

**Prince Sultan University**  
**PSU Policy Management System**

**Policy against modern slavery, forced labor, human trafficking and child labor**

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Policy Code: GV0009

Policy Name: Policy against modern slavery, forced labor, human trafficking and child labor

Handler : Human resources

Date of Current Review: August 2020

Approved by: University Council

Date of Approval: 02/09/2020

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**1) Introduction, definition and purpose**

The United Nations statement known as the Palermo Protocol defines human trafficking as: “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

The International Labor Organization, an agency of the United Nations, defines forced labor as ‘all work or service which is exacted from any person under threat of a penalty and for which the person has not offered himself or herself voluntarily’.

The term ‘modern slavery’ is an umbrella term covering many ill-defined practices. Generally included are human trafficking for sex, labour or organs, forced labour, bonded labour, descent-based labour, domestic servitude, child labour, early (child) and forced marriage. This list is not exhaustive and other forms of modern slavery and human trafficking include the taking of babies and children for sale for adoption, the entrapment of people in religious ritual roles as well as those taken for religious rites that involve forms of human sacrifice. It is difficult to establish reliable data as much of modern slavery and human trafficking is hidden. However, the best estimates are that millions of people around the world are being exploited in this way. People who are victims of modern slavery and human trafficking are often among the most vulnerable in societies. They include all ages, genders, ethnicities and creeds. The most vulnerable groups include refugees and migrants, minority groups, women, children and people experiencing extreme poverty”.

### **The Definition of forced labor**

According to the ILO [Forced Labour Convention, 1930 \(No. 29\)](#), **forced or compulsory labor is:**

"all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily."

#### **2) Scope and application of human trafficking**

slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”, in which ownership is understood as “constituting control over a person in such a way as to significantly deprive that person of his or her individual liberty, with the intent of exploitation through the use, management, profit, transfer or disposal of that person” <sup>(1)</sup>, this definition is derived from and based on the definitions in the ILO conventions, specifically the definition of “slavery” in Article 1(1) of the 1926 Slavery Convention, its reproductions in Article 7(a) of the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and in Article 7(2)(c) of the 1998 Statute of the International Criminal Court. Also taken into account in the development of this

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<sup>(1)</sup> Bales, Kevin et al, Modern Slavery: The Secret World of 27 Million People (Oxford: One world Publications, 2009), 47 –51. See also No author, “Globalization – Glossary of Statistical Terms” (The Organization for Economic Co-operation and Development (OECD), created 25 September 2001, last updated 10 June 2013): <https://stats.oecd.org/glossary/detail.asp?ID=1121> .

definition were the human rights law as applied to the 1948, Universal Declaration and 1966 International Covenant on Civil and Political Rights, as well as the 2000 United Nations Palermo Protocol on Trafficking in Persons and the 2005 Council of Europe Convention on Action against Trafficking in Human Beings <sup>(2)</sup>.

- **Human trafficking**. The use of violence, threats or coercion to transport, recruit or harbor people in order to exploit them for purposes such as forced prostitution, labor, criminality, marriage or organ removal.
- **There are three common types of human trafficking**: the sex trade, forced labor, and domestic servitude. The economic sectors that profit most from human trafficking are agriculture, restaurants, manufacturing, domestic work, entertainment, hospitality, and the commercial sex industry <sup>(3)</sup>.
- **According to the ILO Forced Labor Convention, 1930 (No. 29)**, forced or compulsory labor is: "All work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily".
- **The three key elements** that must be present for a situation of trafficking in persons (adults) to exist are therefore: action (recruitment,); means (threat); and purpose (exploitation) <sup>(4)</sup>.
- Behaviors relating to ownership that might indicate or provide evidence of slavery include:
  - Buying, Selling or Transferring a Person (i.e. human trafficking)
  - Using a Person
  - Managing the Use of a Person
  - Profiting from the Use of a Person
  - Transferring a Person to an Heir or Successor
  - Forced Labor and Bonded Labor

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<sup>(2)</sup> Allain, Jean, ed., "Appendices: 2012 Bellagio-Harvard Guidelines on the Legal Parameters of Slavery", The Legal Understanding of Slavery: From the Historical to the Contemporary (Oxford: Oxford University Press, 2012), p. 375 380.

<sup>(3)</sup> UNITED NATIONS OFFICE : " Human Rights, and Human Trafficking", Fact Sheet No. 36, UNITED NATIONS New York and Geneva, 2014

<sup>(4)</sup> UNITED NATIONS OFFICE ON DRUGS AND CRIME Vienna: " An Introduction to Human Trafficking: Vulnerability, Impact and Action", UNITED NATIONS New York, 2008

### 3) Responsibility of Universities

As institutions occupying a unique space at the intersection of public and private enterprise, universities face unique challenges in addressing the issues, as well as in their practices on campuses at home and abroad.

Following the UN Guiding Principles, as public sector bodies (or, in the Guiding Principles' distinction, "State" institutions), PSU have an obligation to protect subjects from human rights violations as well as to respect human rights and remedy abuses or violations. However, universities also occupy a unique space as philanthropic leaders and innovators. Thus, not only do thorough efforts to identify and address their modern slavery risks and detailed reporting thereof fit their purpose, such activities enable universities to place themselves at the forefront of the global movement to end slavery, subsequently raising international profiles and setting a high standard for organizations that follow<sup>(5)</sup>.

- Universities should use the opportunity afforded by the Modern Slavery Act 2015 Statement requirement to perform and report upon a thorough assessment of the modern slavery risks affecting the university at every level, including supply chains, recruitment practices, and overseas campuses and partnerships, as well as the methods employed to address and reduce risk. Crucially, universities' MSA Statements should include a clear verbal commitment to protecting and respecting human rights, and an unequivocal statement of zero tolerance of modern slavery in supply chains or in global university operations.
- Universities should collaborate with other universities and organizations, sharing information about modern slavery risks and methods employed to address them with colleagues.
- Universities should consider joining organizations that collect, assess, collate, and distribute information on modern slavery risks.
- Universities should engage directly with first-tier suppliers (and go further down the chain, if possible); studies have found that end-to-end supply chain visibility has a more noticeable impact on reducing modern slavery risk than the audit model.
- Universities should establish and publish a clear policy, plan and strategy to combat all known modern slavery risks

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<sup>(5)</sup> "Guiding Principles on Business and Human Rights" (United Nations Human Rights – Office of the High Commissioner, New York and Geneva, 2011):  
<http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR>.

- Universities should introduce and/or continue modern slavery training programs at every level.
- Universities should ensure that those in leadership roles are informed of the modern slavery risks that affect the university, and that they are aware of and engaged in policies and methods Implemented to address and reduce those risks <sup>(6)</sup>.

### **Approval and Revision**

The policy is endorsed and fully supported and approved by the Colleges councils and the University Council

For Related Policies Please see the following documents:

1) Policy on faculty Code of Conduct

2) Academic Integrity Policy

Issue date	Summary of changes	Review Date
May 2019	New policy	
	Approved by the University Council the	

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<sup>(6)</sup> Dr. Ouarda Belkacem Layachi: "Human Rights Among the Purposes of Islamic Law and International Covenants", Saudi Arabia, Dar EL-Khwarizmi for Publishing and Distribution, 2012.