

**Q: What is forced labour? What are the different forms that it takes?  
What are its causes?**

Forced labour can take many forms. At its heart is the coercion of a person to perform certain types of work and the imposition of a penalty if that work is not done. Forced labour may come in the form of trafficking of persons, which is growing like wildfire around the world. It may arise from abusive recruitment practices leading to bondage through debts; it may involve the military imposing obligations on civilians; it may be linked to feudalistic practices, as in the case of bonded labour; it may involve punishing certain political views through forced labour or in some cases, even old-fashioned slavery and the slave trade.

Let's take some examples, starting with debt bondage. An impoverished peasant in the highlands of a country is recruited to work at a distant agricultural plantation for the harvest season. The recruiter offers the peasant a cash advance, and the peasant agrees to pay it off by working on the plantation. Once at the plantation, the peasant has to buy food and other necessities at the company store, all at inflated prices. He or she falls deeper into debt, and a vicious circle of debt bondage begins. No trade union is allowed into the compound to assist the workers - they are on their own in an isolated place. The next season, the peasant may bring the family, thus spreading the net of forced labour and depriving children of the chance to attend school. A similar type of debt bondage exists in bonded labour found in traditional rural societies dominated by landowners. Some cases involve the blatant sale of children into forced labour situations. These types of forced labour feed on poverty and illiteracy which in turn perpetuate the practice.

Another type of forced labour that is growing by leaps and bounds is found in labour trafficking. A young woman or man, for instance, may be lured by an offer of legitimate work in a restaurant, nightclub or private home in a distant capital city. Naively, they may agree to travel clandestinely to a foreign country, often paying high prices for the trip and pledging to work off the transport debt through their labour. But upon arrival, the trafficker seizes their passports and money and makes them work in back-alley sweatshops or - worse yet - in the sex trade. The most horrendous cases involve adolescents and children.

These examples of forced labour are for the most part rooted in economic circumstances. Yet forced labour can also be motivated by political factors, as we saw in the Nazi and Stalinist eras of the past century and in some instances still today. Whether politically or economically motivated, forced labour eats away at the freedom of the human spirit. It has no place in the 21st century

**Q: Have Governments assessed how many people may be at risk of  
falling into forced labour? What action is it taking to prevent this?  
What kind of penalties apply to traffickers and others who subject other  
human beings to forced labour? What steps are being taken to help people  
who have escaped from forced labour find alternative ways of making a living?**

Getting rid of forced labour calls for action on many fronts. First of all, it means gaining a clearer picture of how forced labour operates in different contexts, and who is involved as the vic-



tims and the perpetrators. Solutions can then be tailored to the circumstances. A series of actions are needed, from prevention and awareness-raising to rehabilitation and law enforcement. Prevention of forced labour involves creating alternatives for income earning, carrying out land reform, making sure agricultural producers get a fair return, and so forth, so that people don't fall prey to forced labour practices. There also has to be better law enforcement, with effective remedies for the victims and severe punishment meted out to the perpetrators. Awareness-raising plays a key role, too.

## **Q: What is the ILO doing to combat forced labour in its various forms?**

The ILO adopted its first convention on child labour in 1919 (the year of its foundation) and the organisation has been formally committed to the abolition of forced labour since 1930, following adoption of the Convention concerning Forced or Compulsory Labour (C.29). In 1957, the Forced Labour Convention was supplemented by the Convention concerning the Abolition of Forced Labour (C.105), an instrument that reinforced the ILO's commitment to the eradication of slavery by setting out specific cases in which it is to be eliminated, including those involving:

- political coercion or education, or punishment for the expression of political or ideological views;
- workforce mobilization for purposes of economic development;
- labour discipline;
- punishment for participation in strikes, or;
- racial, social, national or religious discrimination.

Along with two subsequent conventions relating to child labour - the Convention concerning Minimum Age for Admission to Employment (C.138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (C.182) - these four instruments are considered "fundamental" ILO Conventions. They are covered by the ILO Declaration on Fundamental Principles and Rights at Work and, accordingly, ILO Member States are committed to respect and promote the principles that they embody, irrespective of whether they have ratified the Conventions in question.

The ILO's efforts to encourage respect for its forced and child labour proscriptions also go a long way back in its institutional history. For example, starting back the middle of the last century, the ILO introduced a series of programmes designed to encourage the eradication of servile forms of agriculture in developing countries. More recent efforts have been better integrated, and designed to help countries develop the legal and social infrastructure that is necessary in order to promote respect for the fundamental conventions.

## **Q: What, in particular, have the ILO's technical cooperation initiatives involved in this area?**

Technical cooperation, the primary tool for translating the core labour standards into practice, is implemented on the basis of close interaction between the competent technical services of the Office (both from Headquarters and the field). Programmes almost always incorporate

gender aspects and involve tripartite cooperation; they are typically funded through bi-lateral donations. Some of the recent initiatives involving either forced or child labour include:

**NEPAL** - The programme promotes the rehabilitation of bonded and child labourers in Nepal. It involves post-release training, education, livelihood improvements and provisions for services.

**BRAZIL** - This project seeks to strengthen and coordinate the activities of Government agencies and other key partners to combat forced labour and to prevent rescued workers from falling back into forced labour. It targets all of the social partners involved in creating an effective system of industrial relations.

**BENIN, BURKINA FASO and MAURITANIA** - These multi-phased projects seek to encourage more effective application of the fundamental Conventions; each has proceeded from an exhaustive review of the existing hindrances to application of the fundamental principles and rights, including those dealing with forced and child labour. All will involve development of an action programme, designed to remedy the problems that have been identified.

**MADAGASCAR** - This project has involved an expert study of the local situation with respect to forced labour, and development of a plan of action to help to eliminate it.

### **Q: Are there other international organisations involved in combating forced labour? Does the ILO cooperate with any of them?**

The elimination of forced and compulsory labour has been an important concern of a number of international organisations - both within and outside the UN System - for decades. Early on, a basic distinction was made between forced labour and slavery. The ILO was given principal responsibility for the abolition of the former and the UN was to oversee the eradication of slavery. During recent years, however, the institutional division of labour has become less clear-cut, especially since the issue of trafficking has moved on to the international agenda.

Recently, the ILO has conducted several field projects and technical assistance initiatives with other institutions, including: joint projects with UNICEF that have addressed the trafficking of children in Africa, programmes with UNICEF and the WHO that have tackled debt bondage in Asia, a campaign with the UN's Development Fund for Women that has addressed trafficking in the context of an overall appeal for the elimination of gender-based violence, and an initiative with the International Organisation for Migration, designed to facilitate the return and reintegration of trafficked persons in East Asia. Regionally-based initiatives have also been conducted, e.g. with the South Asian Association for Regional Cooperation and the Organisation for Security and Cooperation in Europe.



### WHO ARE THEY?

- Forced or compulsory labour: "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily".
- Bonded labour: service under conditions of bondage arising from economic consideration notably indebtedness through a loan or advances.

### WHAT IS THEIR SITUATION?

- Outright slavery is still to be found in a handful of countries and the wholesale abduction of individuals and communities in such conflict-torn societies as Liberia, Mauritania, Sierra Leone and Sudan is not uncommon. Since the start of the conflict in 1983 between 5,000 and 10,000 persons have been abducted in Sudan.
- In Sierra Leone, up to 10,000 females have been abducted to serve the Revolutionary United Front. Others have been 'donated' by relatives. Their primary role has been to provide domestic and sexual services.
- Between 1995 and 2000, more than 1,800 forced labourers were rescued by a Special Mobile Labour Inspection Unit in Brazil.
- In Myanmar, forced labour is practiced in various forms (portering, building of military camps, agricultural work, etc.) in regions where the military is present, especially in border areas where fighting may still be ongoing. One estimate put the number of forced labourers at more than 3 million people.
- Up to March 1999, some 290,000 bonded labourers had been identified in India. Some 243,000 had been released and rehabilitated, some 20,000 had either died or migrated to other parts, and 17,000 were in the process of being rehabilitated.
- Although the Kamaiya system was outlawed by the Nepal Government in 2000, a recent survey in the five districts where most of the Kamaiya live established that there are about 18,000 Kamiaya families still under debt bondage.
- Throughout Asia, sharecroppers pay between 50 and 100% of input costs - as well as 100% of labour costs - and receive only 35% to 50% of the output.
- The use of prison labour is another area of contention in countries where rehabilitation through labour is part of punishment, as in China, or where the hiring out of prison labour to private entities is permitted, as in Malaysia, the United States and Madagascar, for example. In 2001, there were 284 official bodies in charge of rehabilitation through labour in China accommodating 240,000 persons.

## **ILO Action - Examples**

- The ILO launched a major project in late 2000 in Nepal which supports labour-related measures, including training to rehabilitate an estimated 75,000 formerly bonded labourers and prevent them from sliding into other forms of exploitation; building up organisational and bargaining skills as both the workers and landowners adjust to conditions of freedom
- In 1999, the ILO launched a three-year project, with support from the Government of the Netherlands, aimed at preventing exploitative forms of labour that are linked to family indebtedness in Bangladesh, India, Nepal and Pakistan.
- Micro-finance schemes constitute the main tool in an ILO project that covers Bangladesh, India, Nepal and Pakistan
- ILO Committees regularly address a range of issues under the forced labour Conventions.

## **CONVENTIONS**

- Forced Labour Convention, 1930 (No. 29): requires suppression of the use of forced or compulsory labour in all its forms within the shortest possible time.
- Abolition of Forced Labour Convention, 1957 (No. 105): calls for the suppression of forced labour as a means of political coercion, labour discipline, or racial, social, national or religious discrimination; as a method of mobilising and using labour for purposes of economic development; and as punishment for having participated in strikes.

## **OTHER RELEVANT INTERNATIONAL STANDARDS**

Other relevant international standards include: The UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956).



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### WHO ARE THEY?

- Child labour: all forms of work by children under the age laid down in ILO standards (normally 14 years or the age of completion of compulsory schooling subject to some exceptions).
- Worst forms of child labour: slavery, debt bondage, prostitution, pornography, forced recruitment of children for use in armed conflict, use of children in drug trafficking and other illicit activities, and all other work likely to be harmful or hazardous to the health, safety or morals of girls and boys under 18 years of age.

### WHAT IS THEIR SITUATION?

- Some 250 million children aged 5-14 are victims of child labour around the world, half of them working full-time. Of these, tens of millions are caught in the worst forms of child labour.
- In 1986, it was estimated that there were 20,000 children in the Philippines involved in the sex trade; in 2000, the estimate rose to 100,000.
- Sri Lanka's estimated 20,000 - 30,000 child prostitutes are primarily boys. Research with advanced secondary and university students there has revealed that 12 per cent of girls and 20 per cent of boys experienced sexual abuse as children.
- In Jakarta, the estimated number of child domestic workers is 70,792.
- In Thailand, the trafficking of children represents an annual trade equivalent to 500 billion baht, or around 50-60 per cent of the government's annual budget. As a business, trafficking is thus more profitable than drug trafficking.
- In 1996, it was estimated that a total of 194,180 foreign child labourers were working in Thailand. Most of the children were from Myanmar, Laos and Cambodia; 70 per cent are boys who typically work on construction sites, or in small shops, factories or homes.
- The majority of young Chinese women who are trafficked from Yunnan Province are sold to work in the sex industry in Thailand.
- Within Cambodia, most trafficked children end up in the sex industry in Phnom Penh. Cambodian children who are trafficked to Thailand typically wind up begging or soliciting.
- Some 3,000 girls from South Vietnam have been trafficked to Cambodia for prostitution; more than 15 per cent of them are under the age of 15.
- Within Vietnam, child trafficking revolves around sexual exploitation.
- In Nepal, girls are sold into prostitution for about US\$600. Brothel owners then keep 90 to 95 per cent of their earnings.



- In Nepal, most of the Kamaiya children work for 12 hours a day or more. 88 per cent of them are bonded labourers therefore they are not free to leave their jobs.
- In Tanzania, children as young as eight years old dig 30 metres underground in mines for eight hours a day, without proper lighting and ventilation - constantly in danger of injury or death from cave-ins.
- Between 10,000 and 15,000 children from Mali are working on plantations in Côte d'Ivoire. Many of them are victims of child trafficking.
- It is estimated that 50,000 children are working as domestics in Morocco.
- In West Africa, an estimated 35,000 children are sex workers.
- There are an estimated 25,000 child sex workers in the Dominican Republic.
- In France, some 30% of domestic workers were underage when they started working. Many of them have experienced sexual and physical abuse. 80% of their employers are non-French nationals.
- Albanian girls are sold to pimps in Italy for \$2,500 to \$4,000; young virgins reportedly fetch up to \$10,000.
- The UN estimates that about \$5 billion of the \$20 billion a year "sex industry" is generated by the prostitution of children.

### **ILO Action - Examples**

The ILO International Programme on the Elimination of Child Labour (IPEC) is the world's largest technical cooperation programme on child labour. Since its inception in 1992, IPEC programmes in more than 70 countries have had considerable impact in both removing hundreds of thousands of children from the workplace and raising general awareness of the scourge of child labour. Currently, 51 countries in Latin America, the Caribbean, Asia, Africa and Eastern Europe have signed a memorandum of understanding with the ILO to foster the battle against child labour. Here are some highlights of recent IPEC achievements:

- **PERU** - Mining: Since 1998, direct assistance projects have been implemented with IPEC support in two mining regions of Peru. The projects have benefited some 1,000 children between the ages of six and 18 and their families. The aim has been to withdraw children from hazardous work and rehabilitate them through education, skills training and other support services.
- **RUSSIA** - Street Children: A three-year IPEC Action Programme in St Petersburg, Russia, launched in 1999, is providing direct support to working street children, often victims of the worst forms of child labour, with emphasis on removing them from the street and providing them and their families with alternatives.
- **NEPAL** - Trafficking: In 1998-99, IPEC was instrumental in rescuing more than 4,000 children from hazardous work, while providing support for their rehabilitation and re-

integration. Over 3,700 child workers have also benefited from the Non-Formal Education/Out-of-School Programme, and more than 2,500 children were provided with support to join formal school.

- **HAITI** - Domestic Servants: In Port-au-Prince and in selected rural communities, a major IPEC-supported programme is providing 10,000 child domestic servants with non-formal education and counselling, as well as opportunities for recreational activities and links to health-care providers. The programme also aims to provide alternatives to some 1,000 children working in abusive conditions.
- **GUATEMALA** - Fireworks: IPEC, in partnership with the Government and NGOs, is implementing a project to prevent 2,500 children from entering work in the fireworks industry, while at the same time withdrawing some 2,200 child workers in the same sector in two municipalities in the vicinity of Guatemala City.

### **CONVENTIONS**

- The ILO's Minimum Age Convention, 1973 (No. 138) has been ratified by 154 countries. Its aim is the overall abolition of child labour under the age of completion of compulsory schooling.
- The ILO's Worst Forms of Child Labour Convention, 1999 (No. 182), ratified by 109 countries, focuses on the abolition of the worst forms of child labour for children and young people under 18 years of age.

### **OTHER RELEVANT INTERNATIONAL STANDARDS**

Other relevant international standards include: The UN Convention on the Rights of the Child (CRC), outlining the economic, civil, cultural and social rights of children. Ratified by all UN member States except two, the CRC is monitored by the Committee on the Rights of the Child; and, the Optional Protocol to the CRC (2000) extending CRC obligations relating to the sale of children, child prostitution and child pornography. As of January 2001, 69 states had signed the Protocol, but only Bangladesh had ratified it.



## Child Labour

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### WHO ARE THEY?

- Trafficking is a migratory process that involves either coercion or deception; it leads to the exploitation of the person involved, and, in this way, differs from smuggling. Trafficking can occur either within or between countries. Trafficked workers commonly include: sexual slaves, domestic servants, manual workers in agriculture, and employees in sweatshops or export processing zones.
- When children are the victims of trafficking and the exploitation that it entails, the elements of coercion or deception become irrelevant. Child labour is inherently exploitative.

### WHAT IS THEIR SITUATION?

- Thailand, well-known for its sex industry, is the main receiving country for victims of trafficking in East Asia. A vast majority of trafficking victims come from Myanmar. Smaller numbers are from Laos, and the Yunnan Province of China.
- An estimated 16,400 foreign commercial sex workers are active in Thailand, roughly 30% of whom are under 18 years of age.
- At least 3,000 Vietnamese children and women have been trafficked to Cambodia for sexual exploitation, and to China for marriage and domestic work.
- In Cambodia, trafficking for sexual exploitation is mainly within the country: about 20,000 children and young women work in the sex sector in Phnom Penh alone; the average age of the girls is about 15.
- Between 1995 and May 2000, 3,230 cases of trafficking in women and children were solved by the Yunnan Provincial Public Security Department. 7,752 traffickers were arrested and 923 groups of trafficking gangs were identified.
- Poverty, indebtedness, limited educational opportunities, dysfunctional families, the size of families, politically or socially disrupted communities, rural boredom, social exclusion and the attraction of cities/commercialism are the root causes of trafficking in East Asia.
- The bulk of trafficking in East Asia occurs between ethnically similar people that have established friendship and kin networks. Improved communication, globalisation, and evolving friendship and kin networks, however, are tending to encourage cross-border movements.
- Trafficked East Asian women and children usually wind up being either sexually exploited, or involved in domestic work, seasonal agricultural work, or begging or soliciting.
- In Nepal, we find cases of parents or close relatives selling children to intermediaries.

- Countries like Albania, Hungary, Nigeria and Thailand can act as points of origin, destination and transit at the same time.
- In the African region, boys have mainly been trafficked for work in agricultural plantations, and girls as domestic servants in Africa. In Sokoto State, Nigeria, kidnapped children were sold for amounts ranging from US\$500 to \$1,000 to be used as labourers or as ritual sex objects. An estimated 10,000 to 15,000 Malian children work on plantations in Côte d'Ivoire - many of them victims of trafficking.
- An estimated 100,000 to 150,000 girls and women have been trafficked into India for sexual exploitation.
- In Europe, though much of the recent media attention has been on forced female prostitution, a recent study argues that the largest number of victims of trafficking are male. Over 80 per cent of migrants trafficked into Ukraine were found to be male.
- 168 foreign prostitutes were murdered in Italy in 2000, the majority of them Albanian and Nigerian women who were killed by their pimps.
- Europe has seen an explosion of trafficking since the break-up of the former Soviet Union, and large scale sweatshop activities involving clandestine migrants have been found in Europe and North America. The United States is thought to be the destination for 50,000 trafficked women and children each year, with the sex sector as well as domestic and cleaning work fuelling much of the demand.
- In Latin America, the most affected countries include Brazil, Colombia, the Dominican Republic and Ecuador
- UNDP's Human Development Report 1999 listed trafficking as one of the criminal activities found to have increased with the rise of globalisation.
- According to the UNHCR's magazine Refugee, trafficking of human beings has ballooned into a \$7 billion annual global business.

### **ILO ACTION - EXAMPLES**

The ILO is now developing its own strategy and has embarked on a limited number of projects focussing on prevention of labour trafficking for those at risk. In October 1999, the ILO International Programme on the Elimination of Child labour (IPEC) launched major subregional programmes to combat child trafficking for labour exploitation in West and Central Africa, Asia and South America. The Gender Promotion Programme, in collaboration with the Migration Department, is developing an Information Guide on Women Migrant Workers, including those who have been trafficked for labour and sexual exploitation. The Guide aims to serve as an information document and publicity instrument and a practical tool for policy advice and implementation. The Migration Department is undertaking studies on trafficking in persons in selected Central and Eastern European countries. The ILO InFocus Programme on Promoting the Declaration is starting a Special Action programme on Forced Labour.



## **CONVENTIONS**

A number of ILO Conventions are related to trafficking in persons for the purpose of exploitation. The most important are: the Forced labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1973 (No. 143), the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child labour Convention, 1999 (No. 182). Other include the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Private Employment Agencies Conventions, 1997 (No. 181).

Forced labour, discrimination and child labour are also covered by the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998.

## **OTHER RELEVANT INTERNATIONAL STANDARDS**

Other relevant international standards include: The UN Convention against Transnational Organised Crime (2000), requiring criminalisation of participation in criminal networks, laundering of the proceeds of crime and corruption by public officials; and, the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), proscribing the trafficking of persons for the purpose of prostitution and establishing a requirement for the punishment of traffickers.

*Sources: Stopping Forced Labour, Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, ILO 2001; Combating Trafficking in Children for Labour Exploitation in West and Central Africa, ILO-IPEC synthesis report 2001.*

## **DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK**

Adopted in 1998, the ILO Declaration on Fundamental Principles and Rights at Work is an expression of commitment by governments, employers' and workers' organizations to uphold basic human values - values that are vital to our social and economic lives. These principles and rights are:

- freedom of association and the effective recognition of the right to collective bargaining;
- the elimination of all forms of forced or compulsory labour;
- the effective abolition of child labour;
- the elimination of discrimination in respect of employment and occupation.

A further recognition of the importance of these principles and rights has been their incorporation into the Global Compact, an initiative of the United Nations Secretary General. Like the ILO Declaration, the Global Compact is a platform designed to promote learning and good practices of businesses, based on universal principles.

The following information sheets seek to outline each of the four principles and rights. They are neither an interpretation of the Declaration, nor are they a comprehensive list of the many different ways by which organizations and individuals can contribute to their respect, promotion and realization. These information sheets seek to relate the essence of the subject matter and provide a useful point of departure.

The Fundamental Principles and Rights at Work are derived from the ILO Constitution and are expressed in policy decisions of the Organization, such as Conventions and Recommendations.



## **ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION**

Discrimination at work can occur in many different settings, from high-rise office buildings to rural villages, and in a variety of forms. It can affect men or women on the basis of their sex, or because their race or skin colour, national extraction or social origin, religion, or political opinions differ from those of others. Often countries decide to ban distinctions or exclusions and forbid discrimination on other grounds as well, such as disability, HIV status or age. Discrimination at work denies opportunities for individuals and robs societies of what those people can and could contribute.

Eliminating discrimination starts with dismantling barriers and ensuring equality in access to training, education as well as the ability to own and use resources such as land and credit. It continues with fixing conditions for setting up and running enterprises of all types and sizes, and the policies and practices related to hiring, assignment of tasks, working conditions, pay, benefits, promotions, lay-offs and termination of employment. Merit and the ability to do a job, not irrelevant characteristics, should be the guide.

Discrimination in employment or occupation may be direct or indirect. Direct discrimination exists when laws, rules or practices explicitly cite a particular ground, such as sex, race, etc. to deny equal opportunities. For instance, if a wife, but not a husband, must obtain the spouse's consent to apply for a loan or a passport needed to engage in an occupation, this would be direct discrimination on the basis of sex.

Indirect discrimination occurs where rules or practices appear on the surface to be neutral but in practice lead to exclusions. Requiring applicants to be a certain height could disproportionately exclude women and members of some ethnic groups, for example. Unless the specified height is absolutely necessary to perform the particular job, this would illustrate indirect discrimination.

Equality at work means that all individuals should be accorded equal opportunities to develop fully the knowledge, skills and competencies that are relevant to the economic activities they wish to pursue. Measures to promote equality need to bear in mind diversity in culture, language, family circumstances, and the ability to read and to deal with numbers. For peasants and owners of small or family enterprises, especially the women and ethnic groups, equal access to land (including by inheritance), training, technology and capital is key.

In the case of both employees and self-employed or (own-account) workers, non-discrimination at work depends on equal access to quality education prior to entering the labour market. This is of chief importance for girls and disadvantaged groups. A more equal division of work and family responsibilities in the household would also permit more women to improve their work opportunities.

Effective avenues are needed to permit meaningful challenges to discrimination when it occurs. ILO principles fix minimum thresholds. National laws and practices may well be broader and include more comprehensive approaches for the elimination of discrimination at work.

## **ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**

Economic circumstances can compel people to barter away their freedom, and labour exploitation can occur in many forms. But forced labour (to use a short comprehensive term) is something quite distinct. It occurs where work or service is exacted by the State or individuals who have the will and power to threaten workers with severe deprivations, such as withholding food or land or wages, physical violence or sexual abuse, restricting peoples' movements or locking them up.

For example, a domestic worker is in a forced labour situation where the head of a household takes away identity papers, forbids the worker to go outside and threatens him or her with, for instance, beatings or non-payment of salary in case of disobedience. The domestic may also work for an unbearably low wage, but that is another matter. If he or she were free to leave, this would not amount to forced labour - but to exploitation.

Another example of forced labour arises where villagers, whether they want to or not, have to provide substantial help in the construction of roads, the digging of irrigation channels, etc., and where government administrators, police officers or traditional chiefs brandish a credible menace if the requisitioned men, women or children do not turn up.

Bonding workers through debts is, in fact, a widespread form of forced labour in a number of developing countries. Sometimes it originates with a poor and illiterate peasant pledging labour services to an intermediary or a landowner to work off a debt over a period of time. Sometimes the obligation is passed on from one family member to another, even down to children, and from generation to another. The labour service is rarely defined or limited in duration, and it tends to be manipulated in such a way that it does not pay off the debt. The worker becomes dependent on the intermediary or on the landowner and labours in slave-like conditions. The threat and, indeed, the occurrence of violence or other penalties for failing to work turns an economic relationship - one-sided as it is to start with - into a forced labour situation.

Labour trafficking can give rise to forced labour. One way in which traffickers tend to put themselves into a threatening position is to confiscate the identity papers of the person they move for employment purposes. Another is to entrap their charges through cash advances or loans. Traffickers may also resort to kidnapping, notably of children. At any rate, traffickers, the persons linked to them or the employers at the point of destination give their victims no choice as to what work to perform and under which conditions. Intimidation can range from revealing the victim's illegal status to the police, to physical assault and sexual abuse.

The ILO Declaration on Fundamental Principles and Rights at Work obliges member States to eliminate forced labour. A work relationship should be freely chosen and free from threats.

Countries may have definitions of forced labour that are more comprehensive than the ILO's. The ILO sets minimum standards that fix the bottom line below which individual countries should not fall, but they can naturally achieve higher standards of protection of workers.



## **EFFECTIVE ABOLITION OF CHILD LABOUR**

Children enjoy the same human rights accorded to all people. But, lacking the knowledge, experience or physical development of adults and the power to defend their own interests in an adult world, children also have distinct rights to protection by virtue of their age. One of these is protection from economic exploitation and from work that is dangerous to the health and morals of children or which hampers the child's development.

The principle of the effective abolition of child labour means ensuring that every girl and boy has the opportunity to develop physically and mentally to her or his full potential. Its aim is to stop all work by children that jeopardises their education and development. This does not mean stopping all work performed by children. International labour standards allow the distinction to be made between what constitutes acceptable and unacceptable forms of work for children at different ages and stages of development.

The principle extends from formal employment to the informal economy where, indeed, the bulk of the unacceptable forms of child labour are to be found. It covers family-based enterprises, agricultural undertakings, domestic service and unpaid work carried out under various customary arrangements whereby children work in return for their keep.

To achieve the effective abolition of child labour, governments should fix and enforce a minimum age or ages at which children can enter into different kinds of work. Within limits, these ages may vary according to national social and economic circumstances. The general minimum age for admission to employment should not be less than the age of completion of compulsory schooling and never be less than 15 years. But developing countries may make certain exceptions to this, and a minimum age of 14 years may be applied where the economy and educational facilities are insufficiently developed. Light work may be performed by children two years younger than the general minimum age.

Types of work now dubbed "the worst forms of child labour" are however totally unacceptable for all children under the age of 18 years, and their abolition is a matter for urgent and immediate action. These forms include such inhumane practices as slavery, trafficking, debt bondage and other forms of forced labour; prostitution and pornography; forced recruitment of children for military purposes; and the use of children for illicit activities such as the trafficking of drugs. Dangerous work that can harm the health, safety or morals of children are subject to national determination, by government in consultation with workers' and employers' organisations.

In any effective strategy to abolish child labour, provision of relevant and accessible basic education is central. But education must be embedded in a whole range of other measures, aiming at combating the many factors, such as poverty, lack of awareness of children's rights and inadequate systems of social protection, that give rise to child labour and allow it to persist.

## **ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION**

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