

# Forced Labour and Debt Bondage

## Principle:

*Forced labour, debt bondage 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.*



## Definition according to International Labour Organisation (ILO)

*“... 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.”*

## What is forced and debt bondage?

- Forced labour is work or service that people are forced to do, under threat or penalty.<sup>6</sup>
- Debt bondage is a form of forced labour, where individuals are forced to work to pay off a debt.<sup>7</sup>

## Facts:

- The ILO estimates that in 2021, there were 27.6 million people in forced labour.<sup>2</sup>
- Around 12% of all those in forced labour are children.<sup>3</sup>
- The majority of forced labour occurs in the Asia-Pacific region (approximately 55%).<sup>4</sup>
- Migrant adult workers are more than three times more likely to be in forced labour than non-migrant adult workers.<sup>5</sup>

<sup>1</sup> International Labour Organisation, ILO (n.d.). “What is forced labour, modern slavery and human trafficking” <https://www.ilo.org/global/topics/forced-labour/definition/lang-en/index.htm>

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> International Labour Organisation, ILO (2022). 50 million people worldwide in modern slavery. [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_855019/lang-en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_855019/lang-en/index.htm)

<sup>6</sup> Anti-slavery. (n.d.). What is forced labour? <https://www.antislavery.org/slavery-today/forced-labour/>

<sup>7</sup> Anti-slavery. (n.d.). What is debt bondage? <https://www.antislavery.org/slavery-today/bonded-labour/>

## 11 Indicators of Forced Labour based on ILO

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

### Some indicators of Forced Labour and how to address them:

There are many potential indicators of forced labour, such as: -

**(i) Retention of personal identity documents such as passports**

All documents should be returned to workers. Introduce voluntary safekeeping schemes, where secure storage areas are provided to workers for storing documents. Records of workers' consent to participate in these safekeeping schemes should also be documented and kept.

**(ii) Deposits and fees**

These should be legal and not restrict workers' ability to leave employment after due notice.

**(iii) Workers do not understand their terms of employment**

Provide all workers with copies of their employment contracts in their native languages, and explain terms of employment.

**(iv) Workers are not free to leave worksite or accommodation (e.g. accommodation is locked at night)**

## Employing migrant workers

Migrant workers are at a higher risk of forced labour and debt bondage. To manage this risk, employers or third-party recruiters should:

- Comply with the laws of the countries of origin and countries of employment.
- Provide pre-departure briefings on terms of employment.
- Ensure that migrant workers sign employment contracts (which they have read and understood) before departure.
- Ensure that migrant workers understand and agree to any fees, deposits, advances or loans before departure.

### Additional information and resources:

- [Eradication of Forced Labour](#)
- [General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalisation](#)
- [R203 – Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#)
- [ILO Indicators of Forced Labour](#)
- [Earthworm Foundation's Respect for Workers Principles](#)



Remove any and all barriers to individuals' freedom of movement on worksite (after working hours) and accommodation.

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