



## **Workshop by FairWork and La Strada International – Labour exploitation– what is the (European) legal framework and how can it be recognized among applicants of asylum who are working?**

Migrants, including undocumented migrants, asylum seekers and recognised refugees are vulnerable for exploitation at the workplace. Such exploitation can include a series of rights violations, including severe violence and abuse, ranging from long working hours, confiscation of wages, restriction of movement, (sexual) violence, harassment and even practices resembling slavery. When labour exploitation is such severe it becomes a crime, we speak about human trafficking or forced labour.

Labour exploitation is particularly prevalent in precarious sectors with weak labour rights and marginalised workers. Through coercion, abuse of power or making use of their vulnerability, persons can be forced to conduct certain labour or services. It should be noted that both, irregular migrants and the ones who are legally employed can become victims. Severe exploitative practices have been identified in both regulated and unregulated labour sectors, like agriculture, construction, domestic work, the cleaning or clothing industry, the meat sector and many other sectors.

Trafficking and forced labour are widely recognised as serious human rights violations and international crimes. Important international bodies, such as the European Union, the Council of Europe, and the United Nations, including the ILO, have developed binding legislation on human trafficking and forced labour, establishing an adequate legal framework. However, support for trafficked persons remains inadequate; only a small fraction of the victims of these crimes are identified and have access to protection and support. One reason is that it remains difficult to identify exploitative practices, especially among hidden workers. Moreover, safe reporting and complaint mechanisms, to report exploitation and access justice are lacking in most European countries. Therefore, raising more awareness is crucial.

The workshop provides insight into the international legal framework of Human trafficking; Forced Labour and labour exploitation; outlining what is criminalised and what is not, as well as the differences between these crimes and related offences. We will also examine signs of labour exploitation in practice, and provide practical case examples, in addition to discuss worker's vulnerabilities and gaps. The rights of exploited workers/victims will be presented, next to their access in practice, outlining gaps and bottlenecks at the national and the European level.

**La Strada International** is a European NGO Platform against human trafficking, that aims to prevent human trafficking and to protect and realise trafficked persons' rights. This is done by providing access to adequate assistance and support to victims, and via information and knowledge exchange, capacity building, cross-sectoral cooperation, European monitoring and advocacy.

**FairWork**, member of La Strada International, combats and prevents modern slavery in the Netherlands and stands up for the interests of the victims. FairWork has three areas of focus: 1)



guiding victims who want to break out of their isolation, or who have just done so. This is done jointly with the police, the judiciary and other organizations; 2) training professionals who come into contact with victims of human trafficking; and 3) making the public, politicians and employers aware of the problem and encouraging more attention and action through projects and campaigns.