



► Effective identification of victims of Forced Labour

May 2025

This brief is part of a series on **Promising practices in addressing forced labour**, which presents various practices related to the provisions of the ILO instruments adopted in 2014 to complement the [Forced Labour Convention \(C29\)](#) adopted in 1930, namely the [Forced Labour Protocol \(P29\)](#) and [Recommendation \(R203\)](#). Specifically, this brief focuses on the identification and referral of victims of forced labour, drawing insights from the comments made by the ILO Committee of Experts on the Application of Conventions and Recommendations.

Key provisions on victim identification and coordination

- Each Member shall **take effective measures for the identification**, release, protection, recovery and rehabilitation of all victims of forced or compulsory labour, as well as the provision of other forms of assistance and support (P29, Art. 3).
- Members shall **cooperate** with each other to ensure the prevention and elimination of all forms of forced or compulsory labour (P29, Art. 5).
- Targeted efforts should be made to identify and release victims of forced or compulsory labour (R203, Art. 5 (1)).

Timely identification of people in forced labour is instrumental, as it is the necessary starting point for protecting them. Failure to identify them is likely to result in further denial of their rights and expose them to continued forced labour. However, identification can be particularly challenging due to the criminal nature of forced labour, hence being concealed to avoid sanctions, but also to the fact that can happen in remote or hidden workplaces.¹ Furthermore, persons in forced labour can also be reluctant to come forward to seek help or even be unaware of their rights to do so. To address these challenges, it is particularly important that frontline actors have the appropriate mandate and training to identify victims and engage in a coordinated manner.

Collaboration between labour inspection and other law enforcement entities

In **France**, labour inspectors have by law been empowered to report offences related to trafficking and forced labour in 2016 (through Article L8112-2 of the Labour Code). Since then, a range of capacity building initiatives have been undertaken, including a training booklet on identifying and referring victims of trafficking for labour exploitation,² and regular training sessions.

Labour inspectors collaborate with a range of actors to identify victims of trafficking in persons:

- with the police or the gendarmerie. Such collaboration is crucial given that labour inspectors do not have the authority to formally

¹ [Ending forced labour by 2030: a review of policies and programmes](#), ILO, Geneva, 2018.

² [Guide de formation; L'identification et la protection des victimes de traite des êtres humains; à l'usage des professionnels](#), MIPROF, 2022.

identify victims (unlike the police) - identification which triggers their potential access to specific measures (assistance, protection, etc.).

- with the Public Prosecutor's Office in preparing reports on identified cases of trafficking for labour exploitation, which is thought to contribute to the smooth initiation of criminal legal procedures.
- With a specialized body of the Ministry of Justice (called DACG³) through an agreement for joint referral of identified cases, which enables them to work together on the investigation of cases.

At the community level, local victim support committees are involved for better identification of victims and enhanced protection. Importantly, given differences among localities, the MIPROF Action Plan has been revised in order to give territories sufficient flexibility to address problems according to the local situation (for instance, focusing on minors, or sexual violence, or certain forms of labour exploitation).

Special attention has been given to identify victims among asylum seekers. As it was noted that a significant number of asylum seekers were victims of trafficking for labour exploitation, the government developed a national action plan to strengthen the management of the vulnerabilities of asylum seekers and refugees (2021). It comprises specific actions to strengthen the capacities of all personnel in the asylum system regarding early identification of vulnerabilities, including to trafficking.

- Collaboration towards better identification leads to joint work on investigation and initiation of legal proceedings
- Role of local victim support committees
- Special attention to identify victims among asylum seekers

Resources

- CEACR [Direct request](#) (2023), France
- [3rd evaluation report – France; Access to justice and effective remedies for victims of trafficking in human beings](#), Council of Europe (2022)



[Henriette Siliadin](#) was trapped in forced labour in domestic work, before being rescued by the police. France, 2016 © ILO

Strengthening the powers and capacities of labour inspectors

The Government of **New Zealand** has amended legislation (in 2016) to increase the powers of the labour inspectorate, including:

- broader powers to pursue third parties involved in breaches of employment standards;
- the power to request a wider range of information from employers;
- the ability to issue infringement notices for breaches of record keeping requirements.

The government has also increased funding to support increased investigatory and compliance resources, including more front-line labour inspectors and support staff.

The labour inspectorate collaborates with the Immigration Agency (INZ) and its inspections to target workplaces at high-risk of exploitation of migrant workers, including in horticulture, viticulture, aquaculture and in the sex industry. In conducting inspections, they use the [ILO indicators of forced labour](#), paying special attention to unfair debt arrangements and unfair recruitment.

A “Joint Operating Model for the Prevention of Migrant Exploitation” was developed to sort migrant

³ DACG stands for ‘Direction des affaires criminelles et des grâces’ (or Criminal affairs and pardons department).

exploitation complaints to INZ and the Labour Inspectorate and provide victims with advice and support. This is linked to a migrant exploitation hotline and online reporting tool (“0800 phone line”), established in 2021. These tools help to target inspections while providing exploited migrants with connections to support.

Internationally, New Zealand co-chairs with Malaysia the Working Group on the Disruption of People Smuggling and Trafficking in Persons Networks under the Bali Process. This working group has deepened regional cooperation to disrupt criminal networks through a flagship initiative called the “Joint Period of Action”. These Joint Periods of Action have yielded concrete results such as numerous arrests, the provision of assistance to trafficked persons, information sharing, and capacity building.

New Zealand has furthermore deployed four Irregular Migration Liaison Officers in South and Southeast Asia. They are tasked with strengthening the relationships with law enforcement and border agencies in those regions to address maritime people smuggling and trafficking in persons.

- Expanded powers and resources of the labour inspectorate
- Targeting high-risk workplaces and use of indicators of forced labour
- Joint operation model regarding migrant workers
- International collaboration through Joint Action Periods

Resources

- CEACR, [Direct request](#) (2023), New Zealand

Multiplying possibilities to report potential cases

In **Panama**, the detection of victims of trafficking – including for forced labour – is considered as an active process that may occur at different stages. It

can occur in any place and may be carried out by public officials or private individuals who, where appropriate, must provide emergency assistance to victims and refer them to the Victim Identification and Assistance Unit (UIA) of the National Anti-Trafficking Commission. This unit was established in 2017 and is responsible for receiving possible cases of trafficking in persons that are referred to it, determining their status (i.e. victim or not)⁴ and carrying out emergency interventions to ensure protection and assistance for victims.

The Action Protocol for the detection, identification, assistance and protection of trafficking victims (2019), is a technical tool establishing guidelines to promote coordinated action and defining the responsibilities of the different institutions involved.

The government facilitates a hotline which operates 24 hours a day, 7 days a week, through which the population can access all State institutions from a single point of entry. This service is accessible by telephone, via Internet and through various social networks. In addition, the National Commission also maintains a hotline to report cases of trafficking in persons.

Panama has also put in place a system for joint inspections to detect situations of trafficking for labour exploitation. These inspections are undertaken jointly by officials from the Ministry of Labour, the National Migration Service and security services.

- Initial detection by anyone, followed by referral to Victim Identification and Assistance Unit
- Protocol for coordinated action on identification of victims
- Comprehensive hotline and reporting system
- Joint inspections targeting trafficking for labour exploitation

Resources

- CEACR, [Direct Request](#) (2020), Panama

⁴ Preliminarily (i.e. within 24 hours) and definitely (within 90 days from receiving the referral).

A broad range of actors entitled to identify presumed victims

In **Sweden**, various actors can identify presumed victims of trafficking in persons– for both sexual and labour exploitation, including police, prosecutors, social services, labour inspectors through regular workplace inspections, but also:

- the Migration Agency that is increasingly identifying cases of labour exploitation, by targeting high-risk sectors such as massage parlours, nail bars and restaurants.
- the 16 regional coordinators against human trafficking, employed by municipal governments. They play a crucial role in the identification of presumed victims of trafficking and serve as focal point for other authorities to provide advice and guidance. They meet once a month and hold quarterly meetings with the Swedish Gender Equality Agency (GEA) and other authorities including prosecutors, labour inspectors and the police. These regular coordination meetings, and the participation of these regional coordinators in joint inspections of workplaces, greatly facilitate the identification of victims of trafficking and their access to assistance where needed.⁵
- the Swedish Tax Agency (STA) through their workplace visits to identify situations of undeclared work. In this context, it has identified suspected cases of trafficking. The Government has adopted a guideline to raise awareness on trafficking, containing indicators of trafficking and describing how STA officers should report cases of trafficking and labour exploitation.
- border guards. Targeted internal border controls have resulted in the identification of victims of trafficking in persons in berry picking, restaurant, construction and agricultural sectors, as well as for the purpose of begging. When such cases are identified, a multidisciplinary approach is followed, involving the Public Employment Service, the Economic Crime Authority, the Social Insurance

Agency, the Migration Agency, the Tax Agency and other relevant agencies.⁶

The national referral mechanism (NRM) for victims of trafficking, established under the responsibility of the Swedish Gender Equality Agency (GEA), offers step-by-step guidance to professionals that encounter presumed victims of trafficking in persons and clarifies their roles and responsibilities. It includes a hotline that provides advice to professionals involved in the identification of victims of trafficking⁷ and staff may draw from an NRM manual that includes attention to indicators of trafficking in persons.

With regard to trafficking in children, ‘Barnahus’ are considered a successful model of inter-agency collaboration.⁸ These are facilities where law enforcement agencies, child protective services, and medical and mental health workers cooperate and assess together the situation of presumed child victims of trafficking and develop a plan for the follow-up for identified victims in a child-friendly environment.

- Wide range of authorities involved in victim identification
- National Referral Mechanism including step-by-step guidance to involved officials
- Barnahus model of interagency coordination to address trafficking in children
- Targeted inspection on high-risk worksites

Resources

- CEACR [Direct Request](#) (2020), Sweden
- [National Referral Mechanism](#), 2019

⁵ 3rd evaluation report Sweden, GRETA/Council of Europe (2023), para 154.

⁶ Op.cit., para 97-98.

⁷ Op.cit., para 151.

⁸ [Detection, identification and protection of third-country national victims of trafficking in human beings - National Report Sweden](#), EMN Sweden 2021.

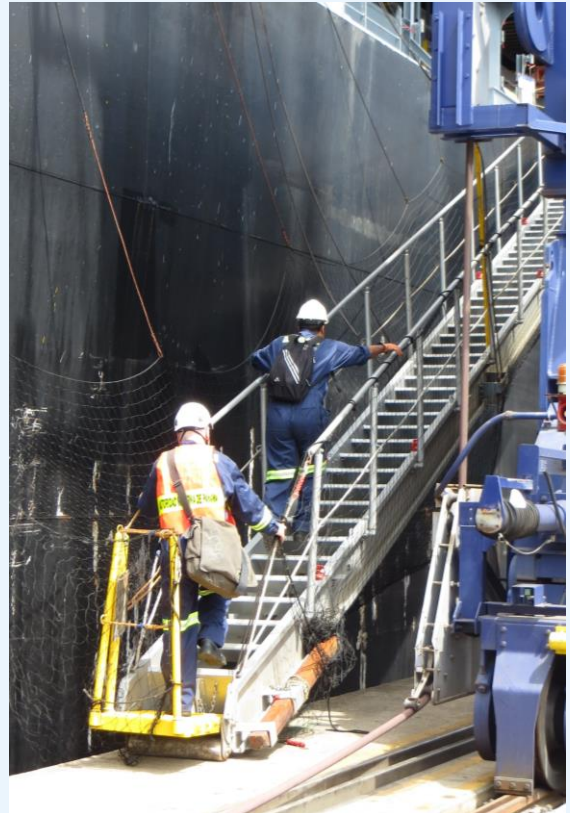
European joint operations

Law enforcement authorities (including police, customs, immigration, border and labour inspection) from 31 countries across **Europe** work together to share intelligence on criminal activities, including trafficking in persons, and plan interventions accordingly. This collaboration results in the **Joint Action Days**, which are regularly organized under the European Multidisciplinary Platform Against Criminal Threats (EMPACT), with the support of Europol (European police agency), FRONTEX (European Border and Coast Guard Agency), EUROJUST (European Union Agency for Criminal Justice Cooperation), European Labour Authority (ELA) among others. In April 2024, it led to the identification of 334 potential victims of trafficking in persons (including 279 of labour exploitation).⁹

- Regular joint actions involving various law enforcement entities at the regional level

Resources

- CEACR [Direct request](#) (2023), France



Maritime Authority Inspectors boarding a container ship, Panama, 2013 © Crozet M. / ILO

⁹ [Results of the Joint Action Days in April 2024](#), Europol.

► Overall reflections

- The formal determination of victim status (i.e. those who are offered assistance) should not be made conditional on their cooperation in the investigation and criminal proceedings.
- Sufficient funding and human resources should be assigned to support identification systems
- The existence of national referral mechanisms can be useful in supporting the coordination between state and non-state actors to support better identification of victims.

► Background to the series of briefs on ‘promising practices against forced labour’:

- Under the Forced Labour Convention, 1930 (No. 29), ratifying countries must suppress the use of forced labour (Art. 1), make it punishable as a criminal offense, and ensure that penalties prescribed by law are adequate and strictly enforced (Art. 25).
- The Protocol of 2014 to the Forced Labour Convention (P29) reaffirms these obligations and requests ratifying member States to take effective measures to prevent forced labour, protect victims and ensure their access to justice. These are supplemented by detailed guidance in the accompanying Forced Labour Recommendation, 2014 (No. 203).
- The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) regularly monitors how ratifying member States implement their obligations. The outcomes of this periodic review are featured as observations and direct requests, which are [publicly available](#).
- In the course of its review, the CEACR has welcomed several noteworthy measures taken by member States under specific provisions of the Forced Labour Protocol. A selection of these measures has been compiled in this series of briefs.
- Under the [ILO Declaration on Fundamental Principles and Rights at Work \(1998\)](#), all ILO member States, must promote, respect and realize the elimination of forced labour in all its forms, whether they have ratified the relevant international labour standards or not.



Funded by
the European Union

International Labour Organization
Route des Morillons 4
CH-1211 Geneva 22
Switzerland

T: +41 22 799 7239
E: fundamentals@ilo.org
www.ilo.org/forcedlabour

DOI: <https://doi.org/10.54394/VQVO1888>