

Suzanne Hoff/La Strada International – ‘Measures to discourage and reduce the demand for certain (exploitative) services do not necessarily have a positive effect or an impact on reducing human trafficking.’

[La Strada International](#) represents 29 European NGOs that work against trafficking in Human Beings. The International secretariat focusses on European monitoring, advocacy, data collection and research, capacity building and coordination of international actions and strategies. La Strada International was one of the consortium partners of the [DemandAT](#) research project, funded by the European Commission and coordinated by ICMPD in Austria, which ran from 1 January 2014 to 30 June 2017.

The research conducted addressed the challenge of understanding demand for trafficking in human beings and analysed the policy and practical measures that can influence this demand, feeding into recent efforts of European countries to find ways to reduce demand for products and services provided by trafficked persons within their own economies and societies as a means of tackling human trafficking. This presentation is based on the research findings and practical findings from the work of La Strada members and partners.

Requirement to discourage and reduce Demand

As reflected first in the UN Protocol to Prevent, Suppress and Punish Trafficking in persons and later in the Council of Europe Convention and EU Directive on combating trafficking, States should ‘discourage and reduce the demand that fosters all forms of exploitation related to trafficking in human beings’. However, which demand should be addressed and which measures should be taken to have an impact on human trafficking remains still largely unclear.

The DemandAT research project, in which La Strada International was involved, aimed to clarify the meaning and relevance of demand in the anti-trafficking field, as well as to contribute to a better formulation of demand-side policies in this area.

From the research conducted, which also looked at ongoing debates and practise in the field, it became very clear that currently the term ‘demand’ is used in a range of different meanings by different stakeholders. General prevention measures, measures to prosecute traffickers or investigate the crime and or any measures to address human trafficking, have been referred to as ‘demand side measures. Possibly as a result of the ‘positive obligation by states to take measures on addressing demand’. However, this broad interpretation of the notion of demand in relation to human trafficking, seems to do more harm than good. It is needed that addressing demand becomes an understandable and useful term and tool to be used in practise. And not just a vague, artificial or political term.

Use Demand as an useful and economic term

If talking about addressing demand, the DemandAT consortium recommended to look at it as an economic term. To use the meaning of ‘willingness and capacity to purchase a good or service’, and to let demand-side interventions refer to policies and measures that shape the purchaser side in a market context and not just for any measure aiming to address (reduce) human trafficking, which currently seems the case and makes the term not useful.

Next to use it as an economic term, it is also needed to clearly distinguish between the services or products the demand is related to, and the exploitation and abuse that occurs. We should be clear that a demand for services of domestic workers, construction workers, sex workers, or for products as tomatoes and fish, does not necessarily and automatically mean there is need or demand for exploitative labour. We should keep in mind that demand as such is not necessarily something negative. However if we talk instead of demand for cheap labour or cheap services, there seems to be a much clearer link to occurrence of exploitation. So, when taking demand-side measures, it should be clearly defined how these measures actually address exploitation and abuse.

Factors influencing demand (side measures)

The DemandAT research findings learnt us that in particular economic factors, social norms and discrimination, as well as policies and regulations play a major role in the exploitation and abuse of in particular migrant workers, regardless the sector in which they worked or the services they offered. So, when trying to influence demand for certain services or products, we all should be aware that these measures cannot solely combat human trafficking and do not work in isolation. Other preventive and protection measures are clearly needed, in partnership with all stakeholders engaged in tackling human trafficking. And next to looking at demand, we should also look at supply and at all root causes that are behind human trafficking.

Further demand-side measures need to be context specific and custom made for different national situations. Anti-trafficking policies do not function in a vacuum, but operate within relevant national and international legal contexts. Exploitation in agriculture and construction, in domestic work and prostitution is embedded in sectors with different characteristics.

Moreover other policies, for example those related to labour, regulations on prostitution, domestic work and other sectors and migration impact on the trafficking situation and also on measures taken on discourage or reduce demand. For example an undocumented status makes workers vulnerable and forces them to accept much lower work conditions in order to survive. Tied visa make domestic workers more vulnerable to exploitation and abuse from the side of their employers.

Therefore it should be ensured that the taken 'demand-side' measures address all forms of human trafficking – as also reflected in the international legislation - and are not solely focused on the sex industry, as also many other sectors are similarly vulnerable for exploitation and abuse. Currently you see that measures taken at the European national level by Member States 'to establish as a criminal offence the use of services which are the objects of exploitation' in line with article 18 (4) of the EU directive 2011/36 on combating human trafficking, solely focus on clients of sex workers.

Instead of criminalising sectors, services or workers or consumers, States should rather regulate markets to make undesirable forms of demand less likely. They can use market-based incentives such as taxes and subsidies for companies and employers, or use measures promoting specific values or behaviours through peer pressure to influence demand for cheap and exploitable labour. Moreover sanctions are needed for those that do not comply with regulations, for example regulations to ensure transparency and clean supply chains.

Which (demand) measures should be taken?

We all agree: perpetrators of (severe forms of) labour exploitation, forced labour and human trafficking should be criminalised; those responsible for the recruitment, transfer or exploitation of persons with the intention to exploit them, as defined under human trafficking legislation.

Unfortunately the prosecution of traffickers is lacking behind, which needs more attention.

But next to that, a strong focus is needed on reduction of vulnerability of workers, by ensuring adequate information to workers on their rights and decent working conditions in any labour sector – whether regulated or not - and to ensure access to empowerment, protection and support, including complaint mechanisms and remedies for all workers, including undocumented ones.

When defining 'measures on demand', stakeholders should make use of the best practises found via the DemandAT research, like building alliances with workers. The research analysis of initiatives taken to address forced labour, trafficking or slavery, clearly showed that involving workers of the sector increased the impact of initiatives. Multi-stakeholder cooperation, including involvement of trade unions and NGOs further helps to ensure success of initiatives.

As said, better monitoring of the compliance of labour regulations is also needed, allowing (self) identification of trafficking cases. Currently labour inspections focus in particular on combating of undeclared and bogus forms of employment and to a great extent on undeclared migrant labour. However, it is very difficult to detect cases, when irregular migrants do not dare to report violation out of fear to be sanctioned for migration offences.

Prevention, including campaigns to make persons more aware and ensure that exploitation and human trafficking is identified and reported is very much needed too. However, the DemandAT research revealed that for awareness-raising of general audiences specific action should be required from them, like changing their choice for products or services or by encouraging the reporting of suspicious occurrences to the police or NGOs. Just awareness raising alone, with no action attached to it, seems not to lead to reduction of exploitation and human trafficking.

Lastly, we should keep in mind at all times, to make best use of available evidence and improve evaluation of measures taken. Measures to discourage and reduce the demand for certain services, even though they might foster forms of exploitation, do not necessarily have a positive effect or an impact on reducing human trafficking. I would therefore like to conclude that above all more assessment is needed to evaluate the impact that demand side measures have on the scope of human trafficking.