

Forced and bonded labour



Principle:

Forced labour, bonded labour and human trafficking are not used or promoted, and appropriate measures are taken to prevent the use of such labour. Remedial actions are in place in the event that such labour or trafficking is found, to ensure that victims are referred to existing services for support and assistance.



Key message:

Workers must be able to freely leave employment after due notice is given.

International Labour Organization definition

“... work or service that is exacted from any person under the menace or threat of a penalty, and which the person has not entered into of his or her own free will.”¹

What is forced and bonded labour?

- Forced labour is work or service that people are forced to do, under threat or penalty.²
- Bonded labour is a form of forced labour, where individuals are forced to work as security against a debt.³

What is expected at sites?

- Employment policies prohibiting forced and bonded labour.
- Signed contracts with workers stating terms of employment. Migrant workers should sign contracts before leaving home countries.
- Accurate records of wage payment, calculations and payslips are kept.
- Deductions, deposits, loans or advancements should be clear, legal, agreed in advance, and documented.
- Procedures for the safekeeping of documents, money, or other valuables - these should be voluntary and access should not be restricted (return should be within 24 hours of request).
- A due diligence procedure for recruitment agencies and subcontractors.
- The correct national procedures for hiring migrant workers are followed, including ensuring employment visas are arranged.

Facts

- The ILO estimates that nearly 21 million people are subject to forced labour⁴
- Around 26% of these are below the age of 18 years⁵
- The majority occurs in the Asia-Pacific region (56%)⁵
- 9.1 million internal and international migrants are victims of forced labour⁵
- Forced labour is a serious violation of human rights, condemned by the ILO Forced Labour Convention (1930)⁴



Bonded labour is a concern within many agricultural industries, including palm oil

Continued...

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Indicators of forced or bonded labour, and what to do?

There are many potential indicators of forced and bonded labour. However, they may be associated with other forms of exploitation:

- *Retention of personal documents, unclear debt and advancement systems, or withholding wages:* Return any documents, monies or belongings. Introduce voluntary safekeeping schemes. Provide secure storage areas to workers for storing documents.
- *Deposits and fees:* These should be legal and not restrict workers' ability to leave after due notice.
- *Workers do not understand their terms of employment, including overtime and leave:* Provide all workers with contracts in appropriate languages, and explain terms of employment by alternative means if necessary.
- *Signs of abuse, harassment and violence:* Introduce and provide training on harassment and abuse policies, access to remedy and grievance procedures, and harassment and abuse monitoring systems.
- *Accommodation is locked at night:* Remove any barriers to individuals' free movement outside of the site.

Inform local authorities where there are clear indications of forced and bonded labour.

Document retention and safekeeping?

- If workers are unable to leave employment because they are unable to access their document, this is a strong indicator of forced labour.
- All documents should be returned to workers.
- A voluntary safekeeping scheme can be introduced to look after documents. However, workers must be able to access them within 24 hours.
- Records of workers' consent to participate in safekeeping schemes should also be kept.

Employing migrant workers

Migrant workers are at increased risk of forced and bonded labour. To manage this risk, employers or third-party recruiters should:

- respect the laws of the departure and arrival countries
- provide pre-departure briefings on terms of employment
- ensure that migrant workers sign contracts before departure
- ensure that workers understand and agree any fees, deposits, advancements or loans before departure



After the Asia-Pacific region, Africa has the highest levels of forced and bonded labour

Additional information and resources

- [ILO Forced Labour Convention](#)
- [ILO Indicators of Forced Labour](#)
- [Sample - employment policy](#)
- [Sample - worker's contract](#)
- [Sample - workers' records](#)
- [Sample - attendance register](#)
- [Sample - payslip](#)
- [Sample - consent letter for safekeeping schemes](#)