



# Human Trafficking & Supply Chains - part II

The \$43.4 billion per annum profit made from the sale of goods produced through the forced labour of trafficked persons is what motivates traffickers to identify and exploit new victims.

Removing this incentive is therefore key to combating Human Trafficking.



## STOPPING THE PROFITS

Removing the commercial incentive which motivates traffickers will need preventative measures that detect, disrupt and legally penalise the distribution and sale of forced labour goods through supply chains. Measures to curb demand and to raise public awareness of the tainted nature of these goods are also needed to deter their sale by retailers and purchase by customers.

Achieving these two things will need commitment on international, national, corporate and individual levels.

## INDIVIDUAL RESPONSIBILITY

As buyers, we are at top of the supply chain and the source of the profits that trickle down the supply chain to Traffickers. Therefore, the choices we make to buy something are ethical as well as financial.

**The goods we buy may cost much more than what we pay for them in terms of human suffering and the bondage of people at various stages along supply chains.**

They may be forced to labour in mines, on farms, in factories, or on fishing-boats to generate profits for those who enslave them.

Without doubt it is difficult to know whether or not something we buy in a local shop or online is produced ethically, but we do have a responsibility to try to find out and not to knowingly buy products made though human trafficking.

**If an item we wish to purchase seems impossibly cheap, then there is a fair chance that it was made with slave labour.**



However, it soon became clear that voluntary guidelines were not enough and that asking corporations to police themselves had failed.

In 2014, the UN Human Rights Council began what is still an on-going process of drafting an international legally binding treaty to regulate the activities of transnational corporations and other business enterprises that will lead to mandatory human rights due diligence.

In March 2021, the European Parliament approved an outline proposal for the *EU Directive on Mandatory Human Rights, Environmental and Good Governance Due Diligence*. It was hoped that this initiative would lead to the approval of new legislation in 2022 and the enactment of laws by member states as early as 2023. The aim is to introduce national Corporate Accountability Laws through which corporations can be held accountable for human rights breaches in their supply chains. Companies will be required to take measures to prevent harm to human rights and to ensure good govern-

ance throughout their supply chains, this includes the non-European suppliers they use. If they cause harm then the companies here in Europe can be held accountable and penalised unless they can prove they have acted in line with due diligence.

## OPPOSITION AND DEBATE

In both the United Nations and European Union contexts the content and scope of these legal instruments are hotly debated, with human rights organisations, faith groups and NGO's calling for the strongest possible protections for human rights and the environment while some Governments, Transnational Corporations (TNCs) and businesses are reacting strongly to protect their national and business interests. TNCs also wish to minimise their exposure to legal accountability and sanction.

An example of just how divided the opinions of those trying to influence the formulation of these documents are is reflected in the response of campaigners to the third draft of the UN



Experience has shown that voluntary measures haven't worked and that binding rules are sorely needed. [Friends of the Earth Europe]

Treaty published in August 2021. They describe it as *“ineffective and toothless”* and of failing to *“regulate the activities of transnational corporations... Furthermore, the current draft would not close the existing legal loopholes that allow and will allow TNCs to violate human rights with impunity and to escape liability for their actions”*

Stopcorporateimpunity.org)

## WHAT THE CHURCH SAYS

The position of the Catholic Church in this debate was made clear in a submission made to a 2021 EU consultation on the proposed legislation. In this the Conferences of European Bishops and Catholic Justice and Peace organisations called upon the European Union to adopt a legislation that will require all companies operating within the EU to map their supply chains in order to identify, prevent, mitigate, and account for human rights and environmental impact.

The submission also calls for the new EU rules to clearly indicate the obligations of Member States and the European Commission in monitoring, enforcing and imposing sanctions for

non-compliance. By extension this would allow victims of corporate human rights violations, including Human Trafficking, to seek redress in courts, both in their own countries and in the country where the company is based.

The Church submission also calls for the EU legislation to complement and reinforce the treaty currently being negotiated by UN Member States.

Given the level of divided opinion and vested interest that exist it is likely that both the EU and UN efforts will take considerable time to reach a conclusion. Whether or not their scope will be broad enough or strong enough to have a significant impact on injustices such as human trafficking remains to be seen.

In the meantime the lack of this much needed international and national legislation allows the lucrative trade in illicit goods that motivates human traffickers to continue almost unchecked.

**The choices we make when we buy matter. So does our support for action to focus public attention on trafficking abuse in supply chains and to enact effective legislation against it.**

*“Being faced with an unprecedented global crisis, we now need more than ever mandatory supply chain due diligence to stop corporate abuse and guarantee global solidarity,”*

*Cardinal Jean-Claude Hollerich SJ,  
President Commission of the Bishops' Conferences,  
expressing support for an ambitious European due diligence legislation.*