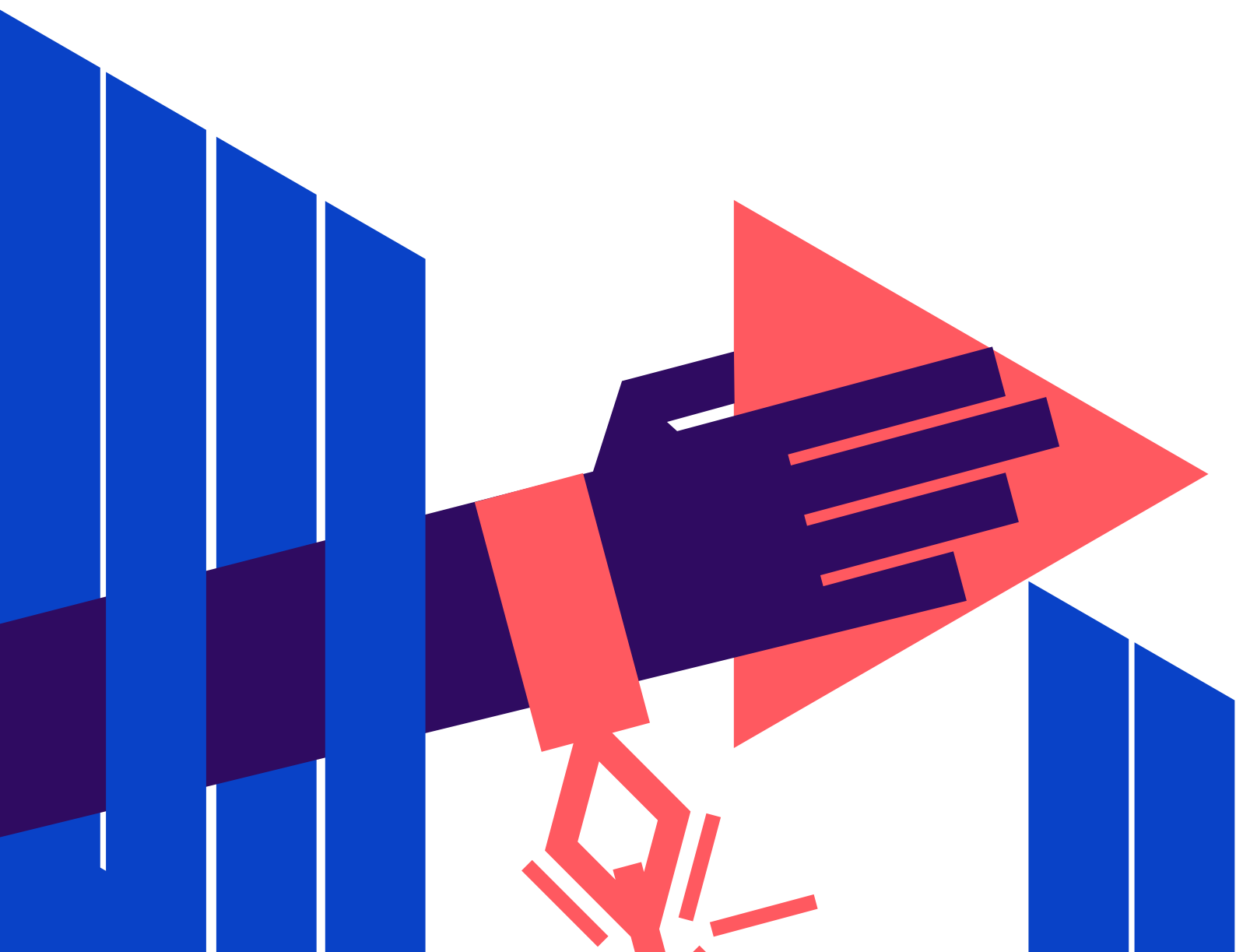




International  
Labour  
Organization

# ► Identification of state-imposed forced labour

Guidance for practitioners



© International Labour Organization 2026.

First published 2026.



Attribution 4.0 International (CC BY 4.0)

This work is licensed under the Creative Commons Attribution 4.0 International. See: [creativecommons.org/licenses/by/4.0](https://creativecommons.org/licenses/by/4.0). The user is allowed to reuse, share (copy and redistribute), adapt (remix, transform and build upon the original work) as detailed in the licence. The user must clearly credit the ILO as the source of the material and indicate if changes were made to the original content. Use of the emblem, name and logo of the ILO is not permitted in connection with translations, adaptations or other derivative works.

**Attribution** – The user must indicate if changes were made and must cite the work as follows: ILO, *Identification of State-imposed forced labour: Guidance for practitioners*, Geneva: International Labour Office, 2026. © ILO.

**Translations** – In case of a translation of this work, the following disclaimer must be added along with the attribution: *This is a translation of a copyrighted work of the International Labour Organization (ILO). This translation has not been prepared, reviewed or endorsed by the ILO and should not be considered an official ILO translation. The ILO disclaims all responsibility for its content and accuracy. Responsibility rests solely with the author(s) of the translation.*

**Adaptations** – In case of an adaptation of this work, the following disclaimer must be added along with the attribution: *This is an adaptation of a copyrighted work of the International Labour Organization (ILO). This adaptation has not been prepared, reviewed or endorsed by the ILO and should not be considered an official ILO adaptation. The ILO disclaims all responsibility for its content and accuracy. Responsibility rests solely with the author(s) of the adaptation.*

**Third-party materials** – This Creative Commons licence does not apply to non-ILO copyright materials included in this publication. If the material is attributed to a third party, the user of such material is solely responsible for clearing the rights with the rights holder and for any claims of infringement.

Any dispute arising under this licence that cannot be settled amicably shall be referred to arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL). The parties shall be bound by any arbitration award rendered as a result of such arbitration as the final adjudication of such a dispute.

For details on rights and licensing, contact: [rights@ilo.org](mailto:rights@ilo.org). For details on ILO publications and digital products, visit: [www.ilo.org/publns](http://www.ilo.org/publns).

---

ISBN: 9789220437155 (print); 9789220437162 (web PDF)

DOI: <https://doi.org/10.54394/00034316>

---

The designations employed in ILO publications and databases, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the ILO concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers or boundaries. See: [www.ilo.org/disclaimer](http://www.ilo.org/disclaimer).

The opinions and views expressed in this publication are those of the author(s) and do not necessarily reflect the opinions, views or policies of the ILO.

No material subject to intellectual property rights, including third party material, was used without acknowledgment and permission.

Reference to names of firms and commercial products and processes does not imply their endorsement by the ILO, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

# ► Identification of state-imposed forced labour

Guidance for practitioners



This guidance assists in the identification of State-imposed forced labour. It is aimed at practitioners from the public and private spheres, including government authorities such as labour inspectorates, customs and trade authorities, and prosecutors; businesses and others undertaking human rights and supply chain due diligence; workers' and employers' organisations; and researchers and civil society organisations. While guidance and indicators developed for forced labour in private-sector settings are well established, the application of the international labour standards in contexts where compulsion is exacted by, or with the involvement of, the State has received markedly less attention.

The guidance helps fill that gap by setting out the key analytical elements needed for the identification of State-imposed forced labour (SIFL). It first establishes the normative basis, as set out in ILO Convention No. 29 (C29) and the Abolition of Forced Labour Convention, 1957 (No. 105). Against that foundation, it addresses the broader risk environment, describing the features of a national context that should trigger heightened scrutiny. It then turns to the assessment of suspected cases of SIFL: the indicators needed to establish State compulsion, and the legal test for determining whether that compulsion remains within the narrow limits of lawful State authority or crosses the threshold into SIFL. Finally, it sets out common typologies of SIFL, as a diagnostic reference for recognising the forms it takes in practice.

## ► Normative basis

---

Forced or compulsory labour is defined by the ILO Forced Labour Convention, 1930 (No. 29) as “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily.” This definition involves three key elements:

- Work or service – Encompasses all forms of work, service or employment, whether in the public or private sector, formal or informal, with or without a contract. It also includes activities that may not be legally recognised as “work” in some national contexts, such as commercial sexual exploitation or begging.
- Menace of any penalty – Refers to the wide range of threats or penalties used to compel someone to work, including direct or indirect coercion, legal or financial sanctions, and the loss of rights or privileges. Importantly, the threat must be assessed from the perspective of the person experiencing it.
- Absence of voluntary consent – Refers to the lack of free and informed consent to undertake work and/or the inability to withdraw that consent at any time. In other words, the worker’s freedom to leave the job.

State-imposed forced labour refers to forms of compulsion imposed by State authorities, agents acting on behalf of State authorities, and organisations with authority similar to that of the State, that are incompatible with ILO Conventions Nos. 29 and 105. It takes a variety of forms. While it includes State-imposed forced labour related to the production of goods and services for the market, including within global supply chains, State-imposed forced labour reaches considerably further, encompassing such practices as the diversion of military conscripts to civilian or economic work, the misuse of compulsory civic or community service obligations, compulsory labour exacted in detention without a proper judicial basis, and work compelled as a means of political coercion, labour discipline, or discrimination.

State-imposed forced labour presents distinctive challenges for identification. The Conventions recognise that States exercise a degree of legitimate authority to impose certain work obligations. Identification therefore turns not only on the presence of compulsion but on whether that compulsion remains within the narrow limits permitted by international law. Convention No. 29 carves out a closed list of five categories of compulsory work that States may lawfully impose and that are excluded from the definition of forced labour. Within those limits, the State may exact compulsory work; but when it exceeds them, its conduct constitutes forced labour. The Abolition of Forced Labour Convention, 1957 (No. 105) operates as a second and independent layer: it identifies five purposes for which compulsory labour is absolutely prohibited, regardless of whether a C29 exception might otherwise apply.

Together, the two Conventions define the point at which State compulsion crosses from an exercise of legitimate State authority into forced labour. This is the legal test for State-imposed forced labour, addressed in more detail in the penultimate section of this guidance. Table 2 sets out the relevant provisions of each Convention.

► **Table 1. Defining State-imposed forced labour: the normative basis**

| General prohibition                                                                                                                           |                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| All work or service exacted from any person under the menace of any penalty, and for which the person has not offered themselves voluntarily. | C29, Art. 2(1)    |
| Circumstances in which States may impose compulsory work                                                                                      |                   |
| Compulsory military service, for work of a purely military character <sup>1</sup>                                                             | C29, Art. 2(2)(a) |
| Normal civic obligations of citizens of a fully self-governing country <sup>2</sup>                                                           | C29, Art. 2(2)(b) |
| Work consequent on a court conviction, under public supervision, and other strict conditions <sup>3</sup>                                     | C29, Art. 2(2)(c) |
| Work strictly required by a genuine emergency endangering the whole or part of the population <sup>4</sup>                                    | C29, Art. 2(2)(d) |
| Minor communal services, in the direct interest of the community, with prior consultation <sup>5</sup>                                        | C29, Art. 2(2)(e) |
| Purposes for which States are absolutely prohibited from imposing compulsory labour                                                           |                   |
| Political coercion, education, or punishment for holding or expressing political or ideological views                                         | C105, Art. 1(a)   |
| Mobilisation of labour for economic development                                                                                               | C105, Art. 1(b)   |
| Labour discipline                                                                                                                             | C105, Art. 1(c)   |
| Punishment for participation in strikes                                                                                                       | C105, Art. 1(d)   |
| Racial, social, national or religious discrimination                                                                                          | C105, Art. 1(e)   |

1 Any work or service exacted in virtue of compulsory military service laws for work of a purely military character.

2 Any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country.

3 Any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations.»

4 Any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population.

5 Minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

## ► Understanding the broader risk environment

Identifying specific instances of State-imposed forced labour presupposes that a practitioner is already examining a particular country, sector, or commodity in some depth. Before reaching that level of analysis, a prior question is worth posing: what features of a national context make State-imposed forced labour more likely to be present, and should therefore trigger heightened scrutiny? The broader risk environment set out below reflects common themes that run through the supervisory work of the ILO's Committee of Experts on the Application of Conventions and Recommendations, as documented in its General Surveys on forced labour.<sup>1</sup> They are intended to guide an initial scoping judgement – painting a picture of the national environment before the more granular process of identification is undertaken.

► Table 2. State-imposed forced labour: understanding the broader risk environment

|                                                                                                                               | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State policy or State-sanctioned practice legitimising coercive pressures in labour allocation.</b>                        | Evidence of a State policy or State-sanctioned practice that directly or indirectly legitimises the use of coercive pressures by State authorities in human resource allocation, whether expressed in laws, high-level policy documents, administrative instructions or institutional mandates, or manifested through practices that are not formally legislated by the State but are nonetheless authorised, tolerated, encouraged or treated as official by State organs. |
| <b>Use of employment or work as an instrument of State political objectives.</b>                                              | Evidence of a State policy that instrumentalises employment or work for political objectives – such as aligning the workforce with the established political, social or economic system, altering population composition in particular areas, or enhancing national security.                                                                                                                                                                                               |
| <b>State restrictions on job or geographical mobility.</b>                                                                    | Evidence of a State policy that restricts job or geographical mobility for economic, social, cultural or political purposes. Where mobility is constrained, the worker's freedom to refuse or leave employment is correspondingly diminished.                                                                                                                                                                                                                               |
| <b>Comprehensive mechanism for pressure-driven labour mobilisation or mandated work targets.</b>                              | Evidence of a State mechanism for organising or directing labour through pressure rather than free choice – including, for example, State policies that mandate labour mobilisation or that impose production targets on specific populations. Where such mechanisms exist, participation in work may be compelled in practice even where no individual is formally ordered to work.                                                                                        |
| <b>General obligation for prisoners to work in a prison system involving privatised prisons or work for private entities.</b> | Evidence of a State framework imposing a general obligation for prisoners to work, where the prison system is privatised or where prison labour is performed for or at the disposal of private individuals, companies or associations. Where the general obligation to work and private involvement are combined, the labour of prisoners is at heightened risk of being exacted in conditions inconsistent with international labour law.                                  |
| <b>State policies causing or perpetuating the vulnerability of specific groups.</b>                                           | Evidence of a State policy or State-sanctioned practice causing or perpetuating the disadvantaged position or vulnerability of specific racial, social, national or religious groups – whether through discriminatory laws, administrative targeting, discriminatory criminal enforcement, or other means.                                                                                                                                                                  |

<sup>1</sup> International Labour Office, General Survey concerning the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), Report III (Part 1B), International Labour Conference, 96th Session (Geneva: ILO, 2007); and International Labour Office, General Survey on the Fundamental Conventions concerning Rights at Work in Light of the ILO Declaration on Social Justice for a Fair Globalization, 2008, Report III (Part 1B), International Labour Conference, 101st Session (Geneva: ILO, 2012).

|                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State suppression of independent oversight and legal recourse for workers.</b> | <p>Evidence that workers subject to State-imposed labour obligations have no effective means of challenging those obligations or seeking remedy – whether because independent judicial review is unavailable, labour inspectorates lack independence or enforcement authority, or penalties for non-compliance are imposed without independent oversight or right of appeal. Where the institutional architecture that would ordinarily constrain the State's exercise of coercive power is absent, such as the possibility of independent review, effective remedies or institutional safeguards, the conditions for sustained SIFL are significantly amplified.</p> |
| <b>Severely restricted civic and political freedoms.</b>                          | <p>Evidence that freedoms of expression, association and assembly are systematically curtailed, and that State surveillance is pervasive. Where civic and political freedoms are systematically curtailed, State-imposed forced labour may operate with reduced accountability or redress.</p>                                                                                                                                                                                                                                                                                                                                                                        |

These macro-structural indicators should not be read as a checklist from which conclusions follow mechanically. Their significance lies in the picture they paint of a national environment in which the structural preconditions are present. Where the national environment gives grounds for concern, that concern should inform the scope and depth of subsequent investigation – prompting closer examination of the legal and regulatory environment, the local context, and whether the conditions under which work or services are exacted can genuinely be said to be free from State compulsion.

## ► Indicators of State-imposed forced labour

### General indicators

Table 1 sets out a non-exhaustive set of circumstances and mechanisms commonly associated with forced labour generally. The indicators address the two constitutive elements that determine whether work or service amounts to forced labour under Article 2(1) of ILO Convention No. 29, both of which must be present for a finding of forced labour: the menace of a penalty and the absence of consent. Some describe work conditions or circumstances whose nature and severity make it unlikely that a worker would freely agree to or willingly endure them, suggesting the presence of coercive means compelling them to do so. Others describe coercive mechanisms actively deployed to compel work, in turn suggesting absent or vitiated consent. This reflects the reality that the menace of a penalty and involuntariness are deeply intertwined in practice: where the worker is subjected to such a menace, free consent is negated; and where conditions are so extreme that free consent is implausible, the presence of such a menace may reasonably be inferred.

While applied principally to the identification of privately imposed forced labour, these indicators are also broadly relevant to the identification of State-imposed forced labour. This is particularly true of mechanisms involving the worker's physical person – violence and threats of violence, confiscation of identity documents, abuse of isolation – which can operate in the same way whether the coercing actor is a private employer or a State official. It is equally true of the working-conditions indicators: conditions so hazardous, degrading, or onerous that a worker would be unlikely to freely agree to or willingly endure them are as suggestive of compulsion in a State-imposed context as in a private one.

Each of the circumstances and mechanisms listed constitutes an important warning sign of a possible instance of forced labour. Yet the presence of any single indicator is not itself definitive proof of forced labour but rather a trigger for further inquiry; it is the combination of circumstances and mechanisms, assessed in context and against the relevant provisions of C29 and C105, that will determine whether a situation of forced labour exists.

► **Table 3. Circumstances and mechanisms commonly associated with forced labour**

| 1. Abuse of vulnerability    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Abuse of dependencies</b> | <p>Refers to situations in which the employer or recruiter exploits a specific dependency of the worker to compel acceptance of conditions or tasks the worker would otherwise refuse, or to prevent the worker from leaving. The coercive force lies in the employer's active use of a particular dependency as leverage against the worker. Where such a dependency exists, an otherwise ordinary employer act, such as the threat of dismissal, may acquire coercive force it would not carry against an unconstrained worker, because the dependency forecloses the worker's ability to refuse. Common dependencies include irregular immigration status exploited through the threat of denunciation to the authorities, threat of exposure to family or community of work that carries social stigma, and exploitation of physical or mental disability or of illiteracy or innumeracy that constrains the worker's capacity to navigate the employment relationship. Vulnerability may also arise where one or more dependencies on the same employer tie the worker to the employer, with the worker reliant on the employer not only for the job but also for housing, land, food, or the employment of family members. In some cases, the employer deliberately creates the dependency rather than exploiting one that pre-exists, as where drugs or alcohol are provided to induce addiction as a means of control. This indicator is distinguished from the inability to terminate employment (covered separately), which addresses the formal legal or administrative mechanisms through which the employer controls the worker's exit.</p> <p><b>Non-exhaustive examples of circumstances include:</b></p> <ul style="list-style-type: none"> <li>► Threat of denunciation to immigration or other authorities of a worker with irregular legal status.</li> <li>► Threats by public authorities themselves to deregister, deport, or otherwise take administration action against a worker if they refuse state-assigned work.</li> <li>► Exploitation of the worker's reliance on the State or private employer for housing, food, land-use rights, or legal status.</li> <li>► Threat of exposure to family or community of work that carries social stigma, including commercial sexual exploitation or illicit activities.</li> <li>► Exploitation of the worker's physical or mental disability, illiteracy, or innumeracy.</li> <li>► Induced addiction to drugs or alcohol as a means of control</li> </ul> |

## 1. Abuse of vulnerability

### Abuse of formal mechanisms governing employment termination

Refers to situations in which the employer exploits the worker's dependency on formal processes of exit, or on the employer's cooperation in those processes, to compel the worker to remain in employment they would otherwise leave. The dependency often arises from legal or administrative mechanisms –employer sponsorship arrangements, tied visas, contractual lock-in, notice rules, or end-of-service entitlements – under which the worker cannot lawfully resign, change employer, or leave the country without the employer's cooperation, or can do so only at prohibitive cost. Unlike physical restraint or the retention of physical documents (each covered separately), the constraint operates through the formal architecture of the employment relationship rather than through physical means. The category includes situations in which a worker has agreed to work for a specified period but is obliged to continue beyond it, sometimes indefinitely. It can also include situations in which a worker desires to terminate their work contract for reasons not strictly linked to work conditions but is prevented from doing so. The CEACR has noted, in particular, that visa sponsorship arrangements in certain countries may be conducive to the exaction of forced labour where they are used to restrict workers' ability to change employer or terminate employment. The coercive force of these mechanisms may operate pre-emptively: the worker may not test the limits of the system because the costs – loss of legal status, ability to remain in the country, or ability to take up alternative employment – are too high to risk.

#### Non-exhaustive examples of circumstances include:

- Employer refusal or obstruction of administrative procedures the worker requires to lawfully resign, change employer, or leave the country.
- Abuse of sponsorship or tied-visa arrangements to prevent a worker from terminating a contract or changing employer.
- Contractual penalties for early termination set at levels that make resignation prohibitively costly, including "breach of contract" fees or forfeiture of accrued wages or end-of-service benefits.
- Notice periods of a length, or subject to conditions, that make lawful resignation practically impossible.
- Obligation to continue working beyond an agreed contract period, including automatic or unilateral renewal without the worker's consent.
- Statutory or administrative prohibition on resigning from State employment or a State enterprise.

## 2. Deception

Refers to the failure to deliver what has been promised to the worker, either verbally or in writing, at the time of recruitment or during employment. At recruitment, deception typically concerns wages, hours, or working conditions, the nature or location of the work, housing arrangements, the identity of the employer, or promises of regular migration status or, for the worker's family,, of schooling. In these cases, workers have not given free and informed consent, because the information upon which they based their decision was misleading. Deception may also extend into the employment relationship itself, where the worker is misled about wages owed, hours worked, the worker's legal or contractual position, or the options open to them, including through false promises of future payment, regularisation, or release used to keep the worker in place. In both phases, deception represents an active mechanism deployed by recruiters or employers to engineer the worker's acceptance of employment they would otherwise have refused, or their continued acceptance of employment they would otherwise leave.

### Non-exhaustive examples of circumstances include:

- ▶ False or misleading promises regarding wages, hours, or working conditions
  - ▶ Misrepresentation of recruitment fees and related costs, including failure to disclose fees collected through subagents, transit costs, or charges imposed on arrival
  - ▶ False or misleading promises regarding housing or living conditions to be provided.
  - ▶ Misrepresentation of the nature of the work, including failure to disclose its hazardous or illegal character.
  - ▶ Misrepresentation of the location of the job, including international destination, or of the identity of the employer.
  - ▶ False promises regarding the acquisition of regular migration status, promised benefits or, in the case the worker's family, regarding access to education or schooling.
  - ▶ Contract substitution on arrival, including contracts in a language the worker cannot read, on materially worse terms, or assigning a different job.
  - ▶ Deception during employment, including false statements about wages owed, hours worked, the worker's legal position, or false promises of future payment or work conditions.
-

### 3 Debt bondage

Refers to situations where workers are coerced into working against their will to repay a debt to an employer or recruiter, including where the debt is deliberately manipulated to ensure it cannot be repaid. Debt bondage is distinguished from ordinary debt by the direct linkage to the employment relationship and the use of debt as a coercive mechanism to compel continued work. The exploitation of debt may begin at recruitment, through loans, recruitment fees, or wage advances, or arise and deepen during employment through unagreed charges, fines, or manipulated accounts. The debt gives the recruiter or employer power over the worker's decisions: leaving without repaying risks triggering serious financial, physical, or legal consequences that make remaining the only possible option. Employers or recruiters may deliberately manipulate the debt to make settlement impossible, entrenching this dependency. Workers can become tied to an employer or creditor for an indefinite period, ranging from a single season to many years, or even across generations.

**Non-exhaustive examples of circumstances include:**

- Exploitation of debt arising from a loan provided by the employer or recruiter
  - Exploitation of debt linked to recruitment or transfer fees and related costs that should not be borne by the worker.
  - Exploitation of debt linked to a wage advance received from the employer, State or recruiter at recruitment.
  - Debt created or increased during employment through unagreed or excessive charges, including for food, housing, tools, transport, or other goods or services from the employer.
  - Debt created or increased during employment through fines for alleged workplace violations or failure to reach production targets.
  - Debt prolonged or made impossible to settle through exorbitant or illegal interest charges, falsified accounts, or undervaluation of the worker's output.
  - Hereditary or generational debt bondage, where debt passes from one family member to the next and the worker labours in repayment of a debt they did not personally incur.
-

#### 4. Abusive working and living conditions

##### Abusive working conditions

Refers to working conditions whose nature or severity make it unlikely that a worker would freely agree to or endure them. Victims of forced labour may be subjected to degrading working conditions (humiliating, unsanitary or demeaning) or hazardous ones (difficult, dangerous, or lacking adequate protective equipment), in clear violation of labour law and human dignity. They may also be required to perform tasks they reasonably believe to be illegal, or to work while seriously debilitated by sickness or injury without rest or medical attention. The category also extends to obligations imposed by the employer outside the scope of the agreed employment relationship, including tasks in the employer's private household or illicit activities, that the worker would be unlikely to freely accept. Poor working conditions alone do not automatically constitute forced labour, but they are often present in such cases. Forced labour occurs where the worker is, by some coercive means, compelled to remain in or endure conditions they would otherwise not.

##### Non-exhaustive examples of circumstances include:

- ▶ Hazardous work conditions posing serious risks to health and safety
- ▶ Degrading or humiliating work violating the worker's dignity.
- ▶ Work involving risk of legal jeopardy, including tasks the worker reasonably believes to be illegal.
- ▶ Work performed while seriously debilitated by sickness or injury, where the worker is denied rest or refused medical attention.
- ▶ Extra work tasks outside the regular job and regular workplace (for example, in the private household of the employer or in a different sector and geographical location), imposed on the worker or a family member.

##### Abusive living conditions

Refers to work-related living conditions imposed or controlled by the employer that a worker would be unlikely to freely agree to or endure. Workers may be required to live in housing that is overcrowded, unhygienic, unsafe, or lacking in privacy. They may also face physical or sexual safety risks within the accommodation itself, distinct from the structural safety of the building, including non-functional locks, poorly lit shared spaces, mixed-gender arrangements without privacy, or inadequate measures to prevent harassment or sexual violence, with women workers at particular risk. Such conditions can arise in employer-provided accommodation, including dormitories for migrant workers, onsite housing at remote worksites such as fishing vessels, mines, plantations, or construction sites, and live-in arrangements in private households, where workers in practice have no choice but to live in accommodation provided by the employer.

##### Non-exhaustive examples of circumstances include:

- ▶ Housing that is overcrowded or lacking in privacy.
- ▶ Housing that is unhygienic, unclean, or poorly maintained.
- ▶ Housing that is hazardous, including through inadequate ventilation, heating, lighting, or fire safety.
- ▶ Housing that lacks measures to ensure the physical safety of workers, including measures to prevent harassment, intrusion, or sexual violence.
- ▶ Housing that prevents the worker from getting sufficient rest, including through bed-sharing across shifts or other inadequate sleeping arrangements.

## 5 Physical or sexual violence

### Physical violence

Refers to situations in which workers are subjected to or threatened with physical violence to compel them to take a job, accept conditions or tasks they would otherwise refuse, remain in employment, or prevent them from leaving. Violence may be used as direct compulsion in the face of refusal or attempted departure, as discipline in response to alleged non-compliance, or pre-emptively to instil fear and secure compliance. Threats may target the worker directly or extend to family members or close associates. Physical violence in this context also encompasses corporal punishment imposed by the employer, including the deprivation of food, water, or sleep, and other forms of bodily harm such as stress positions or forced physical exertion to the point of exhaustion or injury. Abduction or kidnapping represents an extreme form of physical violence and may be used at the point of recruitment to compel a worker into employment or during employment to prevent escape or enforce continued work.

#### Non-exhaustive examples of circumstances include:

- Physical violence inflicted on the worker (threatened or actual).
- Physical violence inflicted on family members or close associates of the worker (threatened or actual).
- Deprivation of food, water, or sleep as a means of physical punishment (threatened or actual).
- Other forms of corporal punishment, including forced exposure to extreme conditions, stress positions, or forced physical exertion to the point of exhaustion or injury (threatened or actual).
- Abduction or kidnapping, used to compel a worker into employment or to prevent escape from it.
- Physical violence or corporal punishment by State officials, guards, or supervisors to compel performance of assigned labour, including within detention, labourcamp, or re-education settings.

### Sexual violence

Refers to situations in which workers are subjected to or threatened with sexual violence to compel them to take a job, accept conditions or tasks they would otherwise refuse, remain in employment, or stay silent about what is being done to them. Women and girls are disproportionately affected, although men and boys are also victims. Sexual violence can operate not only as direct coercion but as a means of humiliation and of “breaking” the worker’s resistance, instilling shame and securing silence. The risk is heightened wherever workers are isolated from outside contact, dependent on the perpetrator for shelter or legal status, or stigmatised in ways that make disclosure costly. Sectors in which sexual violence is commonly reported include commercial sexual exploitation, where rape is routinely used as a control mechanism, live-in domestic work, plantations and other settings where women workers are confined or isolated with male supervisors or co-workers. Also refers to sexual coercion through sexual demands backed by the threatened loss of the worker’s job, wages owed, or other conditions on which their livelihood or security depends. Threats may extend to family members, and the coercive force of sexual violence may be reinforced by visible impunity, where the worker perceives that complaint will not be acted on or will trigger reprisal.

#### Non-exhaustive examples of circumstances include:

- Sexual violence, including rape, sexual assault, or coerced sexual contact, inflicted on the worker (threatened or actual).
- Sexual violence inflicted on family members or close associates of the worker (threatened or actual).
- Sexual demands backed by the threatened loss of the worker’s job, wages owed, or other conditions on which the worker’s livelihood or security depends

## 6 Abuse of isolation

Refers to situations in which workers are kept secluded, physically, socially, or in terms of communication, to better control them and prevent them from escaping or seeking help. Isolation operates alongside, and is closely linked to, restriction of movement (covered separately), but the two are analytically distinct: restriction of movement concerns conduct that blocks the worker's means of escape; isolation concerns conduct that maintains the worker's seclusion from the outside world as the coercive condition itself. The same arrangement may engage both. Isolation may operate through geography, with workers placed in remote or unfamiliar locations far from villages, services, or independent transport, and sometimes unaware of their exact whereabouts. Some worksites are inherently remote; coercion arises where the employer exploits this remoteness, rather than mitigating it through reasonable transport and communication. Isolation may also operate within populated areas through severance of contact with the outside world, including confiscation of phones or other means of communication, restrictions on direct contact with family, coworkers, or community, and denial of access to services outside the workplace. Workers may also be deliberately concealed at the workplace from inspectors or other authorities. Live-in domestic work can bring these forms of isolation together for coercive ends, with movement, communication, and contact with outsiders all tightly controlled within the employer's household.

### Non-exhaustive examples of circumstances include:

- ▶ Deliberate placement at, or retention in, a remote, unfamiliar, or inaccessible location.
- ▶ Denial or confiscation of phones, internet, or other means of communication, including monitoring of digital communications by the employer.
- ▶ Restrictions on direct contact with the outside world, including with family, co-workers, or community.
- ▶ Concealment of the worker from outside visitors, inspectors, or authorities. X
- ▶ Abuse of a live-in domestic work arrangement to control the worker's movement, communication, and contact with outsiders.

## 7 Restrictions on workers' movement

Refers to situations in which workers are restricted from leaving work premises or employer-provided accommodation, or are subjected to surveillance, in ways that go beyond mobility restrictions that may be considered reasonable and are designed to prevent their escape. Workers may be locked up or guarded, accompanied by employer-appointed agents when they do leave the workplace, or subjected to curfews, timed absences, or requirements to obtain permission for routine activities outside work. Restrictions may apply during working hours, after working hours, at living quarters, during periods of leave, or across all of these. Some movement controls may be justified, for example to ensure safety at hazardous worksites or to protect high-value goods, but only where they are reasonable and proportionate; the test is whether the measures in fact prevent the worker from leaving freely. As discussed above, restriction of movement is closely linked to isolation and the same arrangement may engage both.

### Non-exhaustive examples of circumstances include:

- ▶ Confinement at the workplace, accommodation, or living quarters, including locked premises, guarded perimeters, and prevention of unaccompanied departure.
- ▶ Surveillance of workers' movements, whether through physical means (cameras, guards, designated monitors) or electronic means (biometric tracking, location tracking, algorithmic monitoring of workplace conduct), deployed in ways disproportionate to legitimate safety or security concerns.
- ▶ Curfews, timed absences, exit passes or requirements to obtain permission for routine activities outside the workplace.
- ▶ Restrictions on the worker's mobility during rest days, leave, or contractual breaks.
- ▶ Denial of transport away from a remote or isolated worksite or accommodation.
- ▶ Special restrictions on migrant workers' ability to leave the country, including denial of repatriation costs owed by the employer and physical or administrative interception at point of departure.

## 8 Retention of documents

### Retention of identity documents

Refers to situations in which the worker's identity or travel documents are withheld by the employer or recruiter as a means of control. What matters is not whether the documents are physically held by the employer, or whether the worker has signed a form purporting to authorise the arrangement, but whether the worker can access them freely and at any time, without prior approval. Without their documents, workers may be unable to change jobs, access essential services, leave the country, or approach the authorities for help, often for fear of deportation. The practice is particularly common in respect of migrant workers, and may be presented as a routine administrative arrangement, justified by reference to alleged security concerns, ongoing visa applications, or other procedural requirements.

#### Non-exhaustive examples of circumstances include:

- Obligatory surrender of, and denial of on-demand access to, identity, travel, or work-authorisation documents (e.g., passport, national identity document, residence permit, work visa).
- Abuse of standard authorisation forms or contractual clauses purporting to consent to employer retention of documents, to deny access on demand.
- Retention and denial of on-demand access of documents under the guise of administrative procedures, security concerns, or safe storage

### Retention of cash, assets, and security deposits

Refers to situations in which cash, financial assets, or property belonging to the worker are deposited with the employer or recruiter at the start of the job and withheld as a means of control. The mechanism may take the form of a substantial "runaway fee" paid by the worker at recruitment, or the deposit of property such as land deeds. Workers fear losing what they have surrendered should they refuse tasks or attempt to leave, and so remain in the job. The arrangements function alongside, and often in combination with, the retention of identity documents: in each case, the worker has handed over something of significant value to which the employer controls access, and which the worker stands to lose if they exit.

#### Non-exhaustive examples of circumstances include:

- Obligatory payment of a substantial "runaway fee" or similar cash deposit to the employer or recruiter at the beginning of the job.
- Obligatory deposit of assets, including property deeds or other documents of title, with the employer, authorities or recruiter at the beginning of the job.

## 9 Withholding of wages

Refers to the deliberate and systematic withholding of wages as a means of compelling the worker to remain and preventing them from seeking alternative employment. Irregular or delayed payment of wages does not automatically amount to forced labour: what distinguishes the indicator is that wages are intentionally withheld, with the purpose of restricting the worker's freedom to terminate employment or change employer. The threat of permanent wage loss should the worker refuse tasks or attempt to quit gives the practice its coercive force. Employers may withhold wages directly, or rely on a range of techniques designed to avoid paying agreed wages, including unfounded claims of poor job quality, the imposition of impossible production targets, payment "in kind" rather than in money, or penalties imposed for absence or alleged mistakes. Detection can be difficult, as payslips and records may be falsified, bank accounts may be controlled by the employer, or wages may be paid into the worker's account but then required to be returned in cash, creating the illusion of compliance.

### Non-exhaustive examples of circumstances include:

- ▶ Deliberate and systematic withholding of wages, including deferral of payment until the end of a season or completion of the full contract, as means of coercive control.
  - ▶ Illegal or abusive deductions from wages, used to reduce or eliminate wages owed.
  - ▶ Payment of wages "in kind" rather than in money, in circumstances that go beyond what is permitted by national law, used to deny payment in cash.
  - ▶ Mandatory payment of replacement-worker fees, fines or other sums to authorities or state linked entities to secure compliance with state-assigned work.
  - ▶ Imposition of impossible production targets, or unfounded claims of poor job quality, used to justify non-payment.
  - ▶ Penalties for absence or alleged mistakes, treated as forfeiture of wages owed.
  - ▶ Wages paid into worker accounts that are controlled by the employer, or required to be returned in cash to the employer.
-

## 10 Intimidation and threats

Refers to the use of intimidation and threats, beyond actual or threatened physical or sexual violence (covered separately), to compel a worker to take a job or accept conditions, to prevent seeking help or raising complaints, or to remain in employment they would otherwise leave. Threats may be deployed in response to specific conduct or pre-emptively to instil fear and secure compliance. They may target the worker directly, or extend to family members, co-workers, or other third parties. Intimidation may also operate through the systematic psychological undermining of the worker, including persistent insults, humiliation, or denigration, designed to deepen the worker's sense of powerlessness and compliance. The credibility of a threat must be assessed from the worker's perspective: a threat that may appear implausible to an outsider may be entirely persuasive to the worker, and may therefore operate as a powerful means of coercion. This includes, for example, threats grounded in supernatural sanction, in misinformation about employer reprisals, or in assertions that the authorities cannot be trusted or will not assist.

### Non-exhaustive examples of circumstances include:

- Threats of harm or detriment to the worker, including dismissal, harsher working conditions, withdrawal of privileges (e.g., right to leave the workplace, days off, access to communications), or wage reduction.
- Threats of harm or detriment to family members, co-workers, or other third parties.
- Threats whose credibility derives from beliefs or misinformation specific to the worker.
- Subjecting another worker of third party to violence or other negative consequences in the worker's presence, as a warning.
- Persistent insults, humiliation, or denigration as a means of psychological coercion or intimidation.
- Public shaming, denunciation, insults, humiliation, or political or social denigration by officials, workplace managers, or community structures as a means of securing compliance

## 11 Excessive overtime

Refers to working hours or schedules whose onerous nature and demands make it unlikely that a worker would freely agree to or willingly endure them. Excessive overtime alone does not constitute forced labour, but it warrants closer scrutiny where it exceeds the limits set by national law or collective agreements, where workers face penalties for refusing, or where remuneration structures effectively compel long hours. The CEACR has identified two recurring patterns: workers accepting overtime beyond legal limits out of fear of dismissal, and piece-rate or productivity-based systems under which workers cannot reach the minimum wage without working excessive hours. The risk is heightened where working hours are poorly defined or unrecorded, or where written contracts are absent, leaving the actual scope of the working day open to employer determination.

### Non-exhaustive examples of circumstances include:

- Working hours that routinely exceed legal limits, contractual terms, or collective agreement provisions.
- Inability to refuse overtime without penalty, including dismissal, blacklisting, exclusion from future overtime opportunities, or wage reduction below the contractual or minimum level.
- Piece-rate or productivity-based remuneration structured such that workers cannot reach the minimum wage without working excessive hours.
- Unrealistic production targets or quotas that cannot be met within normal working hours.
- Absence of breaks within the working day, denial of sick leave, or absence of rest days across extended periods.
- On-call arrangements requiring availability around the clock, with no defined working hours or rest entitlement (particularly common among domestic workers and fishers).

## Additional indicators of State coercion

State coercion also draws on a further set of mechanisms with no private equivalent. These centre on compulsion by law: legal or administrative obligations to perform work or to remain in it, enforced through the State's unique mechanisms for compelling compliance. These include the threat of criminal prosecution or administrative detention, the withdrawal of State services, entitlements, or legal status, the deployment of State surveillance infrastructure, and the imposition of collective penalties on a worker's family or community. A consequence is that the indicators often observed in the private-sector may be entirely absent in SIFL. A worker assigned to a State enterprise who cannot leave without facing criminal prosecution, sanctions, or forfeiture of accrued benefits is in a situation of forced labour by compulsion of law, with no physical violence, no restricted movement, no confiscated documents, or other visible signs of compulsion.

Table 4 sets out mechanisms that are uniquely at the disposal of a State, which may be used to compel and enforce work. The first row addresses the underlying obligations, which are often codified in statutory or administrative instruments that impose compulsory work or restrict freedom to leave employment. The remaining rows address non-labour sanctions used to compel compliance. Together they map the State's distinctive apparatus for exacting work under the menace of a penalty. Whether their deployment in any given case constitutes State-imposed forced labour is a question for the legal test that follows.

► **Table 4. Additional means of State coercion**

| Category                                                                                                                  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Non-exhaustive examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Statutory or administrative obligation imposing compulsory work or restricting the freedom to leave employment.</b> | Refers to legislation, regulation or administrative instruments imposing an obligation to perform work, an obligation to deliver specified output, or a restriction on the freedom to leave employment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>► Statute, regulation or administrative instrument imposing an obligation to work, an obligation to perform specified labour, or a duty to deliver specified output</li> <li>► Statute, regulation or administrative instrument restricting the freedom of workers to terminate employment or to change employer</li> </ul>                                                                                                                         |
| <b>2. Imprisonment and detention and other criminal sanctions</b>                                                         | Refers to the State's ability to impose or threaten criminal penalties, including custodial sanctions, as a means of enforcing compulsory labour obligations. Such penalties may be imposed following formal criminal proceedings and conviction by a court of law and may involve imprisonment or a criminal sanction without incarceration. They may also be imposed administratively without criminal conviction or judicial process, through executive order or the discretionary authority of State security or administrative bodies. The threat typically operates pre-emptively, suppressing refusal before any act of resistance occurs, such that the mere existence of the legal or administrative framework may be sufficient to compel compliance without any individual prosecution or internment order being initiated. | <ul style="list-style-type: none"> <li>► Imprisonment following criminal proceedings for refusal of assigned labour, desertion, or non-compliance with compulsory labour obligations</li> <li>► Detention or internment imposed through executive order or the discretionary authority of State security or administrative bodies for refusal of assigned labour or non-compliance with compulsory labour obligations</li> <li>► Other criminal sanction without incarceration.</li> </ul> |

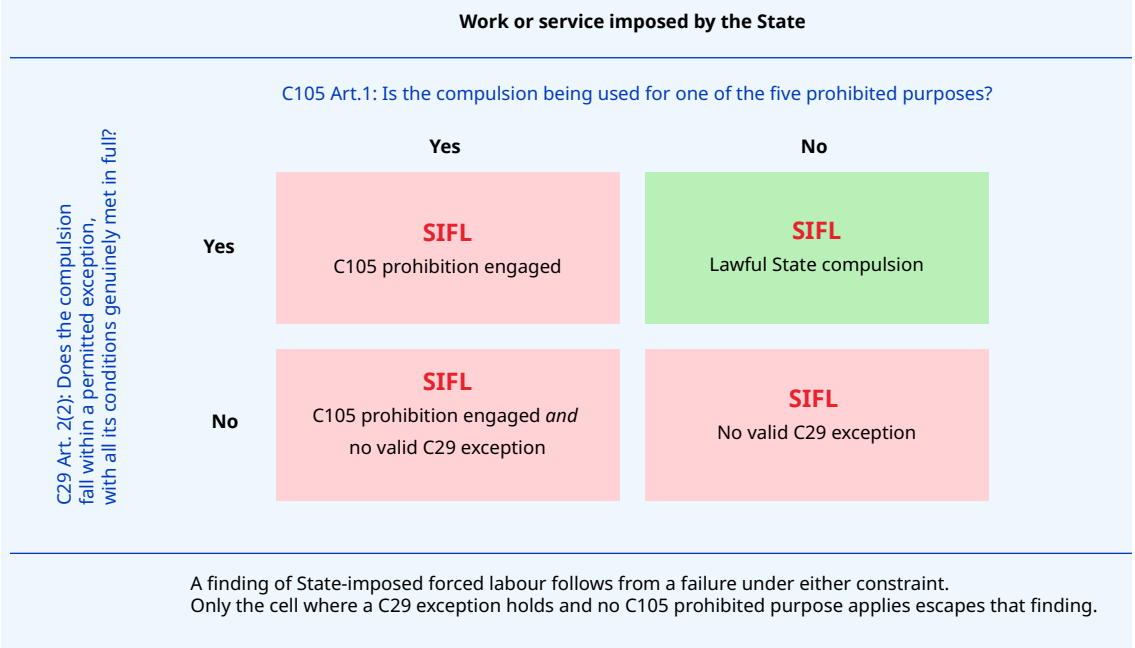
| Category                                                                                | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Non-exhaustive examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>3. Manipulation of custodial conditions</b>                                          | Refers to the manipulation of custodial conditions as a second-order coercive mechanism to compel work within detention facilities, beyond what is permitted under international law. Unlike the primary coercive condition of incarceration itself, these mechanisms operate within the custodial setting to enforce specific work assignments, making the conditions of detention contingent on compliance with labour obligations.                                                                                                           | <ul style="list-style-type: none"> <li>► Threat of assignment to solitary confinement or harsher custodial conditions for refusal to perform assigned work</li> <li>► Threat of extension of sentence or loss of eligibility for early release or parole for refusal to perform assigned work</li> </ul>                                                                                                                                                                                                                                                                                 |
| <b>4. Financial penalty imposed by the State</b>                                        | Refers to the use of financial penalties by public authorities as a mechanism for enforcing compulsory labour obligations. Financial sanctions may operate independently or alongside criminal or administrative penalties, compounding the coercive pressure on workers to comply.                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>► Fines imposed by public authority for non-compliance with compulsory labour obligations</li> <li>► Wage deductions applied through the employment relationship as a matter of administrative practice for non-compliance with compulsory labour obligations</li> </ul>                                                                                                                                                                                                                                                                          |
| <b>5. Employment sanctions imposed by the State or State enterprises</b>                | Refers to non-criminal employment sanctions imposed by the State or State enterprises as a means of enforcing compulsory labour obligations. Unlike criminal penalties, these mechanisms operate within the employment relationship itself, making refusal or exit professionally and financially costly.                                                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>► Dismissal or demotion imposed by the State or a State enterprise for refusal of assigned labour</li> <li>► Denial of promotion, loss of bonuses, or forfeiture of pension, long-service benefits or other benefits for non-compliance with compulsory labour obligations</li> <li>► Formal disciplinary proceedings under civil service or military statute for refusal of assigned tasks</li> </ul>                                                                                                                                            |
| <b>6. Prohibition on employment termination</b>                                         | Refers to legal and administrative mechanisms that prevent workers from legally terminating their employment. Unlike financial or employment penalties, which raise the cost of exit, these mechanisms make departure legally prohibited.                                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>► Statutory prohibition on resignation or departure without formal approval, backed by sanctions for abandonment of post or by being forced to return to work.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                         |
| <b>7. Withdrawal or denial of State services, legal status, and social entitlements</b> | Refers to the use of State administrative power to deny or withdraw services, entitlements, or legal status as a means of compelling participation in compulsory labour. These mechanisms are particularly coercive where workers are wholly dependent on the State for housing, food, or legal status, leaving them with no viable alternative to compliance. Workers compelled to transfer may additionally lose their stake in their origin community, foreclosing the option of return and deepening dependency on continued participation. | <ul style="list-style-type: none"> <li>► Denial or withdrawal of housing benefit, food support, land-use rights or other rights and benefits for non-compliance with compulsory labour obligations</li> <li>► Denial or withdrawal of residency permits, professional licences, or legal status for non-compliance with compulsory labour obligations or attempted resignation</li> <li>► Administrative cancellation of household registration, residency entitlements, or property rights in the origin location upon compulsory transfer, foreclosing the option of return</li> </ul> |

| Category                                                                                   | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Non-exhaustive examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>8. Expropriation or confiscation of property, land, housing, or means of production</b> | Refers to the seizure or destruction of physical assets belonging to workers or their families as a means of compelling compliance with compulsory labour obligations or preventing return following transfer. The instrument is the removal of physical property rather than the withdrawal of administrative entitlements or legal status. The threat of asset seizure or destruction often operates pre-emptively, suppressing non-compliance before any act of resistance occurs.                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>▶ Expropriation of land or housing as a statutory or administrative consequence of non-compliance with compulsory labour obligations</li> <li>▶ Confiscation of harvest or means of production – including land, tools, equipment, or livestock – for failure to meet State production quotas</li> <li>▶ Physical destruction of assets or property in the origin location to foreclose the option of return following compulsory transfer</li> </ul>                                                                         |
| <b>9. Collective and third-party penalties</b>                                             | Refers to mechanisms that extend the coercive reach of compulsory labour obligations beyond the individual worker to their family, community, or work unit. By making third parties bear the consequences of an individual's refusal – including denial of entitlements or adverse political classification that restricts access to employment, education, or housing – the State amplifies pressure in ways that are particularly difficult to resist. The co-option of community leaders and customary authority structures into enforcement and reporting roles internalises this coercion within the community itself, obscuring the State's direct role and making resistance socially as well as administratively costly. | <ul style="list-style-type: none"> <li>▶ Collective administrative consequences for work units, institutions, or communities for individual non-compliance</li> <li>▶ Penalties imposed on family members – including denial of entitlements, adverse political or social classification, or other sanctions – as a consequence of an individual's refusal</li> <li>▶ Co-option of customary authority structures or community leaders to enforce participation and report non-compliance to State authorities</li> </ul>                                            |
| <b>10. Psychological pressure by State authorities</b>                                     | Refers to mechanisms through which the State compels compliance with labour obligations through psychological pressure and ideological programming rather than through direct physical or legal sanctions. A distinctive feature of this form of coercion is that it may operate without any explicit threat – where the coercer is the State or a State-appointed official, compliance may be secured simply through the general understanding that refusal carries consequences, even where those consequences are diffuse or unspecified.                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>▶ Direct or indirect psychological pressure exerted by State officials or supervisors on individuals who attempt to refuse assigned labour or resign</li> </ul>                                                                                                                                                                                                                                                                                                                                                               |
| <b>11. Surveillance and social monitoring</b>                                              | Refers to the use of physical and electronic surveillance, and the co-option of community structures, to monitor and enforce compliance with compulsory labour obligations. Surveillance operates as a coercive mechanism by making non-compliance observable and therefore costly, suppressing resistance before it occurs. Electronic and algorithmic forms of surveillance are particularly effective in this respect, as they operate continuously and at scale without requiring direct human presence.                                                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>▶ Guards or State officials physically monitoring worker attendance and compliance at production sites</li> <li>▶ Neighbourhood committees, community leaders, or employer-appointed monitors reporting non-compliance to State authorities</li> <li>▶ Electronic surveillance of workers' movements, communications, and compliance, including location tracking, monitoring of digital communications, and biometric data collection</li> <li>▶ Algorithmic flagging of non-participation or attempted departure</li> </ul> |

► Legal test for State-imposed forced labour

A finding that the State is exercising compulsion is, however, necessary but not sufficient for a finding of State-imposed forced labour. The legal question is whether that compulsion falls within the bounds of lawful State authority – and that question is governed by two independent conditions, both of which the State must satisfy. C29 Art. 2(2) requires the compulsion to fall within one of the five permitted exceptions, with all of that exception’s requirements genuinely met in full. C105 Art. 1 requires the compulsion not to be used for any of the five prohibited purposes. The two operate independently. A finding of State-imposed forced labour follows from a failure under either – whether because no valid C29 exception applies, because the compulsion is being used for a C105 prohibited purpose, or because both grounds are engaged at once. Only where a C29 exception genuinely holds and no C105 prohibited purpose is engaged does the State remain within the bounds of lawful compulsion. Figure 1 sets out the joint operation of the C29 and C105 provisions.

► Figure 1. C29 exception and C105 prohibition: the two independent constraints on State compulsion



## ► Common typologies of State-imposed forced labour

The preceding sections set out the analytical sequence for identifying State-imposed forced labour and the mechanisms of compulsion through which it is exacted. Building on that foundation, this section turns to the recognised *forms* in which SIFL manifests – the configurations of State conduct that the CEACR has, through its supervisory work, identified as crossing the threshold from lawful compulsion into violations and practices of forced labour. It is designed to provide a grounded, Convention-anchored basis for recognising the forms that State-imposed forced labour takes in practice.

Through its General Surveys and comments on the application of the Conventions by individual countries, the CEACR has observed the ways in which State-imposed forced labour manifests and has evolved in the contemporary world. Under each of the C29 exceptions, specific conditions must be cumulatively satisfied for the exception to hold, and the characteristic ways in which States exceed or misapply those conditions – from the diversion of conscripts to civilian economic tasks, to the use of emergency powers as standing labour mobilisation mechanisms, to the imposition of compulsory labour in detention without judicial conviction. Under each of the C105 prohibited purposes, the Committee has similarly examined the full range of practices in which compulsory labour has been imposed– across custodial and non-custodial sanctions, and across the spectrum from systematic national programmes to targeted measures applied to specific population groups.

Table 5 sets out, against this backdrop, common typologies that correspond to the violations and practices the CEACR has identified as constituting SIFL. Each has implicitly passed through the analytical sequence described above. For each typology, it provides a concise synopsis of what the violation involves and the specific Convention provisions engaged – including, where relevant, the concurrent engagement of provisions under both instruments. A specific instance of SIFL will often involve multiple typologies simultaneously, as well as multiple coercive mechanisms of the kind described in Table 4 and possibly Table 3.

► **Table 5. State-imposed forced labour: common typologies**

| #     | Typology                                                      | Synopsis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Principal legal instrument |
|-------|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 1.    | <b>Compulsory labour outside the permitted C29 exceptions</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                            |
| 1.1   | <b>Compulsory labour outside the permitted C29 exceptions</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                            |
| 1.1.1 | <b>Statutory prohibition on leaving employment</b>            | Workers in all categories retain the right to leave employment upon reasonable notice or at regular intervals. The Committee of Experts has stated that statutory provisions preventing termination of employment of indefinite duration upon notice of reasonable length have the effect of converting a contractual relationship into service by compulsion of law and are incompatible with C29. This applies across non-essential services, the public sector – including civil servants, State enterprise employees, police officers, and teachers – and career military personnel. The sole permissible exceptions are genuine essential services (those whose interruption would endanger life, personal safety or health of the population) and genuine emergencies, both of which must be strictly and proportionately applied. C29 Art. 2(2)(a) covers only conscripts and cannot be invoked to deprive career military personnel of the right to resign in peacetime (see below under 2.1.1). | C29 Art. 2(1)              |

|                                                                         |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
|-------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1.1.2                                                                   | <b>Compulsory production quotas and procurement systems</b> | States compel producers – farmers, factory workers, cooperative members – to cultivate specified crops, deliver output to State procurement agencies, or meet production quotas under penalties including fines, imprisonment, or land expropriation. The CEACR has identified violations where agricultural plans mandate cultivation of specific crops at sub-market procurement prices with no genuine freedom to choose alternative activities or buyers.                                                                                                                                                                                                                                                                                        | C29 Art. 2(1)    |
| 1.1.3                                                                   | <b>Compulsory overseas labour assignments</b>               | Some States compel workers – including medical personnel, construction workers, or other specialists – to participate in overseas work assignments or State-managed labour export programmes under conditions that deny them the freedom to refuse or return. Where participation is backed by penalties (criminal prosecution, loss of State employment, professional disqualification, denial of benefits) and workers cannot exit without consequences, the arrangement constitutes State-imposed forced labour regardless of the work location. A State's responsibility under Convention No. 29 extends to its nationals abroad: if the State imposes forced labour on them outside its territory, it remains responsible under the Convention. | C29 Art. 2(1)    |
| 1.1.4                                                                   | <b>Forced labour transfer and resettlement programmes</b>   | Programmes requiring persons – often from specific ethnic, religious, regional or socioeconomic groups – to relocate and work in State enterprises, agricultural settlements, special economic zones, or infrastructure projects constitute forced labour where participation is compelled. Two legally distinct dimensions of coercion are present: compulsion to relocate, and compulsion to perform work at the destination. Many such programmes are formally presented as voluntary but are backed by administrative, economic or social penalties for non-participation.                                                                                                                                                                       | C29 Art. 2(1)    |
| <b>2. Compulsory labour involving abuse of C29 permitted exceptions</b> |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
| <b>2.1. Abuse of the military service exception</b>                     |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
| 2.1.1.                                                                  | <b>Conscripts used for non-military purposes</b>            | C29 exempts compulsory military service only for work of a purely military character – that is, work intrinsically connected to the defence function. Where conscripts are directed to civilian construction, agricultural production, State enterprises, or other tasks with no genuine military rationale, the exemption is exhausted and the compulsion constitutes forced labour.                                                                                                                                                                                                                                                                                                                                                                | C29 Art. 2(2)(a) |
| 2.1.2.                                                                  | <b>Conscription extended beyond its lawful duration</b>     | The military service exemption is bounded by the lawful conscription period established under national law. Where a State extends compulsory military service indefinitely, repeatedly renews it without genuine military justification, or prevents conscripts from leaving on completion of their lawful service obligation, the Art. 2(2)(a) shield is exhausted and continued compulsion falls under the general definition of forced labour.                                                                                                                                                                                                                                                                                                    | C29 Art. 2(2)(a) |
| <b>2.2. Abuse of the civic obligations exception</b>                    |                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
| 2.2.1.                                                                  | <b>Compulsory labour imposed beyond normal civic duty</b>   | C29 Art. 2(2)(b) covers only narrow, well-established civic duties such as jury service and the legal obligation to assist a person in danger. The exception must be read restrictively and cannot be invoked to justify broader labour mobilisation, compulsory public works, national development service, or civic service schemes. The CEACR has consistently held that systematic State labour obligations imposed on the population exceed what constitutes a normal civic obligation and fall under the general prohibition. The use of such labour is also prohibited by C105 Art. 1(b) if it constitutes method of mobilising labour for economic development.                                                                              | C29 Art. 2(2)(b) |

|                                                                                                        |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2.3. Abuse of the emergency exception</b>                                                           |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.3.1.                                                                                                 | <b>Emergency powers invoked outside genuine emergency conditions</b>                          | <p>C29 Art. 2(2)(d) requires three cumulative conditions: a genuine emergency of force majeure character endangering the existence or well-being of the whole or part of the population; work strictly necessary to address that specific emergency; and compulsion limited in time and scope to what the emergency requires. Violations occur where emergencies are declared as standing labour mobilisation mechanisms, extended indefinitely, applied to general economic tasks, or used to prohibit workers from leaving employment beyond what the emergency strictly requires. The condition that compulsion must cease when the emergency ends applies equally to restrictions on the freedom to terminate employment invoked under emergency powers.</p> <p>C29 Art. 2(2)(d)</p>                                                                                                                                                                   |
| <b>2.4. Abuse of the minor communal services exception</b>                                             |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.4.1.                                                                                                 | <b>Communal labour obligations exceeded in scale, scope or purpose</b>                        | <p>C29 Art. 2(2)(e) excepts minor communal services performed by members of the community in its direct interest, provided the community or its representatives are consulted on the need for such services. The CEACR has clarified that “minor” means small in scale and short in duration, that the “direct interest” of the community must not extend to the State or a wider public, and that the services must not impinge on workers’ regular employment. The exception holds only when all of these conditions are cumulatively met; failure of any single condition means the exception does not apply.</p> <p>C29 Art. 2(2)(e)</p>                                                                                                                                                                                                                                                                                                               |
| <b>2.5. Abuse of the exception for work exacted as a consequence of a conviction in a court of law</b> |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.5.1.                                                                                                 | <b>Compulsory labour imposed on pre-trial detainees</b>                                       | <p>C29 Art. 2(2)(c) authorises compulsory prison labour only following conviction by a court of law. Persons awaiting trial have not been convicted and fall entirely outside the exception. Compelling pre-trial detainees to perform productive work constitutes prohibited compulsory labour regardless of the legality of their detention under domestic law. Genuinely voluntary work freely requested by the detainee, with no penalty whatsoever for refusal and no adverse consequence flowing from non-participation, is permissible, provided that the conditions approximate those of a free labour relationship.</p> <p>C29 Art. 2(2)(c)</p>                                                                                                                                                                                                                                                                                                   |
| 2.5.2.                                                                                                 | <b>Compulsory labour through administrative measures</b>                                      | <p>An administrative or executive decision does not satisfy the judicial conviction requirement in Art. 2(2)(c). Compulsory labour extracted from persons held under security measures, preventive internment, anti-parasitism statutes, vagrancy laws, or administrative commitment orders constitutes forced labour. The same applies where compulsory work obligations are imposed under such regimes without detention – for example, community work or labour obligations imposed by administrative order in connection with vagrancy, anti-parasitism, or social-danger statutes. The CEACR has been consistent: penal labour requires a conviction in a court of law following due process; a decision of an administrative body or an executive order does not suffice regardless of how the regime is labelled under domestic law.</p> <p>C29 Art. 2(2)(c)</p>                                                                                    |
| 2.5.3.                                                                                                 | <b>Compulsory labour through re-education, vocational training and rehabilitation regimes</b> | <p>Work imposed within facilities labelled as rehabilitation centres, re-education camps, vocational training centres, or “legal education” bases – or through analogous non-custodial – does not satisfy Art. 2(2)(c) where persons are subjected to compulsory work without judicial conviction following due process. The label attached to the facility or programme is irrelevant; the decisive question is whether persons are compelled to work without a proper conviction. Where such regimes additionally function as instruments of political coercion, for example, targeting journalists, religious practitioners, ethnic minorities, or political dissidents, C105 Art. 1(a) may be simultaneously engaged. Where the regime serves State economic development objectives, Art. 1(b) is also engaged. Where targeting is based on race, ethnicity, national origin, or religion, Art. 1(e) applies concurrently.</p> <p>C29 Art. 2(2)(c)</p> |

|        |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |
|--------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 2.5.4. | <b>Court-imposed compulsory labour placed at the disposal of or for the benefit of private parties</b> | Even where the judicial conviction condition of Art. 2(2)(c) is met, the exception does not apply where convicted persons – whether serving a custodial sentence in prison or a court-ordered sanction of compulsory work outside prison (for example, a community or correctional work sentence) – are placed at the disposal of or for the benefit of private individuals, companies or associations, or where the work is not carried out under the supervision and control of a public authority. Both conditions are cumulative: failure of either removes the exemption. The CEACR has accepted that work undertaken for privatised prisons and work for private companies are not in themselves incompatible with C29, provided that they comply with the definition under Art. 2(1) of the Convention, but has developed strict voluntariness criteria: convicted persons assigned to work for private entities may do so only where they give free, formal and informed written consent under conditions approximating a free employment relationship, including comparable wages, social security coverage, and a genuine practical ability to refuse without adverse consequences. | C29 Art. 2(2)(c) |
|--------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|

### 3. Compulsory Labour for C105 Prohibited Purposes

#### 3.1. Compulsory labour as a means of political coercion or education

|        |                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |
|--------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 3.1.1. | <b>Sanctions involving compulsory labour for the expression of political or ideologically opposed views</b> | C105 Art. 1(a) also absolutely prohibits the use of forced or compulsory labour as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system. The prohibition is engaged wherever a person is subjected to compulsory labour as a sanction for such views – whether the sanction takes the form of prison labour (inside or outside prison premises) following a criminal conviction, a sentence of community service, a compulsory administrative work order, or any other form of compelled work imposed in response to the holding or expression of protected views. It does not extend to convictions for acts of violence, incitement to violence, or incitement to civil strife or racial, religious or other hatred, even where the underlying conduct also involved political expression. | C105 Art. 1(a) |
| 3.1.2. | <b>Compulsory labour as a means of political coercion or education</b>                                      | C105 Art. 1(a) absolutely prohibits the use of forced or compulsory labour as a means of political coercion or political education. The prohibition is engaged where the State compels work for the purpose of changing the political views of a person, instilling allegiance to the established political, social or economic system, or compelling participation in political activities or programmes – whether through compulsory work in re-education or “political study” programmes, ideological labour assignments, or directed participation in State-organised political mobilisations. The coercive purpose is what engages Art. 1(a); no criminal conviction is required.                                                                                                                                                                                                |                |

#### 3.2. Compulsory labour for the purposes of economic development

|        |                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                 |
|--------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 3.2.1. | <b>Compulsory assignment to closed or directed production facilities</b> | C105 Art. 1(b) absolutely prohibits the use of forced or compulsory labour as a method of mobilising and using labour for purposes of economic development. This includes States assigning workers – irrespective of any criminal conviction – to closed or semi-closed production facilities, labour camps, agricultural settlements, or directed vocational centres from which they cannot freely leave. The prohibition applies regardless of whether the programme is temporary, framed as patriotic or voluntary, or involves some compensation. | C105 Art. 1(b); |
|--------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|

|        |                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |
|--------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 3.2.2. | <b>Directed deployment to specified sectors, tasks or enterprises</b>           | Where workers are not confined but are nonetheless compelled – through administrative orders, labour allocation systems, directed posting schemes, compulsory national development or civic service obligations, or penalties for non-compliance – to work in specified sectors, State enterprises, State farms, or production units, C105 Art. 1(b) is engaged. This includes systematic State direction of workers to enterprises without genuine freedom to refuse, and the compulsory assignment of existing workers to additional production tasks, harvest campaigns, or construction brigades under threat of dismissal or criminal sanction. Where such additional task assignment functions primarily as a labour discipline mechanism rather than an economic development measure, C105 Art. 1(c) may be engaged concurrently. C29 Art. 2(1) is typically engaged in parallel, since the underlying compulsion to work falls outside any of the C29 permitted exceptions; in particular, national development and civic service schemes are not “normal civic obligations” within the meaning of C29 Art. 2(2)(b) (see further the abuse of civic obligations row above). | C105 Art. 1(b) |
| 3.3.   | <b>Labour discipline</b>                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |
| 3.3.1. | <b>Sanctions involving compulsory labour for breaches of labour discipline</b>  | C105 Art. 1(c) prohibits any form of forced or compulsory labour as a means of labour discipline. The prohibition is engaged where a sanction involving compulsory labour – whether prison labour, a sentence of community service, or a compulsory work assignment or supervised labour programme – is imposed for failure to meet production targets, absenteeism, insubordination, unauthorised absence, breach of employment contract, or other disciplinary infractions. It applies to all workers, including seafarers, civil servants, and workers in State enterprises. Art. 1(c) is also engaged by measures of physical compulsion deployed to secure the performance of work itself, such as the forcible return of seafarers to their ships in respect of breaches of labour discipline.                                                                                                                                                                                                                                                                                                                                                                                | C105 Art. 1(c) |
| 3.4.   | <b>Punishment for strike participation</b>                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |
| 3.4.1. | <b>Sanctions involving compulsory labour for participation in strike action</b> | C105 Art. 1(d) prohibits any form of forced or compulsory labour as a punishment for having participated in a strike. The prohibition is engaged where a sanction involving compulsory labour – whether prison labour, a sentence of community service, or a compulsory work assignment – is imposed as a punishment for participation in a strike. The prohibition applies to the act of striking itself; it does not extend to proportionate sanctions for acts of violence, assault, or destruction of property committed in connection with a strike.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | C105 Art. 1(d) |
| 3.5.   | <b>Racial, social, national or religious discrimination</b>                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |
| 3.5.1. | <b>Detention and compulsory labour targeting a defined group</b>                | C105 Art. 1(e) prohibits the use of any form of forced or compulsory labour as a means of racial, social, national or religious discrimination. This covers situations where a detention and compulsory labour regime is applied specifically to members of a group defined by race, ethnicity, national origin, religion, caste or social class, and where facially neutral laws are applied disproportionately to target such a group.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C105 Art. 1(e) |
| 3.5.2. | <b>Compulsory labour obligations imposed selectively on a defined group</b>     | Non-custodial forced labour imposed in a discriminatory manner engages C105 Art. 1(e) regardless of the absence of detention. The provision requires the abolition of any discriminatory distinctions made on racial, social, national or religious grounds in exacting labour for the purpose of production or service – including where the labour in question would not otherwise come under the Convention. Coverage includes compulsory agricultural work, portage, or public works obligations applied exclusively or disproportionately to a specific group; and mobilisation quotas applied selectively to ethnic minority communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | C105 Art. 1(e) |

[ilo.org](https://ilo.org)

---

**Fundamental Principles and Rights at Work  
Branch (FUNDAMENTALS)**

**Labour Governance and Sectoral Policies  
Department (GOVERNANCE)**

**International Labour Office**

Route des Morillons 4

1211 Geneva 22 – Switzerland

T: +41 (0)22 799 61 11

E: [fundamentals@ilo.org](mailto:fundamentals@ilo.org)

► [ilo.org/forcedlabour](https://ilo.org/forcedlabour)