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For further details about the project and full European project team please visit:

www.brookes.ac.uk/microsites/combat-human-trafficking

Introduction

Trafficking in human beings (THB) is a growing criminal activity. With the hospitality industry in the EU employing some 9.5 million workers, spread out across 1.7 million enterprises¹, traffickers and organised criminals see an opportunity to exploit a sector perceived to be largely defenceless to, and sometimes even complicit in their activities.

The nature and necessities of THB - the requirement for continuous movement, temporary accommodation, supply of low cost products and services and the privacy and anonymity offered to guests – expose hospitality businesses to this criminal activity. At the same time, they are also in a unique position to identify and combat it.

The COMBAT training toolkit, comprising three reference guides and other training material is designed to be a preventive and practical, step-by-step guide for hotel organisations to proactively fight THB. It seeks to help the prevention of trafficking in human beings in your business, to mitigate your exposure to this criminal activity and, most importantly, enable your organisation to assist the reintegration of trafficking survivors back into society.

This reference guide, targeted at corporate boards and executive management, offers recommendations for the development of strategies and policies aimed at counteracting and, if present, disrupting trafficking. It also forwards guidelines for reporting procedures and supporting victims at strategic and tactical levels. It advocates participation in anti-THB initiatives; the apportionment of resources and the involvement of business functions in alleviating THB risks.

Whilst you may be aware of the reputational and legal risks of human trafficking, these threats are dwarfed by the moral obligation we have towards the victims and survivors of this form of slavery. This reason alone should motivate senior management to work through this reference guide.

How to Use this Guide

This reference guide consists of nine Units which bring together what Corporate Boards, Directors and Senior Officers should know about Trafficking in Human Beings in the hotel industry and on how to develop an anti-THB strategy in their organisations.

Trainers may design their training courses by picking the Units that they consider are more relevant to their respective audience. They may conduct their training sessions as a one-day workshop or as shorter seminars according to the time they have available and the priorities set by the organisation as well as its training needs.

There is a deck of slides that supports this reference guide from which trainers may pick the slides they need and create their own, tailor-made, PowerPoint presentation.

Finally, there are seven THB cases in the toolkit available for trainers to use as they deem appropriate in order to better illustrate the points they chose to make during their sessions. These case studies are described in one-page texts and illustrated in PowerPoint in sets of 10 slides per case. The cases may support wider training sessions or may be used separate for targeted training or refresher sessions. As a guiding point, each case study should take approx. 30 mins to discuss.

Key to symbols used in the document



Key point



Information



Did you know?



Weblink



Summary

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Unit 1: What is Human Trafficking?

In this unit we briefly define what human trafficking means; outline the extent of the human trafficking problem across Europe and world-wide. We explain key distinctions between human trafficking (often defined as modern slavery) and human smuggling.

1.1 What does human trafficking actually involve?

The Directive 2011/36/EU of the European Union defines trafficking of human beings (THB) as:

*“The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of **coercion**, of abduction, of fraud, of deception, of the abuse of power or of a position of **vulnerability** or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of **exploitation**”².*

Exploitation includes, as specified by Article 2 (3) and preamble 11 of Directive 2011/36³:

- sexual exploitation
- forced labour, including forced criminality
- slavery or practices similar to slavery
- servitude
- removal of organs
- forced begging
- illegal adoption
- forced marriage

A key feature of the EU Directive is that it stipulates that **the consent of a victim is irrelevant when means of exploitation can be found**. In particular, when trafficking involves a child the conduct is punishable even if there is no evidence that means of exploitation were used (Article 2 (4) and (5) Directive 2011/36).

Further details about the European legislative framework on THB are contained in Appendix 1.

1.2 The extent of the problem

Determining the extent of THB is not easy for a number of reasons. Different legal definitions, different reporting systems and different ways to record or classify crimes (e.g. professional prostitution or employment law breach) across the globe make measuring THB a very complex task.

Even across Europe there are multiple interpretations of ‘what human trafficking is’ and ‘who can be considered a victim’. The EU Directive includes a broader definition of trafficking and contains a notion of ‘vulnerability’ widely applicable to all victims of trafficking, including children. The inclusion of these legal definitions in European law constitutes a robust development for a common interpretation at least for EU Member States.

The monitoring mechanisms of compliance and enforcing procedures are based on different systems of data collection at the European level. Some data are



THB involves:

- coercion
- vulnerability
- exploitation



Appendix 1 is at the end of the unit

collected through the reporting system of the Group of Experts on Action against Trafficking in Human Beings, (GRETA) while others, through the European Statistics Agency (EUROSTAT) which relies upon national authorities reporting their own country data. On a global level, data is collected by the United Nations Office for Drugs and Crime (UNODC) and the International Labour Organization (ILO).



Did you know?

Globally, the average cost of a trafficked victim is \$90

In addition, academic researchers investigating the ‘dark side’ of THB, estimate much higher numbers of trafficking victims. As a result, there are wide variations in the extent of THB reported as Table 1.1 and 1.2 demonstrate. There is general consensus however, that THB is under-reported.

Table 1.1: Extent of THB in Europe

Number of THB Victims	Source
30,146	Eurostat (2015) : victims between 2010 and 2012 ⁴
1,140,000	Datta and Bales (2013) ⁵

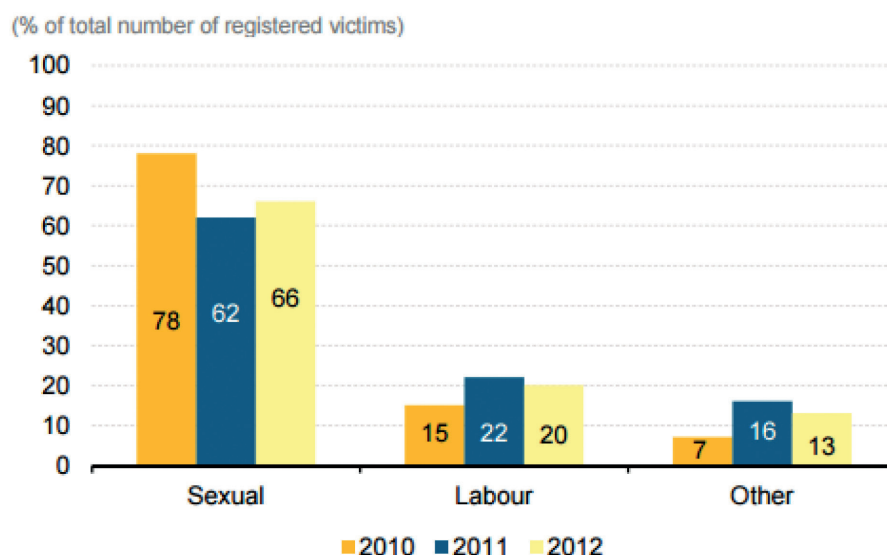
Table 1.2: Extent of THB Globally

Number of THB Victims	Source
40,177	UNODC (2014) : victims between 2010 and 2012 ⁶
30,000,000	Crane (2013) ⁷
21,000,000	ILO (2012) ⁸

1.3 Victims of THB

According to data collected by Eurostat⁹ from EU member states, the majority of THB victims are trafficked for **sexual exploitation (66%)**, followed by **forced labour (20%)** and **other forms of trafficking (13%)** as depicted below.

Figure 1.1 Registered victims by type of exploitation



THB is a highly **gendered crime** as Figure 1.2 below shows. It identifies that women are trafficked more for sexual exploitation and men, for labour exploitation. There has also been an increase in the trafficking of males for labour exploitation.

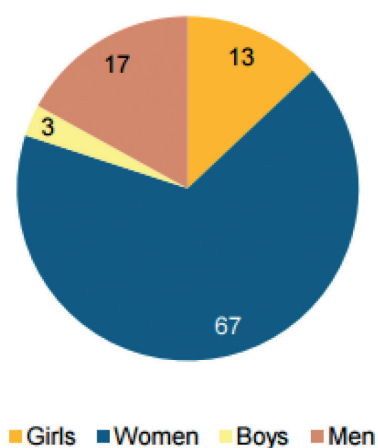
Figure 1.2 Registered victims by gender and type of exploitation (2010-2012)



Source Eurostat (Based on data from 22 member states which provided data for all three years)

THB also can be broken down by gender and age profile as Figure 1.3 below illustrates.

Figure 1.3 Registered victims, percentages (2010–2012)



Source Eurostat (Based on data from 22 member states which provided data for all three years)



Majority of female victims trafficked for sexual exploitation.

Majority of male victims trafficked for labour exploitation.

1.4 World-wide trafficking flows

The United Nations¹⁰ has identified at least **510 world-wide trafficking flows** which are defined as ‘imaginary lines that connect the same origin country and destination country of at least five detected victims [and] criss-cross the world’. Countries in Eastern Europe and the Balkans are mainly origin regions for cross-border trafficking into the rest of Europe and those in Northern and Western Europe tend to be destination regions. Southern European countries are transit countries for trafficked victims from Asia, Africa and the Americas.

In reality, trafficking happens everywhere. The UNODC (2014: preface) states that ‘most victims are trafficked close to home, within the region or even within their country of origin, and their exploiters are often fellow citizens’.

1.5 Are human trafficking and human smuggling the same thing?

Human trafficking and human smuggling are not the same phenomenon. They could be two aspects of the same offence or alternative crimes. One of the key differences between human trafficking and smuggling is that the latter always involves the illegal crossing of national borders. For example, human smuggling occurs when a person remunerates another (the smuggler) in order to migrate illegally to a country of destination and once the destination is reached the agreement ends.

In these circumstances, people who have been smuggled are not protected by the law under anti-trafficking legislation, but might be claiming asylum or humanitarian protection if they flee from wars, persecution or other calamities. This type of situation may turn into a 'human trafficking' case, if for example, the smuggler is dissatisfied with the amount of remuneration received or decides to abuse his/her power and take advantage of the vulnerability of the person smuggled. The victim is then kept captive for profit against her/his will.

The key differences between human trafficking and human smuggling are:

- that a trafficker is someone who controls, uses or exploits a victim for profit, while a smuggler facilitates or transports a person across borders generally for payment¹¹,
- THB, as seen earlier, does not necessarily involve illegal crossing of national borders,
- THB involves victims' exploitation, and their initial consent to be smuggled across borders becomes irrelevant once the means is established and the person smuggled is held captive by the smuggler who has turned into a trafficker¹².

1.6 Summary

In this unit we identified that:

- although clearly defined, it is difficult to measure the true extent of THB,
- the majority of THB victims are women, exploited for sexual purposes,
- there has been an increase in the number of male THB victims exploited for labour purposes, and
- there are clear distinctions between human trafficking and human smuggling.

Appendix 1: Human trafficking legislative framework in Europe

The human trafficking legislative framework in Europe is characterised by a variety of provisions, which encompass International Conventions (such as the 2000 UN Convention against Transnational Organized Crime¹³, and 1930 ILO's Convention No 29 concerning Forced or Compulsory Labour¹⁴) and two overlapping regional instruments (the 2005 Council of Europe Anti-Trafficking Convention (CAT) and Directive 2011/36/EU).

The **Council of Europe Anti-Trafficking Convention (CAT)**, adopted in 2005, serves the purpose of combating and preventing THB imposing a number of obligations on the Council of Europe's contracting parties.

The **Directive 2011/36/EU** introduced in 2011 serves the purpose not only to



Smuggling is a violation of the state.

THB is a violation of the person.



Key differences:

- consent
- exploitation
- transnationality



combat trafficking crimes but also to provide suitable support for victims. It sets out that human trafficking is a criminal offence. Also inciting, aiding, abetting and attempts to commit human trafficking are considered as wrongdoings and are punishable (Article 3 Directive 2011/36). This legal instrument imposes an obligation on the EU Member States to set up criminal procedures to investigate offences and to prosecute offenders.

The provisions of the European Directive have been incorporated into national legislation. If Member States do not comply with the Directive the Commission is competent to enforce European law bringing non-compliant Member States before the Court of Justice of the EU (CJEU). The Court has the power to condemn infringing States, fining them for non-compliance. Such a mechanism is essential to ensure compliance and effectiveness of EU law across all Member States.

There is a separate legal definition about smuggling of migrants. Article 3 (a) of the Smuggling of Migrants Protocol provides that the term **smuggling of migrants**¹⁶ means *“the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident”*¹⁷.

Unit 2: Why does Human Trafficking Matter to the Hospitality Industry?

In this unit we examine the extent of human trafficking within the hospitality industry and the vulnerability of hospitality businesses. We also identify the reasons why hospitality businesses should adopt a proactive approach to combat THB.

2.1 Human trafficking in the hospitality industry

Unit 1 identified that it is difficult to determine the precise number of victims of THB. The same can be said for determining the number of victims trafficked through hotels and other sectors of the hospitality industry. Recent research studies identify that hotels, restaurants and other food and beverage establishments are increasingly used for both sexual and labour exploitation. Polaris¹⁸ the US National Trafficking Resource Center, identifies that hotels and motels are second only to brothels as the most popular venue for trafficking for sexual exploitation, and restaurants and bars, two of the most popular venues for labour exploitation. Polaris report that of the 5,544 reported trafficked victims in the USA in 2015:

- 8.2% of trafficking for sexual exploitation occurred in hotels,
- 1.3% of trafficking for labour exploitation occurred in restaurants and bars,
- 0.6% of trafficking for labour exploitation occurred in hotels.

In their study on human trafficking in Europe, Datta and Bales (2013) developed a methodology for calculating the 'dark figure' of the crime of human trafficking and they estimated that in 2012 this figure was close to 1,140,000 victims. Using this estimate, and extrapolating the Polaris statistics in the hospitality sector, it appears that in Europe there could potentially be:

- 93,800 victims of sex trafficking in hotels,
- 14,820 victims of forced or bonded labour in restaurants and bars,
- 6,840 victims of forced or bonded labour in hotels.

In total, that means there are an estimated 115,140 annual victims of THB in the European hospitality industry.

Victims of sexual exploitation may be forced to stay in hotels or similar types of accommodation, where customers come to them (in-call) or they must visit customers at their hotels (out-call). Alternatively, they may be exploited for labour purposes within hotels, restaurants and bars. Unfortunately, many of these victims remain 'invisible' to those who work within the hospitality industry.

2.2 Why is the hotel industry vulnerable to THB?

All hotels, regardless of affiliation, brand, size or location are vulnerable to THB. There are a number of characteristics of hotels and their operational practices which make them particularly vulnerable to human traffickers and their victims. These characteristics can be categorised accordingly:

Strategic:

- The use of asset-light models, where ownership and/or management of the hotel property is separated from the brand.
- The belief that by adopting good practices, such as signing the Code of

Conduct for the Protection of Children from Sexual Exploitation, will damage the business or brand reputation by admitting that there may be a problem in their properties.

Visit the website at: www.thecode.org



Visit the code website.

Organisational Culture:

- There is often confusion between prostitution (not a criminal offence in many countries) which is accepted within hotels and trafficking for sexual exploitation purposes. As a result, staff members do not always perceive that a crime is being committed.
- Hotel owners/managers sometimes offer external 'services' to guests, which may be commissionable and where management and staff share in the proceeds.
- Hotel owners/managers sometimes offer internal 'services' (as opposed to external service providers) to minimise the risk of danger to guests.
- Employees may have a strong customer orientation and willingly respond to customer demands without moral boundaries.
- There may be greater consideration given to revenue generation at the expense of ethical or moral behaviour.

Technological:

- Automated reservation systems, often using third party distributors, enable traffickers to apply for entry visas to countries and transport victims to these countries for exploitation.
- Mobile and automated check-in systems mean that the check-in process and room access is not monitored.



Hotel characteristics that increase their vulnerability to THB

Operational:

- Many hotels do not require full identification for all guests staying in a property, especially if children are accompanying adults.
- Many hotels do not require all guests to sign in or register at check-in, particularly if they are children accompanying an adult.
- The privacy and anonymity normally offered to guests provides a level of protection for traffickers.
- Unrestricted use of 'do not disturb' signs means that guests are allowed to remain invisible to staff for extended periods of time.
- Accepting payment for accommodation and other services by cash makes traffickers and their victims harder to trace.
- The lack of clear guidelines for reporting suspected incidents of THB.

Employment Practices:

- The frequent use of recruitment or employment agencies to fill key operational roles.
- The frequent use of temporary or seasonal labour.
- The use of low or unskilled labour where legislation, labour or human rights are unknown to employees.
- The use of culturally-diverse labour pools where language barriers may prevent reporting and/or an understanding of their rights.

- The lack of trade union representation in many countries to support staff members.
- Poor human resources practices where employee checks are not completed thoroughly.
- Minimal staffing levels in budget or apartment-style accommodation which provide greater leeway to traffickers.
- The lack of training on spotting the signs of THB.
- Anti-THB training and awareness is conducted only to comply with corporate policy without taking the issue seriously or implementing clear measures to address it.
- The lack of protection for employees who report a suspected incident, who as 'whistle blowers' may be forced to resign.
- Employees who fear retribution from other members of staff complicit in trafficking if they report any suspected incidents.

Outsourcing Strategies:

- Contractual outsourcing of services (e.g. housekeeping, maintenance or gardening) to suppliers who may have unethical employment practices or who may not vet their staff.
- The use of global supply chains which are complex and opaque and therefore difficult to monitor.

2.3 Why is it important to combat THB in the hospitality industry?

In countries around the globe, there has been a growing focus on the use of hotels as vehicles for THB, particularly for the purposes of child sexual exploitation (CSE). More and more governments are recognising that hotels may be intentional or unintentional vehicles or conduits for traffickers and their victims and call for their support and involvement in the fight against THB²⁰. In some countries therefore, the relevance of business or corporate culpability is recognised.

Regardless of whether hotels:

- are unknowing or unwitting participants,
- adopt a 'head in the sand' approach and ignore trafficking signs, or
- are willing participants who may or may not share in the trafficking proceeds,

they can potentially be deemed culpable in an incident of THB. These offences subject hotels to criminal and civil liability. THB is often interconnected with other types of organised crime therefore by actively combating THB hotels might also prevent other illegal activities. There are growing calls for additional legislation requiring companies to disclose their anti-trafficking policies and activities. These issues are explored in further detail in Unit 4.

Along with the **legal** obligations, however, hotel companies have an **ethical** and **moral** obligation to combat human trafficking. Corporate social responsibility (CSR) has been growing in importance on corporate agendas for quite some time. Companies therefore need to be mindful of human rights, labour rights, and anti-corruption as well as environmental responsibility. The current arguments for CSR are based on moral obligations, reputation, licence to



Did you know?

Human trafficking is the third largest international criminal industry (behind illegal drugs and arms trafficking). It is reported to generate a profit of \$32 billion every year. Of that, \$15.5 billion is generated in industrialised countries.



More on disclosure in Unit 4

operate and sustainability. By actively combating THB, hotel businesses demonstrate to stakeholders (investors, customers, employees and suppliers) that they support human and labour rights as well as anti-corruption initiatives. Such actions can help to build stakeholder trust in the business or the brand and enhance brand value. Increasingly, meetings and event planners and other corporate travel planners are demanding to see positive anti-THB policies by hotel firms prior to booking meetings or events²¹.

As such, including anti-THB initiatives on CSR agendas and implementing anti-trafficking initiatives have been shown to help firms achieve competitive advantage by lowering costs and/or better serving the needs of stakeholders and society. Proactively addressing THB can therefore help firms to mitigate legislative, regulatory and financial business risks. These risks are discussed in further detail in Unit 5.

In contrast, a failure to take action against THB can cause significant damage. The reporting of a single human trafficking incident can result in:

- extensive negative publicity,
- business interruptions by law enforcement agencies or public protest,
- potential criminal or civil lawsuits as identified above.

The reputation of the hotel business and/or the hotel brand can therefore suffer immensely. The failure to take action can erode customers' trust in the brand and decrease shareholder value. It can also impact negatively on staff morale, which can also be detrimental to hotel profitability.

While some hoteliers might hesitate in publicising their initiatives to combat THB for fear of alienating customers and investors, there is clearly more potential damage resulting from a lack of action. One only has to look at the volume of negative publicity that companies received after the implication of some of their hotels in THB. See for example the cases of:

- Wyndham Hotels and Resorts
- Hilton Worldwide

Visit these websites for more information:

<https://www.change.org/p/stop-wyndham-hotel-staff-from-supporting-child-sex-trafficking-in-wyndham-hotels>

<http://www.hotelnewsnow.com/Articles/11778/Hotels-are-hub-of-human-trafficking-prevention>

The costs of managing the media and limiting the damage of negative publicity can be extremely high.

Research also suggests that there has been no 'bad press' reported for companies that proactively endorse initiatives such as the **Code of Conduct for the Protection of Children from Sexual Exploitation**. In fact, those companies who have signed up to the Code have received positive press and improved morale amongst staff members. Carlson, the first hotel group to sign the Code in 2004²², does admit that negative publicity was a concern prior to signature, but in reality they received positive publicity and support from customers and other stakeholders.

Other current hotel signatories to the Code include Wyndham Worldwide Corporation, Hilton Worldwide, Real Hospitality Group and Accor Hotels. These participants also report benefits of sharing industry and stakeholder knowledge amongst themselves as well as with firms from other hospitality and tourism sectors. Carlson is also one of the founding members of the multi-sector **Global Business Coalition Against Trafficking** which aims to eradicate trafficking



More on a risk-based approach in Unit 5



Visit these website

in supply chains, including forced labour and all sex trafficking, notably child prostitution, by compiling individual experiences and resources addressing trafficking to disseminate best practices. Another notable initiative in this area is the campaign of the International Tourism Partnership²³.

There are clear advantages therefore in taking a proactive approach to addressing THB, rather than adopting a reactive approach following the identification of a trafficking incident.

Visit the Gbcats website: www.gbcats.org



Visit the Gbcats website

2.4 Summary

In the unit we have:

- identified the prevalence of human trafficking in hotels and other hospitality sectors,
- identified and categorised the factors that contribute to the vulnerability of hotels to both sexual and labour trafficking, and
- explored the reasons why hospitality businesses should proactively combat THB.



Unit 3: Who is Involved in Human Trafficking?

In the last unit we identified the reasons why hospitality businesses remain vulnerable to THB and why they should take action to proactively combat THB. In this unit we explore the key actors or participants involved in human trafficking, the relationships between them and the need for collaboration to combat THB.

3.1 Human traffickers

THB is one of the fastest growing criminal activities, with global annual revenue of US \$150 billion, two-thirds (\$99 billion) of which comes from sexual exploitation and one-third (\$51 billion) from labour exploitation²⁴. For traffickers therefore, it is a 'big business'. In reality however, traffickers work in different types and sizes of organisational arrangements. Some traffickers work as part of large, organised criminal networks which operate internationally, transporting victims between different countries for exploitation purposes. In other cases, traffickers are independent operators or are part of smaller, family or clan-style organisations which operate on a local or regional basis. Traffickers often work cooperatively with other small organisations or large criminal networks, developing collaborative arrangements and relationships based on trust and mutual dependency²⁵. Research also suggests that traffickers often specialise in specific types of trafficking depending on their nationality²⁶.

In reality, there is no such thing as a 'typical' trafficker, although they are often considered to be, or imagined as, middle-aged males. However, there are growing numbers of women involved in trafficking. Research²⁷ suggests that a high proportion of traffickers are women; over 50% in some countries, representing a much higher percentage than in other types of crime. Experts argue that a key reason for the high involvement rate of women is that trafficked victims, particularly those who are young, are more likely to trust female traffickers. Women are often involved in the recruitment of new victims for sexual exploitation, although sometimes they are coerced into this recruitment process. At other times their actions are unintentional; for example, when encouraged to invite their friends to work abroad and they all end up as victims of sexual exploitation and/or forced or bonded labour. Additionally, female victims are sometimes co-opted by their traffickers into their network thereby becoming perpetrators²⁸.

3.2 Hotels and other hospitality businesses

As criminals, traffickers tend to seek the path of least resistance. Unfortunately, many hotels and other hospitality business units offer these 'resistance-free' pathways, often unwittingly, and remain vulnerable to traffickers for the reasons identified in Unit 2. Nonetheless, as Unit 2 also acknowledged, there is a clear case for hotels and other hospitality businesses to undertake a proactive approach to combat THB.

Given that hospitality businesses have been identified as vehicles for sexual and labour exploitation, it is important that all staff members are trained to look for and spot the signs or signals of THB, regardless of their position or department. However, it is also important that there are clearly defined reporting procedures which staff can use without fear of retribution. Reporting procedures should include notifying appropriate law enforcement and other agencies that can care appropriately for, and provide support to, the victim.



It is important not to conform to the stereotypes people hold of traffickers – they are usually people that the victim knows on a personal basis (family members, relatives, friends, etc.)



Did you Know?

Criminals tend to seek the path of least resistance

3.3 Law enforcement

Evidence suggests that in many countries across the globe, the conviction rates of traffickers are low. While the rates vary by country, across Europe, only 44% of prosecutions result in convictions²⁹. In fact, these rates are lower than other serious crime conviction rates despite the fact that UNDOC (2104) reports that 146 countries have criminalised all aspects of trafficking in line with the **United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)**³⁰.

Kangaspunta (2015)³¹ identifies four possible reasons why conviction rates for THB remain low including:

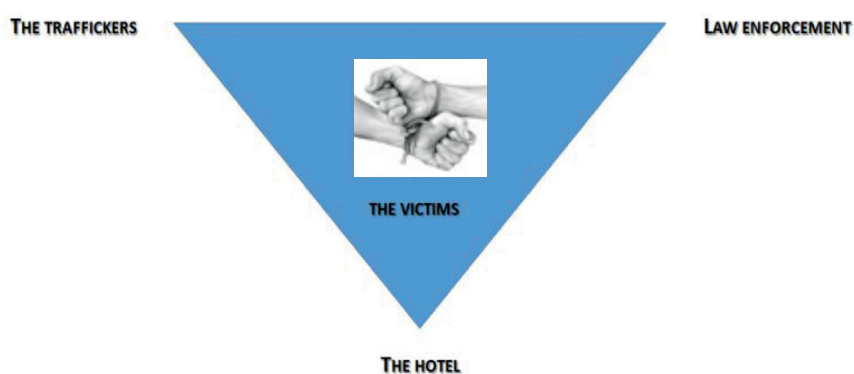
- a low level of identification/reporting of victims (which may not reflect the reality of the situation) which is exacerbated by,
- the hidden nature of the crime (worsened by the reluctance of victims to report the crime and the reliance on victims' testimonies in court),
- limited capacity or resources to investigate trafficking incidents, and
- corruption.

The differences in legal definitions of trafficking and national legislation, as discussed in Unit 1, also impact on conviction rates.

3.4 The relationship between traffickers, hotels and law enforcement

This unit has identified three key players in THB; the traffickers, the hotel and law enforcement officials. The relationship between these actors is depicted in Figure 3.1 as occupying three sides of a triangle with victims potentially trapped in the middle.

Figure 3.1



Did you Know?

Forced labour generates \$150 billion per year in illegal revenue globally. Two-thirds of those profits are generated by commercial sexual exploitation. The other third is generated by forced labour exploitation.

3.5 Victims of THB

The victims of THB are some of the most vulnerable in society and there are a number of environmental conditions³² that increase this vulnerability including:

- poverty
- unemployment
- limited education
- civil unrest
- limited social support
- limited or unstable family life

These environmental conditions ‘push’ victims into trafficking whereas the demand from different countries or regions for labour and sex markets encourages traffickers to ‘pull’ their victims into trafficking. Because of the diversity of traffickers and the variety of ways they organise their activities, victims can be more vulnerable to new and/or different recruitment practices. Whether pushed or pulled into trafficking, the coercion or force used by the traffickers ensures that their victims become tied to them, even though these ties may be invisible to those they come in contact with.

Traffickers use both force and fear to maintain these ties including:

- the threat of physical harm to the victims,
- the threat of physical harm to victims’ families or friends,
- developing the victim’s dependency on drugs which the traffickers supply, and
- developing the victim’s dependency on alcohol which the traffickers supply.

In addition, victims might also be reluctant to report their situation because they:

- may be unaware of their human or legal rights,
- fear that ‘the authorities’ will not believe them,
- fear being deemed a criminal or complicit in their activities by the authorities,
- fear deportation back home and retribution when they get there,
- feel ashamed of their situation, and
- believe they have no alternative means of financial support.

These circumstances ensure that victims remain trapped in the middle of the other key players as Figure 3.1 depicts. However, if hotel organisations and law enforcement agencies work together collaboratively to identify and report victims and their traffickers as suggested above, they will be in a better position to combat THB and help trafficked victims to become survivors. These collaborative efforts can help to sever the invisible ties that bind victims to traffickers and secure higher conviction rates for the perpetrators.

3.6 Summary

In this unit, we identified:

- the key players in human trafficking in the hotel industry,
- the nature of the relationship between key players, and
- the need for collaboration between hotels and law enforcement agencies to identify human traffickers and their victims as a first step towards combating THB.



Caution is needed when trying to identify a potentially trafficked victim. It is not a general observation but a process which requires looking for all the possible signs, asking appropriate questions, listening for information and discovering possible indicators of coercion, abuse and exploitation.



Unit 4: Governance of an anti-THB programme

In this unit we discuss the governance of an anti-THB programme. We outline the stages in the development of an anti-THB policy statement and programme. THB is evaluated as a risk and we advocate that a risk-based approach be implemented to include the full risk management cycle and Three Lines of Defence model.

Download an anti-THB Policy Statement from ITP's web page

<http://tourismpartnership.org/wp-content/themes/itp-child/assets/files/ITP-Human-Trafficking-Position-Statement.pdf>



You can download an anti-THB Policy Statement from ITP's web page

4.1. Steps in Developing a Policy Statement

Policy statements are developed and approved at Board level and the whole process is normally instigated by the Chief Executive. No matter who initiates the process, a member of the senior management team (a director or the counsel) will typically be appointed to lead and coordinate the statement development and implementation (see Figure 4.1)

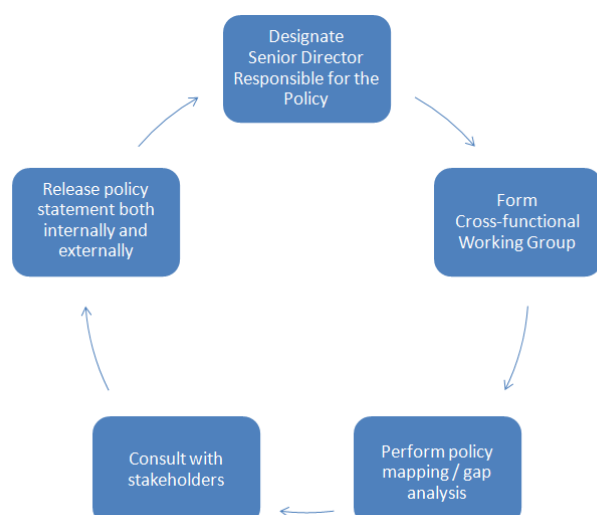
The task will should be undertaken by a cross-functional working group that will look to capture in-house knowledge from across various business functions, draft the policy statement and oversee its implementation.

One primary task for the working group will be to conduct a policy gap analysis/mapping exercise to determine what policies already exist which can help to combat THB and identify any relevant ones that are missing.

Many organisations will find that a large part of their ethical business conduct may already address most THB issues; therefore, drafting a policy statement will not be too onerous. In addition to ensuring that the policy statement is informed by all relevant internal and/or external experts, the working group should make sure that it addresses expectations and concerns of all key stakeholders.

The policy statement should be disseminated both internally and externally and supported by relevant training and awareness activities. It should make clear what expectations the organisation has of its employees, business units, suppliers, contractors, franchisees, business partners and other relevant parties directly linked to its operations, products and services.

Figure 4.1 Steps for developing an anti-THB policy statement and programme



4.2. Developing an anti-THB programme

The Board needs to go beyond compliance when developing an anti-THB programme and take into consideration the international legal and regulatory context and societal implications. These need to be embedded into a structured process of risk management with trafficking victims being at the centre of this process.

In order for such a programme to be successful there are three essential prerequisites: top-level commitment; compliance oversight; and a risk-based approach.

Top-level commitment

The Board should demonstrate an unequivocal commitment to the organisation's anti-trafficking programme. This commitment requires the Board to develop policy statements, sign up to relevant anti-THB initiatives, allocate appropriate resources to the task and involve business functions relevant to mitigating human trafficking risks. The task for the development and implementation of the programme should be assigned to a 'working group' led, normally, by the company's legal department. The working group may comprise representatives from:

- Compliance/Risk Management
- Internal Audit
- Operations
- Supply Chain/Procurement
- Human Resources
- Secretariat

The role of this group should be to brief the General Counsel and the Board on the process and on its results.

To ensure the engagement of all levels of management and business functions, the working group should have a series of meetings with senior management regarding the scope of THB risk in the sector, its impact on trafficked victims and on the company's reputational, commercial and financial performance. In this way, the working group can achieve the buy-in of all top-level managers which is central to any initiative of this sort.

The legal team will need to revise the company's **Code of Ethics and Business Conduct** to reflect the Board's clear and unambiguous 'zero tolerance' to any form of THB within its operations and its supply chains. Good practice suggests that the CEO can set a clear and strong 'tone at the top' by issuing a formal video statement through the organisation's Intranet, which emphasises the Board's and the Executive Committee's commitment to ethical business conduct and their 'zero tolerance' for THB.

Compliance oversight

The company's Chief Compliance/Risk Officer should be responsible for the company's full anti-THB programme. They should ensure that the progress of the programme features with appropriate regularity on the Board's agenda, perhaps in the context of the wider discussion on risk management in the Audit Committee.

The anti-trafficking reporting structure will be the same as with every risk, with the Chief Compliance/Risk Officer responsible for reporting the results of



A successful anti-THB programme should demonstrate top level commitment, be regularly monitored for compliance and take a risk-based approach



For the implementation of the programme at hotel level, an anti-THB Champion is recommended.

See section 7.4.



Did you Know?

In most *reported* cases, victims were moved over international borders, but trafficking flows often remain intra-regional. Trans-regional trafficking, though still significant, is relatively less frequent

monitoring and enforcement internally to the Audit Committee and the Board. The Audit Committee, in turn, should be responsible for reporting externally to investors, regulators and other interested stakeholders.

Risk-based approach

The adoption of a risk-based approach to combat THB will be discussed in further detail in Unit 5. At this point it is important to note that at the corporate/ executive level, a due diligence exercise should be performed in both customer (developers, owners, operators and key corporate accounts) and supply chain channels to identify exposure to THB risk. In line with UN Human Rights Principles (Protect, Respect and Remedy Framework)³³, this exercise should be undertaken primarily with the trafficked victim in mind (how the company's operations expose them to THB risks) as well as the risks to the company itself. The results of this exercise should then support the development and roll-out of a company-wide anti-THB programme which will include the development of policies and standards, facilitation of training programmes and the management of responses to incidents across the company's wider operating environment.



More on a risk-based approach in Unit 5

4.3 How is THB a risk?

THB can be analysed from a business perspective as a risk with varying degrees of strategic, operational and reputational implications and must be addressed with the active engagement of all levels of the hierarchy.

Risk is the probability of damage, injury, liability, loss, or any other negative occurrence that is caused by external or internal vulnerabilities, and that may be avoided through pre-emptive action. It is the 'cumulative effect of the probability of uncertain occurrences that may positively or negatively affect business objectives'³⁴. Risks are inevitable as long as vulnerabilities exist in the organisation and its environment.

The business objectives that could be impacted negatively by THB may include:

- revenue, profitability and share value targets,
- achievement of corporate social responsibility goals,
- conducting business in accordance with defined ethical standards,
- compliance with all sectoral, national and international legal and regulatory frameworks,
- avoidance of litigation and fines, and
- protection and championing of the corporate reputation.

THB is an **operational risk** because an incident of trafficking within a hotel and the ensuing investigation will cause disruption in operations that may last for days or weeks and if there is further prosecution perhaps even months and years. It can have financial consequences (**financial risk**) for the hotel and the entire organisation as a result of business interruption (loss of staff productivity, room capacity if a crime scene) and loss of business at property level from customers that do not approve tolerance to prostitution or other forms of human exploitation. It can be a **legal risk** with implications when one or more hotel properties are held culpable of illegal employment practices or complicit with third party labour exploitation. It can become a broader **reputational risk** with various stakeholders including corporate customers, shareholders and investors disassociating themselves from a company perceived as being complicit with or showing tolerance to such a criminal activity. Most importantly it is an **ethical and social risk** because THB is a crime against society and any form of facilitation (willing or unwilling) is morally unacceptable.



What is risk?
How can THB be a risk to the business?



Did you Know?

Human trafficking does not always involve travel to the destination of exploitation: 44% of the victims of forced labour moved either internally or internationally, while the majority (56%) were subjected to forced labour without moving from their place of origin

4.4 What does a risk-based approach offer?

A Risk-Based Approach to THB means that the organisation is expected to identify, evaluate and fully understand the THB risks to which it is exposed both within its properties and in its supply network and develop policies and standards (measures and controls) in order to mitigate these risks effectively (Fig. 4.2).

The risk-based approach will include training, implementation and embedding of these policies and standards in the day-to-day operation of the organisation (enterprise-wide risk management – ERM); and the establishment of a compliance process which will include auditing, testing and reporting actions and structures.

This approach is not a “zero failure” one; there may be occasions where the organisation has taken all reasonable measures to identify and mitigate THB risks, but some traffickers may still be able to exploit people within its properties.

Figure 4.2 The Risk Management Cycle



The Risk Management Cycle:

- Risk identification
- Risk Evaluation
- Risk Treatment
- Training & Implementation
- Monitoring & Reporting

The Three Lines of Defence

A systematic and best practice approach to help delegate and organise risk management is the Three Lines of Defence model³⁵. It provides a wider look at business operations, helping to assure the on-going success of a risk-based approach to THB, and it is appropriate for any hotel organisation – regardless of size, scale or complexity. Even in organisations where a formal risk management framework or system does not exist, the model can enhance clarity regarding risks and controls and help improve the effectiveness of risk management systems.

The Three Lines of Defence model distinguishes among three organisational groups (or lines) involved in effective risk management:

- Functions that own and manage risks.
- Functions that oversee risks.
- Functions that provide independent assurance.

Each of these three lines plays a distinct role within the organisation’s wider governance framework.

As the **first line of defence**, local operations managers own and manage risks. They are also responsible for implementing corrective actions to address process and control deficiencies. With regards to THB, they should be in charge of developing, implementing and embedding mitigation policies and standards, including monitoring and reporting, training staff and maintaining a certain level of vigilance on a day-to-day basis. In a perfect world, perhaps only one line of defence would be needed to assure effective risk management. In the real world, however, a single line of defence can often prove inadequate.

Figure 4.3 Three Lines of Defence Model

1st line Business Units	<ul style="list-style-type: none"> • involved in day-to-day risk management • follow a risk process • apply internal controls and risk responses
2nd line Risk and compliance	<ul style="list-style-type: none"> • oversee and challenge risk management • provide guidance and direction • Develop risk management framework
3rd line Audit	<ul style="list-style-type: none"> • review 1st and 2nd lines • provide an independent perspective and challenge the process • objective and offer assurance

The **second line of defence** normally comprises the legal, risk management, internal audit and senior (regional) operations management functions. This line translates the laws into compliance obligations and assists operational management to identify its THB risk exposure. It helps operational management to develop and implement policies and standards to mitigate the THB risk based on the Board's policy statements. It monitors local operational management's control of the THB risk providing objective challenge and support and advises on compliance with policies.

The second line of defence serves a vital purpose but cannot offer truly independent analyses to governing bodies regarding risk management and internal controls, hence the recommendation that independent assurance is the **third line of defence**. Establishing an independent, objective assurance on the overall effectiveness of the anti-THB design and operation of internal controls (mitigation activities and tracking and monitoring activities performed by the first and second lines of defence) should be a governance requirement for all organisations. This practice is not only important for larger and medium-sized organisations, but may be equally important for smaller entities, as they may also face complex environments with a less formal, robust organisational structure to ensure the effectiveness of its governance and risk management processes. In the franchise estate of hotel chains, for example, this maybe a requirement or a suggestion that is available, for an additional fee, to franchisees.

All three lines should exist in some form in every organisation, regardless of size or complexity, because risk management is normally strongest when there are three separate and clearly identified lines of defence.



The three lines of defence:

- Business Units
- Risk and Compliance
- Independent Audit



Did you know?

According to the 2015 State Department Trafficking in Persons (TIP) report, there were only 10,051 prosecutions and 4,443 convictions for trafficking globally in 2014.

4.5 Summary

In this unit we have:

- recommended the steps to be taken in developing an anti-THB policy statement and programme,
- outlined the three essential prerequisites for making this successful, namely:
 - top-level commitment,
 - compliance oversight, and
 - a risk-based approach, and
- introduced a systematic and best practice approach to delegating and organising risk management.



Unit 5: The Risk Assessment Process

In this unit we define risk assessment and outline the two stages in the risk assessment process: the identification and evaluation of risks. We highlight the fact that the different business models used in organisations have implications for the control and management of THB as a risk.

5.1 Risk assessment

An in-depth understanding of the THB risks to which an organisation is exposed is the foundation of effective efforts to prevent or mitigate THB. It will inform the development, implementation and maintenance of effective anti-THB policies and standards.

The foundation of identifying and prioritising risks is known as risk assessment and is defined as:

“... the quantitative, qualitative, or hybrid assessment that seeks to determine the likelihood that an adversary [the human trafficker] will successfully exploit a vulnerability and the resulting impact to an asset.”³⁶

The nature and scope of the THB risk assessment process will vary depending on the size of the organisation, its activities and the geographical markets it serves. The outcome of the risk assessment will determine the proportionality of the organisation’s response in terms of resourcing, mitigating actions and anti-THB standard operating procedures to be developed and implemented. The exposure to THB risks may evolve over time therefore the assessment of risk and the response to those risks should be an on-going process.

There are two key stages in the risk assessment process: risk identification and risk evaluation.

5.2 The risk assessment process

Although different companies may use different terms the broad consensus is that **risk identification** is the stage which aims to identify, characterise and - where appropriate - quantify a set of risks. On the other hand, **risk evaluation** is the stage which seeks to evaluate the significance of those risks, with regards to their likelihood (probability) of occurrence and their potential impact on the organisation.

In the risk identification stage, a comprehensive catalogue should be generated with all THB risks to which the organisation could plausibly be exposed by virtue of its hotels’ location, its business model and the nature of its operation (services).

With regards to the location of operations the organisation may use country reports generated by anti-THB NGOs, state organisations or consulting companies.

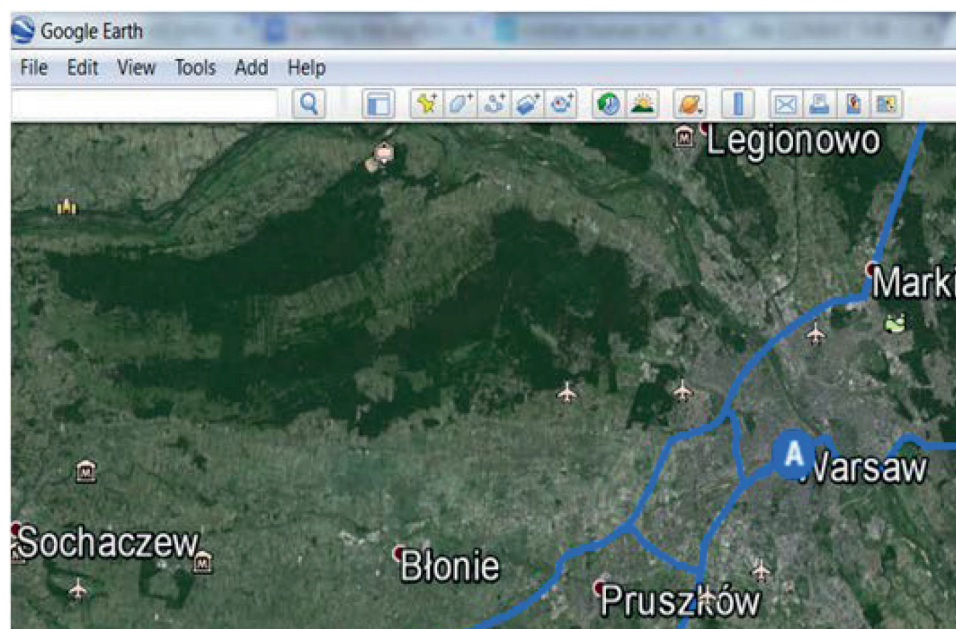
Another useful source could be the ‘Google Earth’ map provided with this toolkit which presents the most common routes human traffickers are using to transport their victims (Figures 5.1 and 5.2)³⁷.



Did you know?

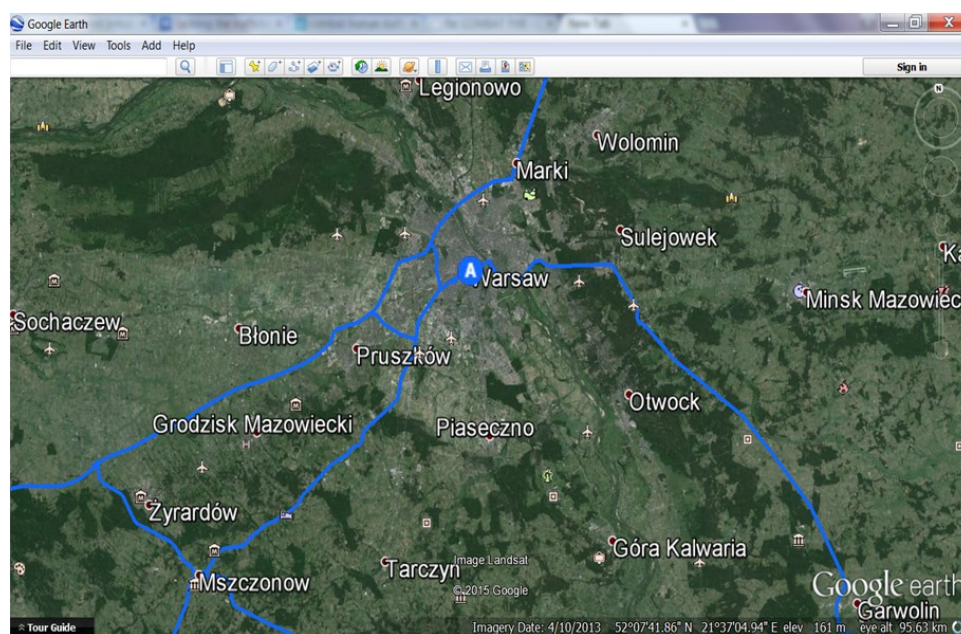
In Europe the origin regions are mainly countries in Eastern Europe and the Balkans. Destination countries tend to be Northern and Western European countries. Southern European countries are transit countries for trafficked victims from Asia, Africa and the Americas.

Figure 5.1 European Routes of THB



You can access Google Earth and the trafficking routes in the CD included in this toolkit.

Figure 5.2 Trafficking Routes in Europe (zoom detail)



The organisation may plot the location of its hotels in Europe as a separate data layer, identify which of its properties are in close proximity to these routes and determine their risk profiles.

The development and implementation of appropriate operational policies and procedures that mitigate THB risks will be determined by a clear and specific understanding of these risks.

Another helpful approach is to step back and take a fresh look at the overall operation of the organisation. Some of the questions to be asked include the following:

- What do we do as a business and what is our business model?
- Do we operate in a range of markets that are significantly different from each other with regards to THB (from a political, economic, socio-cultural and legal perspective)?

- Do we do business in countries where we are more likely to be exposed to THB risk?
- What interactions within the business environment do our activities involve and who do we interact with?
- Which of our third-party suppliers/partners may expose our business to THB and how?

In the risk evaluation stage the organisation seeks to determine which risks are of most significance to it and prioritise them accordingly. The key variables in a risk evaluation are twofold: likelihood (probability) of occurrence and impact. With regards to THB risk, the evaluation can be done at different levels:

- THB risk vs. other crime and fraud-related risks: This is an evaluation which can display the correct positioning of THB within the wider crime-risk matrix and against all other major risks in the organisation’s risk register.
- Risk of one form of THB vs. another form of THB: this evaluation will differentiate between individual forms of THB, if these can be meaningfully distinguished.
- Hotel property or geographic market risk: in addition to comparing individual forms of THB, an organisation might wish to compare levels of THB risk exposure between units or between regions depending on what is most appropriate for the organisation and its operations.

The evaluation may be a sophisticated quantitative or a less sophisticated qualitative one. In the end of the process, however, it will produce a “Heat Map” which may look like the one in the following Figure 5.3.

Figure 5.3 Criminal Risks Heat Map

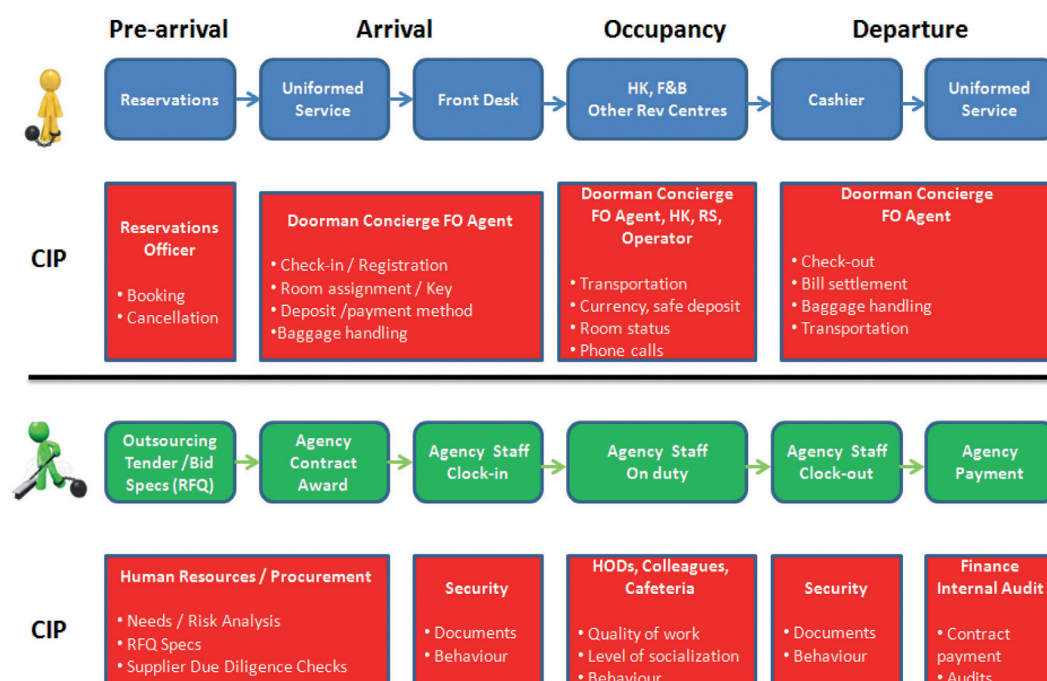
	Hotel A	Hotel B	Hotel C	Hotel D
Data, privacy breach, cybercrime	Medium	Medium	High	High
Bribery and corruption	Low	Medium	High	Low
Fraud, theft	Medium	High	Low	High
Human trafficking	High	Low	Medium	High

A further useful step to identify possible vulnerabilities is to look at where THB interfaces with the hotel front- and back-of-the house and the possible journeys of trafficked victims within a hotel. This would be particularly useful in identifying critical intervention points where potential signals of THB may be detected and possible countermeasures could be implemented.

As hotels provide both means and opportunity for traffickers, in order to combat THB, barriers need to be identified that will disrupt their business process. Figure 5.4 describes the trafficked victims’ specific path through a hotel – the front of house (in blue) and the back of the house (in red). It identifies the possible critical intervention points (CIPs) that may reduce opportunities for traffickers to do business (in red).

This model provides a useful mechanism to reduce the means and some of the favourable opportunities currently present in the victim's journey so that traffickers may find it more and more difficult to use a hotel for their criminal business.

Figure 5.4 Trafficked victim's journey in a hotel



5.3 Business model implications

Today, doing business without the ownership of the property asset is the preferred strategic choice of the major hotel groups. This development mirrors the trend in international business per se where non-equity alliances have become an increasingly important component of corporate strategy. As a result of doing business 'asset-light', a group's affiliation with hotel properties tends to be through a franchise and/or management contract or an even looser attachment such as a marketing agreement (e.g., hotel collections). These different models have implications for the control of hotel operations and their management of THB as a risk. The additional prevalence for outsourcing specific hotel operations to outside suppliers enhances the risks of THB. Some of the consequences of these business models are as follows:

- The employment, management and development of staff at the property level are the responsibility of external agents.
- The responsibility for the delivery of brand standards and policies is left to franchisees, third-party managers and suppliers.
- The delegation and organisation of risk and reputation management at the business level ultimately falls to those who are often only loosely coupled with the organisation.

5.4 Summary

In this unit we have:

- defined risk assessment and outlined two stages in the risk assessment process as the identification and evaluation of risks,
- highlighted the fact that the all THB risks to which the organisation could plausibly be exposed will vary by virtue of its hotels' locations, its diverse business models and the nature of its operations (services), and
- offered models which can help with the identification of risks.



Unit 6: Communication and Training

In this unit we promote the development of an effective anti-THB communication strategy. This strategy will ensure that all relevant policies and standards are understandable and readily accessible to all members of the organisation on an ongoing basis.

6.1 Internal communication and training

The policies and standards developed to mitigate THB risks need to be communicated across the organisation and relevant training will be required to ensure their effective implementation. Demonstrable outputs of this effort will be:

- an enhanced level of awareness of front- and back-of-the-house THB risks amongst all employees,
- sensitivity to these risks across the organisation with effective monitoring and reporting of possible signals (red flags), and
- the ability of operational management to invoke the relevant incident management procedures, when appropriate.

Training plans at each level of the organisation will need to be proportionate to the identified risks. Similarly, at unit level, the plan must match the specific risk profile of each hotel. The plan will need to ensure that all training activities are on-going, regularly updated and that training completion rates are properly monitored and recorded. It will also need to address how anti-THB policies and standards are implemented in practice in all relevant functions of the organisation. Depending on their business model, organisations may choose either to train certain groups of management and staff (e.g., in owned, leased and managed properties) or encourage them to ensure that appropriate training arrangements are in place (e.g., in franchised hotels).

The general approach to anti-THB training in a hotel organisation could be to:

- provide good quality, standard training on THB risks, awareness and reporting for all staff,
- provide additional, more detailed anti-THB policies and standards training for staff in higher-risk functions (e.g., recruitment, procurement, etc.) and locations (e.g., those identified as in close proximity to those routes used by traffickers),
- ensure that staff responsible for training others have sufficient training themselves,
- ensure that training offers practical examples of THB risk and covers relevant policies and standards,
- test staff awareness of THB and understanding of relevant policies and use the results to assess individual training needs and the overall quality of the training,
- maintain staff records setting out what training was completed and when, and
- provide refresher training (it should not be viewed as a 'one-off' event) and ensure that all training material is kept up-to-date with legislative changes, internal or external case law and sectoral or general best practice.

Watch a video by Thompson Reuters on the implications of Modern Slavery Act on businesses at:

https://www.youtube.com/watch?v=Z_OFngIL-dI



Watch a video by Thompson Reuters on the implications of Modern Slavery Act on businesses.

6.2 External communication

There is increased stakeholder pressure on Boards to strengthen their commitments to combat THB by requiring them to disclose the policies and management systems they have in place in order to more effectively identify vulnerabilities and mitigate THB risk within their business and supply chains. The civil society and regulators with statutes like the California Transparency in Supply Chains Act³⁸, the U.K. Modern Slavery Act³⁹ and the Non-Financial Reporting Directive, 'EU Directive 2014/95/EU'⁴⁰ require such public disclosures around auditing and verification procedures, risk assessments, training, remediation plans and accountability mechanisms that address THB risks. In response, many companies are looking to improve their annual disclosure around human rights by providing this information on anti-THB activities regardless if it is required by law or not.

Good practice in external reporting would be for the organisation to disclose:

- how the organisation, its business and its supply chains are structured - to provide some useful context to the reader,
- what policies it has in place (reviewed or introduced) to combat THB - they may be stand-alone policies or elements relevant to THB in other existing policies, e.g., procurement or hiring standard operating procedures,
- how the 'tone from the top' is set,
- how the overall governance of the anti-THB programme is managed,
- how the business functions have been risk assessed for vulnerabilities to THB (this could include an assessment by region),
- how direct (and indirect) supplier contracts have been reviewed,
- the due diligence process on new and existing strategic customer accounts and suppliers (to show a thorough understanding of who the company is dealing with and who is working for them, e.g. through supplier audits),
- the metrics used to assess the effectiveness of the anti-THB programme – e.g., specific KPIs,
- who has been trained and how (e.g., target audience, key employees trained, training offered to strategic customers and/or suppliers, range and forms of training, etc.), and
- how crisis communication is planned by the organisation in the case of a THB incident.

The company should provide this statement alongside one from the Board stating that they recognise their responsibility around the world to play a critical role in increasing awareness and the prevention of THB as reflected in the industry-wide position statement against THB. In most EU countries, the existing legislation requires these statements/reports to be approved by the Board of Directors (or equivalent management body) and to be published on the organisation's website with a link to the statement on the website's homepage. Examples of disclosure statements are included in Appendix 2.

6.3 Summary

In this unit we have:

- identified the importance of developing an anti-THB communication strategy,
- identified the importance of including internal training and external communication, and
- identified the importance of developing a disclosure statement.



Appendix 2: Disclosure Examples⁴¹

Supply chain verification protocol:

“We are committed to fair labour practices within our supply chain. We therefore engage a third-party monitor who uses a multi-level process to identify and evaluate the potential risks for human trafficking and slavery in our supply chain. Prior to partnering with any new suppliers, and annually thereafter, our monitor conducts an initial screening of those suppliers. The monitor’s evaluation of human trafficking risks is based on a variety of factors. [...] During the next level of review, our monitor requires prospective and current suppliers to respond in writing to questions regarding areas of concern raised during the initial screening process. The monitor then assesses which suppliers pose the highest risk in human trafficking, and reports these findings to our internal executive management team. We include these high-risk suppliers in the group of suppliers we annually audit.”

Supply chain audits:

“Each year we audit at least 30% of our suppliers to determine if they are complying with our company standards aimed at ensuring human trafficking is not tainting our products. We decide which suppliers to audit based on our assessment of the level of risk for slave labour or human trafficking practices in the country where the supplier operates. [...] We monitor supplier behaviour and compliance through our own internal auditors who perform extensive announced and unannounced investigations. Internal auditors are trained to recognize and report non-compliance as part of their hiring process. Furthermore, if and when our internal auditors report an instance of abuse, our company then sends a professional third-party auditing firm to independently evaluate the suspicion.”

Certification of Compliance with Code of Conduct:

“Our company requires each supplier to maintain records that are sufficiently detailed to substantiate that all products and services it supplies to us are produced in compliance with our Business Ethics Code of Conduct. Our partners must produce these records to our company auditors upon request. Such records may include: (1) proof of age for every worker; (2) every employee’s payroll records and timesheets; (3) written documentation of terms and conditions of employment; (4) local health and safety evaluations or documentation of exemption from law; and (5) records of employee grievances and suggestions, and any employer responses. We also use independent country, commodity, and product risk data annually provided by a global risk advisory firm to score, rank, and evaluate the human trafficking risks associated with what we buy and where we buy it.”

Non-compliance procedures:

“We have developed internal accountability standards and procedures for employees and contractors failing to meet our company standards regarding slavery and trafficking. If and when our company uncovers employee or contractor compliance problems, we provide written notice and a specified period of time to take corrective action. Non-compliance with our company standards regarding human trafficking can result in corrective action or termination, depending on the number of non-compliances found and their severity. Our internal audit team works with employees and contractors to develop action plans to resolve any such instances of non-compliance. While we believe in sustainable remediation, we reserve the right to terminate a business relationship with an employee or contractor if it is deemed necessary

Unit 7: Monitoring and Reporting

In this unit we reiterate the importance of monitoring an anti-THB programme and extending it to third parties acting for, and on behalf of, the organisation. We provide examples of internal and external reports and management information required to ensure effective execution of the programme.

7.1 Why is monitoring needed?

An effective anti-THB programme must be able to work in practice. It is a key management responsibility to monitor its effectiveness in preventing and/or mitigating the risk of THB throughout the business functions of the organisation as they evolve with the changing environment.

The Internal Audit should be able to integrate this task with their existing role by auditing and, perhaps, challenging the implementation of policies and standards, commissioning external independent audits and monitoring external indicators including media coverage. The results and findings of this process should be periodically reported to the organisation's Audit Committee or, if this does not exist, to its Executive Board (Senior Management Team).

To facilitate this process, senior management will need to consider:

- defining what high-level controls it expects to see within the organisation (general behaviours, evidence of policy implementation, key operational standards),
- specifying the management information (in the form of KPIs – see Appendix 3) it seeks to obtain to ensure the anti-THB programme is operating effectively, and
- defining its compliance/ internal audit/ operational risk monitoring programme and identifying and resolving any overlap of responsibilities between different functions.

7.2 Third parties

Effective implementation must extend to third parties acting for, and on behalf of, the organisation (suppliers, agents, contractors, franchisees, intermediaries, consultants) and, ideally, all these must be suitably vetted and assessed for their anti-THB practices. Of course, the extent of the vetting/due diligence will depend on the nature of the third-party relationship.

The organisation's policy statement on THB should be communicated to each third party with a clear message that any form of THB will not be tolerated. While there are practical limitations to the degree to which an organisation can monitor and influence third parties, one way to address this challenge is by using appropriate clauses when contracting these parties. Such clauses might cover, for example:

- acknowledgement of the organisation's code of conduct and anti-THB policy statement, and the relevance to them of these,
- confirmation that the third party has equivalent resources, policies and the necessary procedures to implement them,
- provision for periodic self-certification of the third party,
- provision in appropriate circumstances for the organisation to have some form of audit rights over the third party,
- provision of a probation period for remediation in case of non-compliance by the third party, and
- the right of termination in case of non-compliance after the probation period.

7.3 Reporting

To ensure effective and meaningful communication, both internally and externally, of the outcomes of the anti-THB programme, the organisation will need to establish an appropriate reporting regime. The format and frequency of reporting will depend on a range of factors, including the size and complexity of the organisation, the needs or requirements of the target audience (stakeholders) and the purpose of a particular report (e.g., whether it is just a monitoring report or an incident report).

Reports for internal stakeholders may include:

- periodic updates for the Board on the status of implementation of the anti-THB programme,
- reports summarising internal audit and/or compliance monitoring findings,
- reports of any alleged or actual breaches and the scope and findings of any investigation, and
- a 'dashboard' highlighting alterations made to chosen metrics and KPIs (see Appendix 3).

Reports for external stakeholders may include communicating the organisation's risk assessment process, overall anti-THB strategy and any alleged or actual incident to law enforcement.

7.4 Management Information

As part of any monitoring and review activity, consideration will need to be given to appropriate management information. Practical examples include:

- recruitment and hiring practices,
- update of recommendations from previous monitoring reports,
- the appointment of an anti-THB Champion (or equivalent),
- customer feedback and reputation index reports,
- training completion rates (new staff and refresher),
- strategic supplier due-diligence and audit reports,
- other third party due-diligence and audit reports,
- third-party non-compliance reports,
- incident reports,
- anti-THB whistle-blowing trend analysis, and
- internal audit findings in relation to anti-THB programme or standard operating procedures weaknesses.

These types of management information are typically produced monthly for management meetings, aggregated quarterly for Board-level meetings and are used to inform the annual Chief Compliance/Risk Officer reports.

7.5 Summary

In this unit we have discussed:

- the importance of monitoring an anti-THB programme,
- extending the effective implementation of a programme to third parties,
- the requirement for internal and external reporting, and
- the management information needs for monitoring and reporting.



Appendix 7.1 Indicative Key Performance Metrics for and anti-THB Programme

Anti-THB Culture	<ul style="list-style-type: none"> • Quality and clarity of Anti-THB policy statement vs best practice statements • Annual budget allocated to Anti-THB policy implementation / best practice • Prominence of Anti-THB policy in corporate strategy and reporting / best practice • # of Anti-THB programmes/initiatives supported by the company • # of properties adopting Anti-THB policy / total # of properties in portfolio • # of strategic suppliers complying with Anti-THB policy / total # of strategic suppliers • # of expert contacts in external Anti-THB networks
Training	<ul style="list-style-type: none"> • # of (operational/management/corporate) staff undertaking Anti-THB training per year/ total # of staff at Operational/Management/Corporate (O/M/C) level • Person-hours spent on Anti-THB training per year/ total # of staff • Hours of Anti-THB training at O/M/C level per year/ total hours of training at O/M/C level • Cost of Anti-THB training at O/M/C level per year / total cost of training at O/M/C level • # of updates of learning database per year • # of third-parties participating in training (e.g., suppliers, agents, distributors, franchisees, owners)
People engagement	<ul style="list-style-type: none"> • # of trained Anti-THB staff / property • # of anti-THB Champions / total portfolio • Level of engagement (number of consultations, events) of individual properties with external expert advisors and NGOs / total # of properties in portfolio
Process	<ul style="list-style-type: none"> • % of properties risk assessed for THB per year / total # of properties in portfolio • Anti-THB budget allocated per 'hot property' per year • % of SOPs reviewed in Rooms Division / F&B / Facilities Mgmt. / Human Resources Management / Procurement based on Anti-THB policy
Communication	<ul style="list-style-type: none"> • Level of engagement (visits, hours spent, downloads) of individual properties with intranet pages on THB • Availability (% of time within a year) of internal organisation-wide THB communication platforms • Availability (% of time within a year) of third party THB communication platforms

Incidents	<ul style="list-style-type: none"> • # of suspected cases reported internally / # of cases reported to law enforcement • # of cases reported to law enforcement / # of cases prosecuted • # of cases reported through internal communication platforms / # of cases reported through third party platforms
Auditing	<ul style="list-style-type: none"> • Levels of THB awareness among staff (through Employee Opinion Survey) • Levels of awareness and of trust in available reporting structures on THB (through Employee Opinion Survey) • # of property audits performed on Anti-THB compliance / total # of properties • % of compliance to Anti-THB SOPs in Rooms Division / F&B / Facilities Mgmt. / Human Resources Management / Procurement per audited property • # of strategic suppliers audited for THB / total # of Tier-1 Suppliers • # of outsourcing agencies audited for THB / total # of outsourcing agencies employed

Unit 8: Partnerships and Networks

In this unit we highlight the importance of the development of partnerships and networks in relation to combating THB. We also identify examples of current partnerships between businesses at global, national and regional levels as well as partnerships between different members of local communities.

8.1 Developing partnerships

Increasingly stakeholders put pressure on corporate boards to move beyond mere policy statements and develop partnerships and networks with other businesses and organisations in order to combat THB at a global, regional and local level. Such partnerships not only demonstrate good business practice but respond to a growing trend among hospitality businesses from all parts of the world to make a public anti-THB commitment and foster the development of in-house learning, management capacity and leadership to combat THB.

An anti-THB partnership is a formal arrangement with one or more business or third-sector organisation where common strategies and goals related to combating THB are defined, long-term commitments are made, and risks and rewards are shared. Such partnerships are necessary because they offer organisations the expertise and resources necessary to supplement existing in-house knowledge and capability, as well as fresh thinking and new approaches to address THB across all business functions.

Visit Atest's website at:

<https://endslaveryandtrafficking.org>

When choosing a partner, the Board should ensure that partners:

- share a long-term vision and an intent to effect significant change in addressing THB and its survivors,
- converse with each other early in the process, before any formal agreement – both to shape the strategy and to test how they might work together,
- understand each other's particular culture and pressures and avoid making assumptions,
- set clear targets for the partnership primarily focusing on outcomes and define specific measures of success,
- agree exit strategies in the unfortunate event that the partnership does not work out, and
- share successes and lessons learned from the partnership.



Did you Know?

The Alliance to End Slavery and Trafficking (Atest), the Child Labour Coalition and the Cotton Campaign are all examples of cross-sector anti-THB co-ordination. For example, Atest, an alliance of 12 US based groups including the Polaris Project, Verité and the International Justice Mission, has been praised for its work surrounding the Trafficking Victims Protection Act through the US senate.



Visit Atest's website



Check long-term vision and compatible values, agree performance metrics and exit strategies, and celebrate successes

8.2 Global partnerships

Global partnerships involve the cooperation and collaboration of businesses across different industry sectors and different geographical markets to combat THB. One example of such a partnership is:

The global Business Coalition Against Human Trafficking (gBCAT)

This partnership is comprised of 11 member corporations including hotel companies Carlson and Hilton Worldwide and multinationals from other industrial sectors such as Delta, Microsoft, Ford and Coca-Cola. Its mission is to mobilise the power, resources and thought leadership of the business community in an effort to end THB, including all forms of forced labour and sex trafficking (notably child prostitution).

gBCAT strives to develop and share best practices for addressing the vulnerability of businesses to THB in their operations. The member corporations work together and pursue collaborative initiatives such as training modules for employees, raising awareness, sharing best practice and informing public policy. As one of the founding members of gBCAT, Carlson has committed to work with businesses across industries to leverage their voices to eliminate all forms of THB.

Visit gBCAT's website at:

<http://www.gbcat.org/>



Visit gBCAT's website

8.3 Sector partnerships

Partnerships at this level involve businesses within the same industrial sector, such as the example provided below:

International Tourism Partnership (ITP)

The International Tourism Partnership (ITP) aims to drive responsible business practice within the global hotel industry. ITP's Human Trafficking Working Group has developed resources to help hoteliers understand and address the risks of THB. Recognising the growth of THB as a criminal activity, and the hotel sector as high-risk in relation to THB, this partnership advocates that there should be no threshold of tolerance to THB. It therefore advises hotels and hotel companies to take steps to avoid their business being open to trafficking. ITP brings members together to share best practice and develop practical resources to help hotel members to tackle THB. ITP maintains strong connections with government, investors, academia and specialist non-profit organisations to ensure they keep learning and keep driving the agenda on this key issue. Their Youth Career Initiative (YCI) programme helps to re-integrate survivors of trafficking into the workplace by offering training opportunities at hotels in India, Ethiopia, Mexico and Vietnam.

Visit ITP's THB website at:

<http://tourismpartnership.org/human-trafficking>



Visit ITP's THB website

8.4 Local community partnerships

Partnerships at this level comprise members from government or public sectors and those of private business. In the UK, as in other countries, a number of local community-based partnerships have been developed. One example of this type of partnership is identified below:

Oxford Hotel Watch, ‘Say Something if you See Something’

This partnership is between the Thames Valley Police, Oxford City Council, Oxford County Council, local hoteliers and guest house owners. Its aim is to engage the local community to work collaboratively to help protect children and vulnerable people from abuse and exploitation. Efforts to establish this initiative began in the aftermath of Operation Bullfinch, a local police operation that resulted in the successful conviction of the criminals responsible for child sexual exploitation in an Oxford guesthouse.

Visit this webpage:

<http://www.banburyguardian.co.uk/news/local-news/bullfinch-senior-police-officer-talks-about-tackling-cse-in-cherwell-1-6611095>

to learn more about Hotel Watch

This partnership emphasises the key role that hoteliers and other accommodation providers should play in helping to fight against THB. It highlights the importance therefore of training hotel staff to be aware of the potential signs of exploitation. Staff members also need to ‘be curious’ and if they suspect something then it is also important that they, ‘don’t look away’ but rather ‘say something if they see something’. They may be able to provide law enforcement officials with information that may be a ‘vital part of a jigsaw’ in helping the victims of THB and in bringing the criminals responsible to justice.

8.5 Summary

In this unit we have:

- explained the importance of developing effective anti-THB partnerships and networks, and
- provided examples of partnerships at the global, sectorial and local levels



Visit this webpage.



Unit 9: Supporting Survivors

In this unit we examine long-term approaches and corporate social responsibility initiatives which will help ensure that survivors of trafficking are supported through reintegration into society. We also identify why this support is critical as it helps prevent vulnerable individuals becoming victims of trafficking for a second time.

9.1 Long-term initiatives

A 'best practice' approach is for organisations to identify national and/or regional NGOs who work with, and for, trafficked persons. These NGOs can provide information, specialist support and access to a wide range of other support services. For example, they may provide specialist support for traumatised victims or offer access to legal or translation services. Some NGOs work with a particular type of trafficked person, e.g. minors or victims from a specific ethnic or cultural group.

Partnerships with these NGOs should provide organisations with:

- advice and guidance to help to develop appropriate organisational policies;
- staff training and updates on anti-trafficking legislation, prevention and awareness campaigns;
- support and guidance when a trafficking incident occurs;
- emotional and psychological support for victims, which can make a tremendous difference;
- interpreters to help victims overcome language barriers;
- access to food and clothing for victims; and
- advice for victims on rebuilding their lives; e.g. on immigration laws, accommodation, personal finance, access to healthcare, language lessons and employment.

These agencies are vital in supporting survivor's reintegration into society. By helping survivors to rebuild their lives, they are less likely to be vulnerable to future exploitation.

The following section provides some examples of NGOs and the support services they provide for human trafficking survivors.

9.2 NGOs in operation

The European Red Cross

European National Red Cross Societies provide support and relief to those affected, or in danger of being affected, by human trafficking. Their activities focus on prevention, assistance to victims and referral. Preventative campaigns and programmes focus on raising awareness among the public and tackling any prejudice and intolerance that victims might experience. Some European Red Cross Societies run safe houses and shelters for victims of THB and propose counselling, legal advice, psychosocial support and group therapy.



The European Red Cross Anti-Trafficking Network is an informal collaboration between European Red Cross or Red Crescent societies. Its purpose is to share experiences and best practices on the prevention of trafficking and victim assistance.

Visit European Red Cross webpage on THB at:

www.redcross.eu/en/What-we-do/Asylum-Migration/Red-Cross-Networks-on-migration/European-Anti-Trafficking-Network/



Visit European Red Cross webpage on THB

Anti-Slavery International

Anti-Slavery International, the oldest human rights foundation, was established in 1839. It works to eradicate all forms of slavery, including human trafficking by enabling people to leave slavery. Anti-Slavery has consultative status with the UN Economic and Social Council, participatory status with the Council of Europe and is a member of the International Labour Organization Special List of NGOs.

It provides psychological and legal support to victims of slavery and identifies ways in which abuses can be brought to an end. Anti-Slavery International also offers independent advice on due diligence and supply chain transparency for a wide range of industries. They deliver training programmes for organisations to understand and comply with legal requirements and manage reputational risks.

Visit Anti-Slavery website at: www.antislavery.org/english/?pr



Visit Anti-Slavery website

ECPAT

ECPAT International is a global network of organisations working to eliminate child prostitution, child pornography, child trafficking for sexual exploitation purposes and child sex tourism. It seeks to ensure that children everywhere enjoy their fundamental rights, free and secure from all forms of commercial sexual exploitation. ECPAT estimates that 1.8 million children are exploited in prostitution or pornography worldwide and that 20% of all victims of sexual exploitation are children.

Visit ECPAT UK website at: www.ecpat.org.uk



Visit ECPAT UK website

Payoke

Payoke is an NGO founded in Belgium in 1987. It fights against THB by providing care, support, and protection for trafficking survivors. Payoke offers survivors legal support, residential care, administrative support, information and education, psychosocial support and ambulant care. The latter is offered to survivors who have escaped their traffickers and are living on their own until they are reintegrated into society and no longer need assistance.

Visit Payoke website at: www.payoke.be



Visit Payoke website

9.3 Long-term initiatives in practice

Organisations may wish to undertake their own initiatives, albeit with the support and guidance of established NGOs, to offer support for survivors and help them with their reintegration into society. Three examples of such initiatives are identified below along with the details of some of the hotel companies who actively support these initiatives:

1. Youth Career Initiative (YCI)

One example of a long-term initiative which helps support victims of THB and reintegrate them into society is the Youth Career Initiative (YCI). YCI is a six-month education and training programme offered to unemployed youth and victims of THB who have limited socio-economic opportunities. YCI works with 16 partner hotel companies and local non-profit organisations in 15 countries across five continents. The programme provides students with transferable life and work skills that improve their employment opportunities and empower them to make informed career choices and positive life decisions. 85% of programme graduates enter employment or further education. YCI expects to train around 2,500 young people each year by 2019.

Go to: www.youthcareerinitiative.org/chung-vietnam-2014-15/ and watch a 2'34" video on how YCI changed Chung's life



Watch a 2'34" video on how YCI changed Chung's life.

YCI and Marriott Hotels

Marriott Hotels and Resorts are one of the hotel companies that support the YCI. It considers this initiative central to its strategic approach to human trafficking. Marriott executives believe that YCI helps to reduce trafficking and provides opportunities to rehabilitated survivors of trafficking. Marriott provides both hands-on training in properties in nine countries and in-kind support to students on the programme. Additionally, the J. Willard & Alice S. Marriott Foundation, a private family foundation, has committed (US) \$1,000,000 in grant funding (over 10 years) to support YCI's general operating expenses as well as its strategic vision to grow in countries where it currently operates and to expand into new countries. The company has committed to offer more than 20,000 employment and training opportunities to Europe's unemployed youths by 2020.

YCI and Carlson/Rezidor

Carlson/Rezidor and the Carlson Family Foundation support YCI through grants to grow the YCI programmes through Africa, Asia Pacific, Latin America and the Caribbean. The hotel group financially supported the development a new YCI implementation model by piloting it in the Radisson Blue Hotel in Dakar in 2014. There were nine graduates of the programme and five remain employed by the hotel.

2. UNICEF Free to Grow

Through Free to Grow, UNICEF helps children and young people in 150 countries to a better life; a life free of violence, abuse and exploitation. According to UNICEF, 132 million children are engaged in child labour and 1.2 million children are subjected to trafficking annually. UNICEF reports that millions of children have their childhoods destroyed as child soldiers or street children. Free to Grow aims to provide a childhood free of violence, abuse and exploitation.

See www.freetogrow.com/programmes for various programmes that 'Free to Grow' offers to youth

UNICEF and Nordic Choice Hotels

Nordic Choice Hotels has been cooperating with UNICEF since 2008, as part of the Free to Grow initiative. Every autumn, for every half-hour that an employee spends working out, Nordic Choice donates NOK 15 to Free to Grow. In 2014, 3,520 active employees made it possible to donate NOK 659,143 to UNICEF, and 2,234 children rescued from human trafficking will have the opportunity to go to school.

3. Global Fund for Children

The Global Fund for Children aims to transform the lives of children on the edges of society; trafficked children, refugees and child labourers by helping them to regain their rights and pursue their dreams. Since 1997, this initiative has helped over 10 million children worldwide by investing in grassroots organisations in 78 countries. The Global Fund for Children finds the grassroots organisations that work within local communities, provides small cash grants to fund these organisations and provides them with management assistance, capacity-building expertise, and networking opportunities to help them grow. Regional Knowledge Exchanges provide an opportunity for these organisations to share best practices, forge strong networks, discuss organisational challenges, and learn about broader issues affecting vulnerable children and youth in their communities.

Visit: www.globalfundforchildren.org/a-tale-of-a-survivor-of-commercial-sex-trafficking/ for the story of a survivor Hilton Worldwide and the Global Fund for Children.



See various programmes that 'Free to Grow' offers to youth.



Visit this website for the story of a survivor Hilton Worldwide and the Global Fund for Children.

In 2014, Hilton Worldwide partnered with the Global Fund for Children, initially for a three-year period. The aim of the partnership is to help an estimated 1,500 children in Nigeria, South Africa, Thailand, Turkey and the United Kingdom who have been, or are at risk of, being trafficked. Hilton and the Global Fund for Children identified five grassroots or community-level organisations to support with annual grants of up to (US) \$30,000 and management expertise, including financial management, monitoring and evaluation and board development in order to grow their organisations. The selected organisations will also participate in the Knowledge Exchanges.

9.4 Summary

In this unit we:

- advocate a best-practice approach for organisations to work with national and/or regional NGOs to provide support for survivors of human trafficking,
- identify that survivors need a wide range of support services for reintegration into society and to prevent them from becoming trafficking victims for a second time (re-trafficked),
- provide examples of the types of services offered by different NGOs,
- identify specific initiatives to support survivors of THB and their reintegration into society, and
- provide examples of how hotel companies are supporting these initiatives.



Conclusion

Trafficking in human beings (THB) is a serious risk for a business as well as society as a whole. Although there are several efforts and attempts throughout Europe to combat this criminal activity, THB is growing and assuming worrying dimensions. It is considered as the 'slavery of our times'. Whilst we may estimate there to be more than 115,000 trafficked victims annually in the European hospitality industry, the hidden nature of this crime means actual numbers are likely to be very much higher.

By completing this part of the training you have displayed your commitment to better understanding and appreciating this risk and its impact on hospitality businesses. We are hopeful that this training has served its purpose of strategically driving an implementation agenda in your organisation for combating human trafficking. The responsibility very much comes from the top; the Board and Senior Management Team need to exhibit a dedicated commitment to a carefully designed and implemented anti-THB programme. The industry is in the unique position of being able to identify and confront this criminal activity and support the reintegration of survivors into society.

Your organisation could take a leading position in this COMBAT!

Further resources

- www.redcross.eu
- www.antislavery.org
- www.ecpat.org.uk
- www.payoke.be

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