# Human Rights and Modern Slavery

## Objective

At Journey Latin America we strive to have a sustainable social and environmental impact at home and in the regions that we operate. Sustainable travel is an expression used to embody the travel trade's principles of using tourism to benefit local communities, conserve natural resources, and bolster the survival of culture and heritage. It is central to our Responsible Business Strategy that we adopt and actively encourage sustainable practices and promote responsible tourism.

Journey Latin America recognises the responsibility we share with our suppliers to operate ethically. Promoting decent working conditions in our supply chains is part of our strategy to act in a socially responsible manner.

Definitions

Modern Slavery is a broad term used to encompass the offences of slavery, servitude and forced or compulsory labour and human trafficking. The term extends to slavery-like practices such as debt bondage, sale or exploitation of children and forced or servile marriage. While varied in nature, all involve one-person depriving another of their liberty in order to exploit them for personal or commercial gain. The definition of modern slavery as set out in the UK Modern Slavery Act (https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted) refers to the offences of slavery, servitude and forced or compulsory labour on the one hand, and human trafficking on the other.

We are committed to ensuring we are not engaged or complicit in the exploitation of people and to play our part in helping eradicate modern slavery.

## Overview

In our activities as a tour operator, we work for and with people: customers, staff, local representatives and the local populations in Latin America. We acknowledge the Universal Declaration of Human Rights (https://www.un.org/en/about-us/universal-declaration-of-human-rights) and its legal binding implementation instruments as the basis for our business activities.

Tourism affects many aspects of human rights, such as protection against discrimination, the right to housing, food, water, health and education, to work with dignity, to join trade unions, to protection against forced labour and to privacy. Moreover, the human rights of potentially high-risk groups must be protected, especially migrant workers, children, women, indigenous people and people with disabilities.

## Our Pledge

As a responsible tour operator, we commit ourselves to implement the following six criteria

1. To establish a human rights-based policy.

2. To carefully check and monitor the impact of our business activities on human rights and to ensure that there is no modern slavery or human trafficking in any part of our operation.

3. To educate and raise awareness of human rights and modern slavery to staff, customers and our local representatives in travel destinations. We encourage our staff, clients and partners overseas to monitor human rights throughout our operations, and report concerns back to us so we can act.

4. To provide a point of contact and appropriate mechanism to follow up and remedy any reported case of human rights abuse.

5. To introduce a clause in our Memorandum of Understanding which reiterates the standards to which we expect suppliers to adhere to in respect of human rights and modern slavery.

6. To review our policy annually with the aim of continuous improvement on its implementation and with the aim to constantly improve the human rights situation at the destinations where we are active, within the scope of our influence

## JLA Interactions review

The aim of any tour operator must be to respect and protect human rights and promote their implementation. It is important therefore to be familiar with human rights laws and identify the greatest risks within our supply chain. We recognise the following is not an exhaustive review and that there are further underlying risks throughout the tourism sector.

Accommodation

Journey Latin America and our local representatives carry out extensive checks and inspect all the services we put on sale. However, we recognise that informal and seasonal workers (eg, porters, guides, drivers, cleaners, kitchen hands, baggage handlers, gardeners, laborours) are commonplace in the tourist industry and such staff are often hired through a third party which can put them at greater risk.

As far as we can within our scope when carrying out inspections we will keep in mind the right to work with dignity under the Universal Declaration of Human Rights, Article 23 (1), (2), (3) & Article 24.

Community visits

On many of our trips particularly to more remote areas we feel visiting and interacting with local people is a valuable and rewarding experience, as well as bringing the financial benefits directly into the hands of local communities. All such community visits will always be arranged in conjunction with -and agreement of- members of the local community. We will always keep in mind the right to privacy under Universal Declaration of Human Rights, Article 12.

Equal opportunities

Journey Latin America has always employed people based upon their abilities and skills and do not incorporate any limiting factors to hiring or promotion. In order to create and maintain an environment where everybody has an equal opportunity for employment, development and promotion, Journey Latin America is committed to treating all applicants and employees in the same way regardless of their race, colour, nationality, sex, marital or civil partnership status, age, disability, religious belief, political opinion, gender reassignment or sexual orientation.

Our local partners are expected to have similar non-discriminatory employment policies and all observe the Universal Declaration of Human Rights, Article 1:

Porter Welfare

Trekking in the Andes, Patagonia and Tropical Lowlands are popular and rewarding experiences for many visitors to Latin America. Local porters are regularly hired by travellers to assist on treks, carry baggage and equipment. We and our local partners ensure all porters work under fair conditions and are not exposed to health and safety hazards. For example, our Peruvian representatives have been very proactive in promoting porter welfare and in lobbying the government to improve conditions for all porters and guides. It is now enshrined in Peruvian Law that all trekking operators employ requirements, maximum load weight, minimum age requirement, payment conditions and insurance coverage for porters. All trekking operators must observe the right to work with dignity and right to health under the Universal Declaration of Human Rights, Article 25 (1).

Child Labour

As stated in our Child Safeguarding Policy - Children should not be at work instead of school. In our Memorandum of Understanding we stress all local service providers agree not to employ children under the age of employment as defined by national law or International Labour Organization (ILO) Convention No 138. We commit to observing the Convention on the Rights of the Child, Article 32 (1), 34.

Indigenous Land Rights

We actively promote properties that support the welfare of local communities. We respect the rights of all people to not be forcibly removed from their lands. We will not use or promote any property or service which has negatively impeded upon the rights of indigenous populations or where they have not been consulted or involved in planning works as soon as we become aware of this. We commit to abide by the United Nations Declaration on the Rights of Indigenous Peoples, Article 10:

## Traveller Advice

Our advice to our travellers is simple. If you see something, say something.

If any visitors become aware of or experience anything untoward relating to human rights or modern slavery, please inform our local representatives, contact us on our emergency telephone number or email us at CS@journeylatinamerica.co.uk

Remember that you should never try to intervene directly in any situation, as this can be dangerous to both yourself and the victim and that the best course of action is to report any suspicious activity.

A few general tips are:

- Support responsible businesses. If you see any local enterprise which employs extremely young workers, seem to be engaged in questionable practices or where its workers look withdrawn, disenchanted and disillusioned, do not give them your business.
- Don't give money to child beggars who may be the victims of trafficking. We and our suppliers can provide information on reputable organisations, or you may consider a contribution to one of JLA's recommended projects through the LATA Foundation
- Report any concerns. We inspect all accommodation we use, though it is an unfortunate reality that hotels throughout the world can be the scene of various forms of modern slavery, including, human trafficking related to sexual exploitation, labour trafficking and bonded labour especially where workers and migrants are recruited via external recruitment agencies. If you view anything of concern please report this to us.
- Buy responsibly. Souvenirs made locally facilitate local employment and contribute to the social integration of vulnerable families. Purchasing locally made souvenirs and using social enterprises are always more supportive of the local economy.
- Respect human dignity and rights. Some of the most rewarding and memorable aspects of any visit to Latin America are encountering and communicating with local people and experiencing different cultures and customs grounded on mutual respect.

## Supplier Communication

We expect all our suppliers to uphold the same standards and values that we do and have policies in place that demonstrate their commitment to conduct business in a responsible and ethical manner.

Our Human Rights and Modern Slavery policy reiterates our commitment to adherence with all human rights legislation and reaffirms our zero-tolerance stance to issues of child labour, forced labour, threat of violence, harassment, intimidation, debt bondage, bonded labour, human trafficking, compulsory overtime and any other form of modern slavery.

As a minimum requirement we ask all our partners to commit to:

- Not tolerating the use of forced or child labour in any of its operations.
- Not tolerating physical punishment, abuse or involuntary servitude of any worker.
- A zero-tolerance attitude to modern slavery and human trafficking and for all those in the supply chain to comply with these values.

Please note, if any service provider is found to be demonstrating unacceptable practices, action to must be taken immediately, a thorough investigation carried out and measures to cease such unacceptable practices put in place. If the provider refuses, Journey Latin America will end any contractual agreement prematurely and report any violations to the appropriate authorities.

# Human Rights and Modern Slavery – Good practice guidelines

Employment is freely chosen

- There is no forced, bonded or involuntary labour.
- Workers are not required to lodge deposits or their identity papers with their employer and are free to leave their employer after reasonable notice.

Freedom of association and the right to collective bargaining are respected

- The right of all employees to form and join trade unions and to bargain collectively in a free and democratic manner must be respected at all times. Trade unions must be allowed to operate freely and in accordance with the law of the place of employment
- Workers representatives are not discriminated against and have access to carry out their representative functions in the workplace.
- Where the right to freedom of association and collective bargaining is restricted under law, the supplier facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.

Working conditions are safe and hygienic

- A safe and hygienic working environment shall be provided, bearing in mind any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
- Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.
- Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
- Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers.

Child labour shall not be used

- There shall be no recruitment of child labour.  Please refer to our Child Welfare policy for guidance.
- Suppliers shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable them to attend and remain in education until no longer a child.
- Young persons under 18 shall not be employed at night or in hazardous conditions.

Fair working conditions

- Employees must be informed of their rights and of the terms and conditions of their employment (such as remuneration, working time arrangements and holiday entitlements) in a comprehensible manner and, have written contracts of employment
- Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards. In any event wages should always be enough to meet basic needs and to provide some discretionary income.
- Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.

Working hours are not excessive

- Working hours must comply with national laws, collective agreements, and the provisions below
- Working hours, excluding overtime, shall be defined by contract, and shall not exceed 48 hours per week.
- All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all the following: the extent, frequency and hours worked by individual workers and the workforce as a whole. It shall not be used to replace regular employment.
- Working hours may exceed 60 hours in any 7-day period only in exceptional circumstances where all of the following are met:
    - this is allowed by national law;
    - appropriate safeguards are taken to protect the workers' health and safety; and
    - the employer can demonstrate that exceptional circumstances apply such as unexpected production peaks, accidents or emergencies.

No discrimination is practised.

- There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

Regular employment is provided

- To every extent possible work performed must be on the basis of recognised employment relationship established through national law and practice.

No harsh or inhumane treatment is allowed

- Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.