



Luxor Implementation Guidelines to the Athens Ethical Principles: Comprehensive Compliance Programme for Businesses

In January 2006, Suzanne Mubarak Women’s International Peace Movement, under the auspices of the Greek Ministry of Foreign Affairs, brought together CEOs from the private sector; representatives of non-governmental organizations (NGOs), international organizations, and governments; and individuals to share their expertise and develop measures to counter human trafficking. The meeting was co-sponsored by prominent international organizations in the fight against human trafficking: the International Organization for Migration (IOM), the United Nations Development Fund for Women (UNIFEM), the United Nations Office on Drugs and Crime (UNODC), the World Bank and the Geneva Centre for the Democratic Control of Armed Forces (DCAF). The group adopted a set of ethical principles against human trafficking, now known as the “**Athens Ethical Principles**” and launched the “**End Human Trafficking Now**” campaign to promote the Principles and facilitate their implementation by business companies.

The Athens Ethical Principles contain seven main values. Hundreds of companies have agreed to abide by these principles, but it is their **implementation** by businesses that will contribute to the eradication of human trafficking worldwide. Moreover, experience of many corporations suggests that the commitment to ethical business actually improves the bottom line.¹

The four primary risk areas where companies may encounter human trafficking are:²

1. Exploitation within a company’s supply chain, for example the use of forced labor by suppliers or sub-contractors;
2. Utilization of personnel supplied by third party agents (domestic or overseas) over which the company has limited oversight, as in labor brokers whose unscrupulous treatment of workers amounts to trafficking;
3. Traffickers’ use of a company’s products, facilities or services in the process of obtaining or maintaining someone in compelled service, such as the transport of trafficking victims via international airlines, shipping companies and others in the transportation sector;

¹ A Harvard University study found that “sales rose for items labeled as being made under good labor standards, and demand for the labeled products actually rose with price increases of 10-20% above...unlabeled levels.” Michael J. Hiscox and Nicholas F. B. Smyth, *Is There Consumer Demand for Improved Labor Standards? Evidence from Field Experiments in Social Product Labeling*, 2006

² UNGlobal Compact: Human Rights and Business Dilemmas Forum

4. Traffickers' use of a company's properties, especially in the hospitality sector, to victimize individuals, particularly for sex trafficking.

In order to address these intersections between legal business operations and illegal trafficking, companies must implement the principles to which they have already pledged themselves. The following is a guide to help move beyond aspirational statements to the development of standard operating procedures – a way to move beyond principles to practice and implementation.

The Athens Ethical Principals

We,

Members of the business community,

Being deeply concerned that the scourge of trafficking in human beings, especially women and children, inflicts enormous suffering in the world today,

Consider it unacceptable that millions of people are treated as commodities and slaves, and therefore denied their basic human rights and dignity,

Welcome the efforts of the international community to eradicate human trafficking, through the use of public-private partnerships, and envisage this initiative as an additional means to complement and reinforce such efforts,

Recognize the significant potential of the business community to contribute to the global fight against human trafficking and are inspired by business community members who are already applying ethical policies and codes of conduct concerning human rights,

Dissociate ourselves from such illicit practices by launching the following ethical principles in which we will:

1. Demonstrate the position of zero tolerance towards trafficking in human beings, especially women and children for sexual exploitation (Policy Setting).
2. Contribute to prevention of trafficking in human beings including awareness-raising campaigns and education (Public Awareness Raising).
3. Develop a corporate strategy for an anti-trafficking policy which will permeate all our activities (Strategic Planning).
4. Ensure that our personnel fully comply with our anti-trafficking policy (Personnel Policy Enforcement).
5. Encourage business partners, including suppliers, to apply ethical principles against human trafficking (Supply Chain Tracing).
6. In an effort to increase enforcement it is necessary to call on governments to initiate a process of revision of laws and regulations that are directly or indirectly related to enhancing anti-trafficking policies (Government Advocacy).
7. Report and share information on best practices (Transparency).

1. Establish a Zero Tolerance Policy: in order to explicitly demonstrate the position of zero tolerance towards trafficking in human beings, especially women and children for sexual exploitation, companies must:

- Craft and distribute a policy that incorporates all mandatory components listed in implementation guidelines one through seven;
- Implement a code of conduct with zero tolerance towards human trafficking which at a minimum:
 - ◇ Prohibits trafficking in persons, as defined by the United Nation’s Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children: *“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs... The consent of a victim of trafficking in persons to the intended exploitation set forth [above] shall be irrelevant where any of the means set forth [above] have been used.”*
 - ◇ Ensures freedom of movement for employees and the right of employees to enter and leave employment willingly and voluntarily;
 - ◇ Publicly defines and prohibits excessive recruitment fees;
 - ◇ Prohibits patronizing persons in prostitution while on official business travel;
 - ◇ Makes engaging in any of the above behaviors a fireable offense.

It should be made clear that these standards apply to all enterprises in a company’s supply chain(s) by taking the following actions, as appropriate:

- Ensure that all employees receive an orientation on the standards;
- Include prohibitions on trafficking in persons (as defined above) in any International Framework Agreements to which the company is a signatory;
- Promote the International Labor Organization’s (ILO) four core labor standards in order to foster an environment that enables workers’ protections and prevents human trafficking;
- Sign and implement the *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism* (as appropriate).

Companies are also encouraged to:

- Join existing multi-stakeholder initiatives focused on human trafficking or establish one for the company's industry sector if none exists;
- Publish a list of all labor recruiters, contractors, and sub-contractors in the company's supply chain(s).

2. Engage in Public Awareness Campaigns and Education: in order to contribute to prevention of trafficking in human beings including awareness-raising campaigns and education, companies must:

- Address any issues related to the company's supply chain(s) and inform employees and consumers about the measures or safeguards implemented;
- Publicly post hiring and recruiting procedures throughout the company's supply chain(s). (If a company uses labor recruiters, these procedures should be published in a manner that is accessible to people in countries of origin).

Companies are also encouraged to:

- Participate in larger government anti-trafficking workshops and ad campaigns;
- Cooperate with national governments to ensure that a national workshop or conference on human trafficking is held in every country in which there is a risk of trafficking in a relevant supply chain(s);
- Work with other companies to create and disseminate anti-trafficking public service announcements that include additional resources for seeking help/information (e.g. a hotline for victims);
- Show in-flight videos on all major human trafficking routes that inform trafficking victims of their rights and available resources, and inform travelers that child sex tourism is a crime (tourism and travel sector);
- Organize public education campaigns on the issue of human trafficking, including the distribution of written material and cooperation with chambers of commerce and employer- and employee-representative groups to disseminate information.

3. Strategic Planning: in order to develop a corporate strategy for an anti-trafficking policy which will permeate all our activities,³ companies must:

- Engage in collective strategic planning that includes corporate social responsibility advisors, supply chain managers, and senior leadership to create an action plan to prevent/combat trafficking in the company's supply chain(s), including independent metrics for evaluation and disclosure to stockholders;
- Ensure that company standards meet or exceed national anti-trafficking laws or ILO standards, whichever is more stringent;
- Adopt recruitment and human resources practices (e.g. wages, working hours and employment contracts, etc.) that minimize the risk of forced labor;
- Map supply chain(s), beginning with the producer, and implement systems to trace commodities to raw materials;
- Monitor compliance with the code of conduct/standards and continually address any shortcomings found through monitoring;
- Submit company operations and those of supply chain(s) to independent external audits against a reputable standard;
- Ask "highest risk" suppliers to become certified against such reputable standards or agree to unannounced audits against the company's code of conduct/standards;
- Remedy violations when they are found, and establish a system for remediation, complete with a funding vehicle, aimed at preventing a recurrence of these problems throughout supply chain(s);
- Ensure that workers and other affected stakeholders have in place a transparent, safe, and accessible channel for communicating complaints, and that audits are conducted in response to whistleblower allegations;
- Incorporate the existence or non-existence of measures to combat trafficking into considerations regarding sourcing decisions and factory siting.

Companies are also encouraged to:

- Sign on to the UN Global Compact, making the Compact's 10 principles part of corporate strategy and day-to-day operations. Once part of the Compact, companies are required to issue an annual Communication on Progress (COP), a public disclosure to stakeholders (e.g. investors, consumers, civil society, governments, etc.) on the implementation of the 10 principles;
- Support or become involved in at least one project annually that aims to reduce vulnerability to human trafficking. Develop micro-credit schemes, poverty-alleviation, and economic-empowerment initiatives to provide social protection to vulnerable groups and direct attention and/or funding to the underlying causes of trafficking;

³ For a business trying to uphold the Athens Ethical Principles, oftentimes the greatest challenge is not with its own workforce – a company can institute clear policies to ensure that its own workforce is free of trafficked persons – but rather with suppliers, particularly second- or third-tier suppliers or those further down the supply chain of raw materials operating in remote areas rife with corruption and weak on regulation. Remediation can also sometimes be a challenge, so the company should take steps to ensure that the "cure is not worse than the disease" – for example, that the trafficking victims are not left in worse circumstances once they are freed.

- Develop skills training and hiring schemes for trafficking survivors.

4. Employee Training: in order to ensure that personnel fully comply with our anti-trafficking policy, companies must:

- Seek independent external monitoring and verification of compliance with the company's code of conduct/standards at least annually, including unannounced audits, from a reputable/recognized organization. Those engaged in independent monitoring and verification should take all reasonable steps, such as securing anonymity of those interviewed, to ensure that the processes do not compromise the safety or job security of workers or others involved in the audits;
- Ensure that verifiers are accredited certification bodies, complying with either ISO/IEC 17021:2006 or ISO/IEC Guide 65:1996 or other relevant systems. Verifiers should have qualified and competent personnel skilled in identifying forced labor/trafficking and knowledgeable in the local anti-trafficking laws and relevant international standards;
- Develop a training module for all employees in the company's supply chain(s) on the basics of human trafficking and how to recognize and report it;
- Provide additional/advanced training on forced labor for social auditors, compliance personnel, human resource managers, supply chain managers, and other supervisors;
- Make available to the public monitoring and verification efforts undertaken by the company to combat human trafficking and make the results of those efforts available to relevant government organizations;
- Ensure that audits are conducted in response to whistleblower allegations and that protections are in place for whistleblowers.

5. Supply Chain Monitoring: in order to encourage business partners, including suppliers, to apply ethical principles against human trafficking, companies must:

- Conduct an initial risk assessment of the company’s business partners and suppliers to determine the degree to which they adhere to national laws and employ practices consistent with good industry standards. Revise company code of conduct to address any deficiencies that may be discovered;
- Monitor all suppliers, contractors, and sub-contractors, tracing to raw materials to ensure that measures are in place throughout the company’s entire supply chain(s) to prevent human trafficking;
- Promote agreements and codes of conduct by industrial sector, identifying the areas where there is risk of forced labor and take appropriate remedial measures;
- Include appropriate language in all partner and sub-contractor agreements throughout the company’s supply chain(s) prohibiting exploitative activity and develop a policy of engagement and remediation to correct violations;⁴
- If the company produces or manufactures one of the products utilizing raw materials on the Department of Labor’s “List of Goods Produced by Child Labor or Forced Labor,” enhance auditing of those products in the company’s supply chain(s) by an independent third-party monitoring or verification organization and make public the results of the audit;
- Require that sub-contractors who recruit labor share the contracts of those laborers with the entity that is monitoring the corporate strategy (whether an internal or external body) to ensure that no excessive fees that could result in a situation of debt bondage for employees are being charged; blacklist sub-contractors that have used abusive practices and forced labor; and share relevant information with industry colleagues;
- Include in the company’s corporate policy a provision requiring that management under audit be absent during inspections;
- Prohibit the withholding of employee identity documents, including passports, by all suppliers and subcontractors;
- Ensure that all employees enjoy freedom of movement and are aware they have the right to enter and leave employment voluntarily and freely.

Companies are also encouraged to:

- Train or employ former human trafficking victims and provide skills development, mentorship, and internship programs;
- Create networks with other companies, sectoral associations, and employers’ organizations to exchange information and ideas for the development of an industry-wide approach to combat

⁴ Such measures could include: technical assistance to help suppliers address specific issues; positive incentives such as the creation of a preferred suppliers list, a price premium, purchase guarantees, access to financing, inclusion in national or country of origin trade promotion/registries, and/or public reporting that rewards compliance. Negative incentives for violations might include suspension/reduction/termination of contracts for repeated violations.

human trafficking, and to ensure that codes of conduct/standards are implemented across supply chain(s), and good practices are identified and promoted globally;

- Explore the creation of a consumer-facing label demonstrating adherence to the Athens Ethical Principles as outlined in these guidelines;
- Support grassroots community development in order to help eliminate the root causes of human trafficking;
- Publish labor recruiters' responsibilities;
- Pay a premium for innovative sub-contractors or suppliers that secure fair worker conditions.

6. Governmental Coordination: In an effort to increase enforcement it is necessary to call on governments to initiate a process of revision of laws and regulations that are directly or indirectly related to enhancing anti-trafficking policies. In order to achieve this, companies must:

- Cooperate with law enforcement whenever human trafficking is discovered in the company's supply chain(s);
- Leverage market power in sourcing decisions and factory siting to reward governments that enforce anti-trafficking laws and provide victim protection.

Companies are also encouraged to:

- Regularly engage with local and national governments in every country linked with the company's supply chain(s) to support effective anti-trafficking policies that address prevention of trafficking, protection of and assistance to victims, and prosecution of perpetrators;
- Build networks with stakeholders, including workers' organizations, law enforcement authorities, NGOs, and labor inspectors to develop approaches to combating human trafficking in the company's supply chain(s) that take into account prevention of trafficking, assistance to victims when violations are found, and cooperation with law enforcement to prosecute offenders;
- Work with national governments and employers' organizations to ensure that all relevant ILO and UN Conventions are ratified;⁵
- Support governments in the development of national legislation and any efforts to bring labor and criminal codes up to international standards;
- Support the development of an employers' National Action Plan against forced labor as part of key policy and institutional mechanisms to combat forced labor at the national level;
- Lobby Ministries of Labor to make labor inspection more regular, efficient, and effective through training, resourcing, and collaboration with business;
- Assist law enforcement in prevention measures where possible;⁶
- Engage with governments, international organizations, and/or local communities to promote the provision of social safety nets that prevent forced labor and provide services to victims and persons at risk;⁷
- Support victim assistance and protection mechanisms, such as funding to government shelters.

⁵ To include: ILO Conventions 29, 105, 138, and 182, the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (often referred to as the "Palermo Protocol")

⁶ For example, the transport sector can adopt special screening mechanisms to detect the illegal transport of human beings or the telecommunications sector can donate software or provide technical support to assist law enforcement in tracking victims and traffickers.

⁷ For example, companies may choose to partner with other companies in their industry to pool remediation resources for greater potential impact.

7. Transparency: in order to report and share information on best practices, companies must:

- Publicly disclose to consumers the company's implementation of policies to incorporate best practices throughout supply chain(s);
- Include information on this issue and measures taken by the company in annual reports to investors;
- Provide information to potential investors, attracting them to products and services where there is a clear and sustainable commitment to the prevention of trafficking in persons in order for them to make socially responsible investments;
- Advertise the company's endorsement of the Athens Ethical Principles by clearly stating it on the company website with a link to actions taken to implement the principles;
- Publish the company's code of conduct/standards with regard to combating human trafficking on the company website;
- Mandate new employee orientations on the company's code of conduct/standards;

Companies are also encouraged to:

- Publish a list of suppliers, labor recruiters, contractors, and subcontractors as part of company's efforts to be transparent and to map supply chain(s) to raw materials;
- Partner on audits within the relevant industry to reduce costs;
- Join the Global Reporting Initiative (GRI) and submit a GRI Sustainability Report annually;
- Join the UN Global Compact and submit the annual Communication on Progress (COP), which is a public disclosure to stakeholders (investors, consumers, civil society, governments, etc.) on the implementation of the 10 principles.