

FORCED LABOR PLENARY STATEMENT

Edward E. Potter
Employer Vice Chairman

Very few people have the opportunity to participate in an historic moment in their life time. This is such a moment for all of us. Tomorrow, we will vote to adopt a supplemental Forced Labor Protocol and Recommendation that updates the 84-year old, 1930 ILO Convention No. 29 on Forced Labor. These instruments will bring ILO forced labor standards into the 21st Century that will be effective to address all forms of modern day forced labor and human trafficking that results in forced labor. The Protocol and Recommendation establish a common framework, strategy and measures for the 177 nations that have ratified Convention 29, and the 8 countries that have not ratified Convention 29, to move together in alignment on a common approach to suppress and eliminate forced labor and provide prevention, protection and remedies for the 21 million persons currently in forced labor, including human trafficking that leads to forced labor, and to ensure that others do not fall into forced labor.

We can all agree that forced labor is an abhorrent practice and a severe human rights violation. Victims of forced labor lose their freedom and dignity and are bound to dangerous and unacceptable working conditions. The vast majority of persons in forced labor conditions are poor and are in the informal sector outside traditional formal labor market regulation. It presents a challenging situation for ILO member states to meet their state duty to protect, prevent and remedy harm to persons within their borders that is frequently out of public view and criminal in many instances. The Economics of Forced Labor Report released by the ILO on May 20 of this year clearly shows the linkage of persons in forced labor and

poverty. Forced labor standards alone cannot lead to the abolition and elimination of forced labor but also requires economic development that creates opportunities for individuals and families.

We had a challenging task in front of us in our Committee to discuss a Protocol and Recommendation on a significant human rights issue in a single discussion in a far shorter time period than the double discussion procedure that led to the adoption of Convention 29 in 1930. This placed a premium on collaboration and mutual good will throughout the Committee's work. We never had to take a vote and we were never close to doing so. Every provision in the Protocol and the Recommendation was adopted by consensus. We were a committee made up of people of good will, all of whom were committed to achieving a meaningful outcome. As in all the critical junctures of the ILO's history, our Committee showed the collective will, determination and foresight to achieve a consensus.

The consensus was achieved through the exemplary leadership of the Minister-Counsellor of Labor for Australia, David Garner, who provided an environment of openness, transparency, and consensus building. With good humor and grace, this is an outstanding act of international leadership and diplomacy that is a credit to himself and his country. The Employers Group is particularly appreciative of the decision he made in consultation with the Committee's officers and the ILO secretariat to defer the final decision on whether there would be a Protocol until all amendments to the draft Protocol had been considered. It allowed everyone to have a clear view of what the final content of the draft Protocol would be before deciding whether to support a Protocol or not. We would not be here today advocating for an overwhelming vote in favor of a Protocol and Recommendation but for this critical decision.

My counterpart on the Workers bench, Yves Veyrier, has been committed on this this issue ever since the Recurrent Review on Fundamental Principles and Rights in June 2012 when we both discussed the 2012 ILO Global Estimate of Forced Labor with Beate Andrus, head of the ILO's special action program on forced labor. Without Yves' drive and compassion for mankind, and singular focus on the outcome, we would not be where we are today. It has been my privilege to work with you, Yves, during the last three ILO Conferences.

Of course, all final credit goes to the Government representatives who achieved consensus notwithstanding differences in country circumstances and situations. As the Employer Vice Chairman, I especially want to thank the employers' group in the technical committee for their support throughout our discussions, especially those that participating on the Drafting Committee and in the working parties.

We would not have been successful without all the multi-dimensional skills and knowledge of the ILO Secretariat. They are a credit to themselves and to the ILO as an institution. They deserve recognition for the outstanding way they supported the Committee's work under extreme hours of work and time pressures.

We will not take up the Plenary's time going through the structure and content of the Protocol and Recommendation that will be ably described by the Rapporteur and others, other than to say that they set out the path to ending forced labor on this earth by spelling out the implementation of Convention 29, in consultation with and in coordination with Employers and Workers organizations, that protects, prevents and remediates forced labor that were not set out in Convention 29 in 1930. The Protocol importantly makes clear that the ILO's definition of forced

labor contained in Convention 29 encompasses human trafficking which results in forced labor, and that the transitional clauses in Convention 29 are deleted.

The Employers' Group unequivocally supports adoption of the Forced Labor Protocol and Recommendation without hesitation. Our stamp is on these instruments. This is humanitarian moment, a human rights moment, and represents what the international business community stands for—respect for human rights. Adoption of the Protocol and Recommendation, however, is just the end of the beginning. What will be essential following this Conference is rapid ratification by the 177 countries that have already ratified Convention 29 and effective implementation of the Protocol.

The Protocol and Recommendation represent a call to action. They go beyond pious words; they are more than text on a piece of paper. Their potential impact can only be realized if there is rapid and universal ratification of the Protocol and its complete and effective implementation. Non-ratification and non-implementation is not an option if the ILO constituency really means to eliminate and suppress all forced labor.