers, NGOs and authorities.

Domestic work

A particularity of domestic work is that it takes place in private households, far from the public eye and where labour checks are rare or absent. Situations of trafficking in the context of domestic work have been reported in various working arrangements. Exploited domestic workers can be employed directly by the household or indirectly through agencies, with a regular declared contract or informally, with an undeclared contract. As a rule, incidents of trafficking are higher among domestic workers who live in the same household in which they work (live-ins).

Specific situations have been identified in which trafficking has been sanctioned. Specific contracts available only for diplomatic personnel have been used to force domestic workers into slave-like conditions; persons employed with au-pair contracts have been forced to supply full-time care work; family-based engagements such as marriages and child fostering have been abused to force persons to provide work around the clock and or exploit them in other ways. In the countries of the study, domestic work is regulated either through general labour law (Greece, Cyprus and the UK) or through specific regulations (Belgium, France, Italy, and in more limited manner in the Netherlands). As many domestic workers are migrants, regulations for the immigration of domestic workers also shape the field. Their immigration may be regulated by a specific work-visa for migrant domestic workers (in the UK and Cyprus), or by general immigration laws which apply to other migrant workers as well (in the other five countries).

Vulnerability to exploitation in domestic work emanates from the worker's situation, as well as from the particular workplace and employment relations.

Analysing demand in the context of trafficking in the domestic work sector highlights that vulnerabilities of domestic workers and demand-side factors are two sides of the same coin. Vulnerabilities emanate from the worker's situation (such as the social isolation while working in a private household, limited knowledge of the language in the country of destination, lack of knowledge of their rights etc.) as well as from the particular workplace and employment relations (informal work, live-in arrangements, isolated work setting where enforcement of regulations is challenging). The research found three types of factors influencing exploitation in domestic work: *economic factors* (households improve their economic situation by paying little or nothing to domestic workers), *social norms and discrimination* (indicating that domestic work should be unpaid, done by women and specific migrant or ethnic groups that are considered to deserve no regular working conditions) and *policies and regulations* (policies maintaining the dependency of the worker on their employer through, for instance, tied-visa schemes for migrant domestic workers or limited access to labour rights for migrants without work or residence permit/permission to stay).

Research found three types of factors influencing the likelihood of trafficking in the context of demand for domestic work: economic factors, social norms and policies.

The research found that three key lines of action are particular relevant for this area: raising awareness for labour rights of domestic workers for (potential) employers and their peers; protecting domestic workers' rights through better regulations and empowerment of workers, as

well as detecting labour and criminal law infringements and sanctioning perpetrators and ensuring that workers have access to remedies (including undocumented workers). Labour inspection is important for the compliance of labour regulations, and its role in the domestic work could be reinforced.

Global supply chains

Domestic services involve the shortest possible link between exploitative work and consumption, with employers or their family members consuming the benefits of domestic work. In contrast, a large range of goods is provided via a long supply-chain. The end consumer buys a good from a retailer, but demand on this market is linked to demand in other markets in a highly fragmented and dispersed production context in which labour may be exploited in the production of raw materials and intermediate goods. Labour recruitment and labour relations are intimately tied up with such interlinked economic relations that are usually addressed as supply chain relations. In global production networks, goods may be supplied in markets with changing partners, or between companies engaged in long-term contractual relations, or within companies.

With regard to goods produced in global production networks, trafficking is usually addressed in the same context as forced labour and/or slavery so that the study of initiatives with regard to such goods addressed trafficking, forced labour and slavery (TFLS) as one complex issue. Two trends contributed to this perspective: Companies engaged in Corporate Social Responsibility (CSR) have begun responding to concerns around TFLS, and actors involved in addressing TFLS have begun to recognise the relevance and potential of supply chains. The study identified and clustered 97 initiatives with an overlapping focus on supply chains and TFLS. In addition, three case studies on particular industries were conducted: electronics in Malaysia, constructions in Qatar and agriculture in Florida (US). Research found that many initiatives relate to the following areas: supply chain monitoring (often in combination with) employer guidance, institutional procurement (including public procurement) and labour market intermediaries.

The analysis also reflected on the underlying mechanisms of initiatives in order to identify factors so that some are considered more successful than others. There are initiatives that mandate disclosure of information from companies. Their success depends on clearly stipulated enforcement mechanisms that foresee significant consequences if companies do not comply. This can be exemplified by referring to the 'Dirty List' measure in Brazil. In short, major companies and banks have pledged not to work with companies or individuals who appeared on the list (who rely on exploitation in their production chains). Appearing on the 'Dirty List' meant losing a significant share of firms' market so the measure envisaged enforcement mechanisms with significant consequences.

Initiatives aimed at addressing trafficking, forced labour and slavery are likely to have a higher impact if they are accompanied by a commitment to ensuring labour rights and standards for all, including migrants.

A small number of examples were found that relied on the encouragement of genuine worker participation as a mechanism. This is the case of the Coalition of Immokalee Workers' Fair Food Programme. The analysis of such cases indicates that involving workers increases the impact of the initiative. However, worker involvement does not take place in a vacuum. It is crucial to acknowledge the relevance of labour rights and labour standards in general and migrant rights in particular. For this reason, anti-TFLS initiatives are likely to have a higher impact if they are accompanied by a commitment to ensuring labour rights and standards for all migrants.

Role of law enforcement in addressing demand – labour strand and security strand

Security strand

The study on the security strand analysed the role of the security sector in countering demand in the context of THB. The security sector refers to *stakeholders concerned with maintaining general public security and law and order*, and can include both, state and private actors, such as security companies. Relevant actors include the police, intelligence, border guards, immigration authorities, prosecutors and judges (in so far they deal with criminal law or public administrative law). The

analytical framework is structured broadly on criminal law basis, i.e. the security sector's role is to prevent, deter and disrupt, prosecute and convict criminal or law-violating activities. If a demand-side action or activity falls out of the security sector jurisdiction, i.e. it is technically not criminal or is difficult or impossible to prove that it violates the law, it is difficult for the security sector to play a role. The slight exception to this is that in countries following a common-law structure, the judiciary can create precedents where the said action can be reconfigured as a violation.

The security sector's role in addressing demand is tied to its legal framework i.e. mandates and jurisdictions and restricted to criminalised activities, subscribing to the traditional command and control type of approach. Law enforcement actors become directly involved if particular forms of demand are criminalised. As a consequence, some law enforcement actors saw very limited options to take action with regard to demand, while others interpreted 'demand' as anything that contributed to the emergence of trafficking relations and discussed limits of prosecution in this context.

Traditional *command and control* efforts against human trafficking need to be corroborated with other measures, especially when it comes to addressing vulnerabilities of those affected and preventing the exploitative situation altogether.

Security sector actors interviewed for the study referred to trafficking situations in which the victim is involved in criminalised activities – such as trafficking for forced criminality or for marriages of convenience – as challenging. In such situations, law enforcement has to make sure the persons trafficked are not prosecuted, in line with the non-punishment clause for victims of trafficking. Another challenge for law enforcement actors resides in the specificities and implementing procedures of domestic legal framework (criminal or penal codes). A narrow focus on addressing demand-side through specific anti-THB legislation may be misleading from a perspective of law in practice, as law enforcement actors may not necessarily rely on specific provisions on countering THB. Hence, the 'best evidence of the worst offence' principle implies that they often prosecute cases under other related offences, which may more easily lead to convictions. Adding to the complexity is the fact that certain offences relevant in this context (such as bans on child begging) may be dealt with administrative rather than criminal law. As a result, criminal networks are temporarily disrupted, but it is doubted whether it has a preventive effect against trafficking in human beings in the long run. For these reason, security sector actors are aware that traditional command and control efforts against trafficking need to be corroborated with other measures – especially when it comes to addressing vulnerabilities of those affected and preventing the exploitative situation altogether.

Labour strand

The study on the role of labour inspectorates to address demand in the context of trafficking in human beings for labour exploitation (THB-LE) found two types of labour inspecting systems – a *comprehensive system* (in the Netherlands and Czech Republic) and a *dual system* (Austria and Germany). Dual systems are characterised by the separation of the tasks of monitoring compliance with labour standards (such as minimum wage, working time and occupational security and health) from the tasks of monitoring compliance with migration and tax laws (to prevent tax evasion, social welfare fraud and undeclared employment). Labour standards are monitored by labour inspections, while migration and tax laws are monitored by financial authorities. Comprehensive labour inspecting systems are tasked with the supervision of both areas. THB-LE is either a side task embedded within the routine activities of labour inspectorates (in AT, CZ and DE) or is an explicit task (of the Dutch labour inspectorate and of the Gangmaster Licensing Authority in the UK).

Although labour inspectorates are involved in the efforts to tackle THB-LE in all countries under study to a greater or lesser extent, other priorities dominate their approach, particularly combating of undeclared and bogus forms of employment and in fact, the focus is to a great extent on undeclared (“illegal”) migrant labour. The latter focus makes it difficult to detect cases in which irregular migrants are involved as victims of trafficking for labour exploitation, because it is difficult to achieve their cooperation if they fear to be sanctioned for migration offences. Labour inspectors are rarely becoming aware of such cases, so they also rarely refer potential victims to support structures. Therefore, integrated strategies involving various actors and stakeholders, including

private initiatives, are expected to improve the anti-trafficking work. In addition, strengthening the rights and the awareness of workers regarding their rights are considered as the other side of the coin when it comes to reducing demand.

It is important not to 'normalise' less severe incidents of exploitation, but to address the whole continuum of breaches (from non-compliance with labour laws to severe forms of labour exploitation).

Labour inspectors see their main task as combating different forms of labour exploitation. They argue that this simultaneously functions as preventing trafficking for the purpose of labour exploitation. If opportunities for exploitation are reduced through the deterrent effect of inspections and sanctions, incentives for recruiting persons into exploitative labour relations are reduced. Often, labour inspections that focus on sectors and branches prone to exploitative practices are more likely to address exploitation. According to their logic, it is important not to 'normalise' less severe incidents of exploitation, but to address the whole continuum of breaches (from non-compliance with labour laws to severe forms of labour exploitation). With a broad approach to the reduction of exploitation, labour inspectorates expect to reduce the ground for trafficking for labour exploitation more effectively than by focussing on trafficking only.

Addressing demand through campaigns

Campaigns are seen as a major tool to prevent human trafficking, enabling information sharing and awareness and/or behaviour change. However, theoretical analysis indicates that awareness-raising of general audiences does not help to reduce suffering of victims unless it leads to action. This study investigated into campaigns that ask people to do something. Demand-side campaigns seek to reduce trafficking by influencing patterns of the spending of money for goods and services, or by encouraging the reporting of suspicious occurrences to the police or NGOs.

Awareness-raising alone, with no action attached to it, leads to no reduction of exploitation and trafficking.

For many campaigns, no evaluation could be identified and available evaluations mostly did not comply with established evaluation standards. These provide only partial insights into the working of campaigns. Evaluations of spending-shift campaigns did not provide any evidence that spending patterns have changed nor that trafficking was reduced. Reporting campaigns often target hundreds of thousands of people; however, only a few are in a position to act upon the messages, and even fewer do so. Messages designed to attract attention to, and raise awareness of, potential exploitation can easily be misunderstood and have unintended and harmful side-effects on perceptions of victims and perpetrators. Victims and perpetrators may be overlooked if they do not correspond to stereotypes in the campaign.

Internal evaluations provided often more critical insights than evaluations commissioned to external evaluators.

In contrast to expectations, internal evaluations – conducted by staff of the campaigning organisation – provided often more interesting critical insights than evaluations commissioned to external evaluators. This may be caused by better data access and a stronger commitment to learning, compared to presenting an organisational activity as successful to funders and external audiences.

Policy Implications and Recommendations

Research on demand and on demand-side measures confirmed a number of findings and also led to some new conclusions which suggest further action by policymakers in the field of anti-trafficking. Recommendations are put together according to their content – from those specifically referring to demand-reduction in the context of trafficking to those referring to general policy formulation in the area of anti-trafficking.

1. ‘Demand-side’ policies and measures shape purchasing conditions in a market context. Such measures need to be combined with other anti-trafficking efforts.

Research found that ‘demand’ is used in a range of different meanings. Without a meaningful use of the concept in particular policies, ‘demand’ can become just a label for anti-trafficking policies, regardless of their focus. It is recommended to avoid expanding the concept to virtually anything that leads to trafficking in human beings. If demand is used in the most frequently evoked meaning of ‘willingness and capacity to purchase a good or service’, demand-side intervention refers to policies and measures that shape the purchaser side in a specified market context. Such measures do not work in isolation. Addressing demand has to be done in parallel with other preventive measures as well as with protection measures of those potentially affected and in partnership with all stakeholders engaged in tackling trafficking.

2. Make best use of available evidence and improve evaluation of measures.

All empirical work in this project had to deal with the fact that while much is written on measures against trafficking, empirical evidence on the impacts is rare and difficult to produce. In such a field, conceptual and theoretical clarity and close scrutiny of the available evidence is necessary for improvement. This study has shown that in-depth analysis of case studies with all relevant stakeholders as well as case law analysis can highlight mechanisms and features relevant for the emergence of trafficking in human beings. Particular relevant are those case studies where there is solid evidence, according to international established standards, of reducing exploitation.

Evaluation studies are therefore another way of producing better insights into the impacts of policies and measures. Evaluation must be planned in advance and resources allocated accordingly. Small scale internal evaluations and large scale external evaluations can be professionalised with adequate support and orientation towards established standards as developed by professional bodies. While the analysis of case-specific organisational mistakes may be restricted to internal learning, key results should be made publicly available, ideally through an easy-access repository, to make sure organisations can learn from one another. For this, evaluation should be recognised as a success in itself, as learning from past interventions is crucial for improving future ones.

3. Anti-trafficking policies, including demand-side measures, need to be context specific and custom made for particular markets.

Anti-trafficking policies do not function in a vacuum, but operate within national and international legal contexts. These contexts are highly relevant. Transferring insights from one policy area to another or from one country to another is difficult. In addition, trafficking in human beings rests on exploitative relations that are embedded in many different market contexts. Exploitation in agriculture and construction, in domestic work and prostitution is embedded in markets with different characteristics. For example, domestic work and sex work are characterized by an environment in which most activities are performed unpaid within relations inside private rooms – an environment that offers options to hide the exploitation of workers who clearly aim at gaining an income with their activity. For construction and agriculture, fluctuations in labour demand and the predominance of temporary workers are more relevant circumstances.

Research on labour exploitation showed that restrictive immigration policies make workers vulnerable to exploitation and abuse from the side of their employers. This concerns particularly undocumented workers and workers on tied visa. Extreme cases are found concerning domestic workers of diplomats – an environment where tied working visa is combined with virtual immunity of potential exploiters. States that enable such a blatant imbalance of power in a working relation through their policies have an obligation to take counteracting precautions. Migration policies in general should be checked if they include safeguards for trafficking victims, or whether they can be changed in a way to induce less vulnerability.

4. Resources to fight trafficking are limited. Addressing situations of various degrees of exploitation can contribute to detecting and preventing trafficking.

Particularly research on labour inspections in domestic work showed that people are trafficked into exploitation of various and increasing degrees. Sole emphasis on extreme situations is unhelpful in identifying forced labour and trafficking in human beings. With regard to trafficking for labour exploitation, there is a need to look beyond the point of contacting (demand, supply, price) and to look at the relational aspect of the employment arrangements. Vulnerabilities may not be obvious at the beginning of a labour relation, but can evolve or come to the attention of the employer in the course of a relation. In that sense, combatting labour exploitation is a prevention measure against the emergence of more severe forms of exploitation. Access of (migrant) workers to mechanisms for reporting exploitative situations is expected to contribute to detecting and preventing trafficking for labour exploitation.

In addition, situations of severe exploitation may not meet all trafficking criteria and situations might not be addressed. If resources are mobilised for addressing exploitation, trafficking cases are less likely to be overlooked.

Research Parameters

The project consisted of a range of complementary sub-studies taking care of comprehensive literature analysis in their area and using a range of additional empirical investigation methods. These included:

- Analysis of case law concerning trafficking for the purpose of exploitation in domestic work in seven European countries, including cases in which trafficking was investigated and dropped, sanctioning other crimes.
- Mapping of measures addressing trafficking in human beings – among others – in the context global supply chains and comparative analysis of their key features. Three cases studies on particular industries – electronics, constructions and agriculture – were conducted.
- Comparative analysis of evaluations of demand-side campaigns against established evaluation criteria and development of a manual to increase evaluability of demand-side campaigns.
- Comparative analysis on what is perceived as ‘demand-side measures’ and how addressing demand links with norms and routines in the security sector and in labour inspections in selected European case studies, as well as through a EU wide questionnaire.

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