Tool 1: A Guide to Public Policy Advocacy

Public policy engagement by brands against forced labor, human trafficking and the worst forms of exploitation linked to international labor migration is emerging as a key form of engagement in Corporate Social Responsibility (CSR).

Companies – operating on their own or through representative business or employers' organizations or other initiatives – are increasingly engaging governments at national levels in the sending and receiving countries where they do business and intergovernmental organizations like the agencies of the United Nations (UN). They bring their perspective to the policy and regulatory challenges they face in human rights, labor and migration fields, tackling concrete issues through policy dialogue, advocacy and public private partnerships.

POLICY ADVOCACY AT THE INTERNATIONAL AND NATIONAL LEVELS

At the international level, there are many examples of companies reaching out to the public sector to address issues of common concern. A key avenue for this engagement is the UN Global Compact, which provides companies with access to multi-stakeholder networks and participation opportunities around the world. Other key agencies across the UN system include the:

- **International Labor Organization** (ILO), which sets and monitors international labor standards, including those related to forced labor, migration for employment and private employment agencies;
- **International Organization for Migration** (IOM), which provides services and advice to governments and migrants on safe, humane and orderly migration; and the
- **UN Global Initiative to Fight Human Trafficking** (UN.GIFT), which promotes the global fight against human trafficking on the basis of the UN Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons.

These organizations and their member States are responsible for the international regulatory framework that governs and gives structure to the labor, human rights and migration dimensions of the global economy. For many brands, they are the first port of call for addressing policy issues of particular concern.

Brands are also giving increasing attention to advocacy efforts at the national level. These are addressed to governments in the sending and receiving countries of migrant workers, where brands have extensive operations or a strong supply chain presence. Policy dialogue is addressed to developing stronger laws and regulations to govern labor brokers where these are weak or non-existent, and the establishment of better protections for migrant workers, particularly in host counties. A robust public policy framework in both home and host nations is seen as a key element in reducing supply chain risks of forced labor and human trafficking.

WHAT ARE BRANDS TALKING ABOUT?

The unregulated nature of the recruitment industry in many parts of the world and the lack of legal and regulatory protections available to migrant workers in host countries are among the key issues frequently addressed by brands in dialogue with public policy actors. Other key issues in policy dialogue include:

- Restrictive policies that sometimes regulate residency permits and work visas, and effectively tie migrant workers to a single employer;
- Restrictions in some countries that prohibit migrant workers from joining or forming trade unions;
- Legal jurisdictions that require employers to withhold migrant workers' travel documents or passports; and
- Laws – or a lack thereof – regulating the charging of recruitment fees to workers.

POLICY ENGAGEMENT: WHAT CAN YOU DO?

Public policy engagement can take different forms: advocacy, awareness raising, even public private partnership. Brands have a number of options available to them to positively influence the social policy environment in which they operate, whether in home or host countries, or at the international level.

- ☑ Brands can advocate at national level for ratification of relevant UN and ILO Conventions that have not been ratified by the countries in which they operate.
- ☑ Brands can lobby sending and receiving countries to adopt better laws and enhanced protection for migrant workers by:
  - → Supporting sending country governments in improving the legal and regulatory environment that governs labor brokers and labor mobility, and ensuring adequate protection for migrants prior to their departure; and
  - → Working with receiving country governments to improve laws and strengthen enforcement mechanisms to ensure protection of migrant workers on the job and in their adopted communities.

- ☑ Brands can encourage the adoption and enforcement of bilateral labor agreements between governments that extend labor and social protection to migrant workers. Such agreements facilitate better migration management by ensuring that it takes place according to agreed-upon principles and procedures.
- ☑ Finally, brands can also consider direct participation in networks and forums for international and regional policy dialogue such as the Global Forum for Migration and Development.

In Focus

Examples of Brand Engagement

- ***Hewlett Packard*** *has taken a leading role in public forums advocating for business engagement against trafficking. It has raised awareness of the human and labor rights risks in the electronics industry linked to labor migration (for example, deception in recruitment, excessive recruitment fees, document retention and related limitations on freedom of movement), and on that basis represented the corporate sector at a special session of the UN General Assembly Thematic Debate on Human Trafficking in June 2008.*
- ***Manpower*** *has worked closely with UN.GIFT, ILO and IOM at global, regional and national levels. It has played a key role in raising awareness about business action against human trafficking and, through CIETT, the recruitment industry's international trade association, has strongly advocated for ratification of ILO Convention 181 on Private Employment Agencies. This is seen as a key step in setting minimum standards for the recruitment industry around the world.*

To learn more about the international public policy environment addressing broker-induced forced labor, see Verité's Policy Brief on the subject. This document provides an introduction and analysis of the key international standards and policy instruments that set the framework for international labor migration and address the twin abuses of forced labor and human trafficking.

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