

Scoping study relating to forced labour in Mongolia

Terms of reference

1. BACKGROUND AND RATIONALE

The Government of Mongolia through its National Human Rights Commission expressed its interest and readiness to carry out research on forced labour measurement through the implementation of a forced labour survey to be supported by the ILO. The National Forced Labour Survey will fill the gap in data availability and inform policy making, therefore assisting Mongolia in addressing forced labour.

The ILO/FUNDAMENTALS will support the implementation of the forced labour survey by providing technical inputs to the design of the forced labour module that will complement the 2021 Mongolia Labour Force Survey.

ILO has developed a template module for capturing forced labour through labour force surveys, however, the module needs to be adapted to country-specific circumstances. In particular, the module shall allow to capture the different types and forms of forced labour as more likely to exist in the country (see panel 1) while ensuring international comparability.

The current Terms of Reference relates to identifying the different types and forms of forced labour for Mongolian population either living abroad or in the country.

2. OBJECTIVES

Provide inputs to the development of the forced labour questionnaire of the 2021 Mongolia Labour Force Survey by identifying types and forms of forced labour present in Mongolia

3. CONSULTANT RESPONSIBILITIES

The External collaborator will be responsible for identifying the different types and forms of forced labour in Mongolia.

For the purpose of this consultancy, the target population includes both Mongolian nationals living abroad and in the country, as well as migrants living in Mongolia.

More specifically, for each forced labour situation, the consultant will describe:

- Sector of activity (agriculture, mining, domestic work, etc.);
- Population at risk (gender, age group, ethnicity, region/country of origin, etc.);
- Forms of forced labour (bonded labour, trafficking for forced labour, etc.);
- Types of forced labour (State-imposed; Privately-imposed)
- Means of recruitment (how people get trapped);
- Means of coercion (see the standard list as in the ILO Guidelines concerning the measurement of forced labour, but other specific means of coercion can be identified as well);

- Involuntary work (forced over time, job of different nature than agreed, etc.);
- Source of information.

Results will be summarized in a table format as suggested in Annex I.

Methodology

The research will adhere, as much as possible, to the definition of forced labour and related concept (reference period, work, threat and menace of penalty, involuntary work) as included in the “Guidelines concerning the measurement of forced labour”¹ (see Panel 1).

The research will be conducted using a qualitative approach, based on interviews with key informants.

Tasks

- Review relevant research on the topic, including:
 - Compulsory military service and conscript labour in Mongolia : review of policy and practice / International Labour Organization and National Human Rights Commission of Mongolia. Ulaanbaatar : ILO and NHCRM, 2016
- Draft a list of key informants, in close consultation with the ILO Country Office and the Research and Evaluation Unit (Fundamentals, ILO HQ)
- Develop survey tools for interviews with key informants
- Conduct interviews with key informants
- Summarise results of the interviews with key informants in a table format.

Panel 1. Forced labour: what it is and types and forms

The ILO Forced Labour Convention, 1930 (No. 29) defines, in its Article 2, forced or compulsory labour for the purposes of the Convention as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

For statistical purposes, a person is classified as being in forced labour if engaged during a specified reference period in any work that is both under the threat of menace of a penalty and involuntary . Both conditions must exist for this to be statistically regarded as forced labour.

Different types of forced labour are distinguished as follows:

¹ ILO, Guidelines for the measurement of forced labour, 20th International Conference of Labour Statisticians, 10-19 October 2018. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_648619.pdf

- ***State-imposed forced labour*** refers to forced labour imposed by State authorities, regardless of the branch of economic activity in which it takes place.
- ***Privately-imposed forced labour*** refers to forced labour in the private economy imposed by private individuals, groups, or companies in any branch of economic activity.

Different forms of forced labour are distinguished as follows:

- ***Bonded labour*** is a form of forced labour in which the job or activity is associated with (i) advance payments or loans or excessive fees from recruiters and/or employers to the worker or to a person's family members; (ii) a financial penalty, meaning that the terms of repayment are unspecified at the outset and/or in contravention of laws and regulations regarding the amount of interest or other repayment conditions, or the job or activity is under-remunerated (in relation to legal regulations or the labour market); and (iii) some form of coercion until a worker or family member has repaid the loan or payment advance.
- ***Trafficking for forced labour***. A person trafficked for forced labour is a victim of a form of crime in which the victim is recruited, transported, transferred, or harboured or received by certain means including coercion, deception or abuse of vulnerability for the purpose of exploitation in forced labour. When the victim is a minor, the means are irrelevant.
- ***Forced commercial sexual exploitation*** refers to forced labour in the private economy imposed by private individuals, groups, or companies for commercial sexual exploitation.

4. DELIVERABLES

1. List of key informants
2. Survey tools for interview with key informants
3. Transcript of interviews with key informants
4. Report/table summarizing results of interviews with key informants

5. CONTRACT DURATION

Up to 10 working days

6. CONSULTANT QUALIFICATIONS

The following qualifications are necessary for successful meeting the terms of the consultancy contract:

- M.A. or Ph.D. in sociology, political sciences or related discipline;
- Experience in conducting research on forced labour/human trafficking;

- Excellent command of English;
- Proven experience and track record of timely and high quality completion of assignment

Application procedure

Interested individuals must submit the following documents/information electronically to ulaanbaatar@ilo.org no later than **Friday, 11 June 2021**:

- (i) Letter of interest explaining why you are the most suitable for the work;
- (ii) Sample of publications (studies and research) that are relevant to this terms of reference;
- (iii) Personal CV including past experience in similar projects;
- (iv) Daily consultancy fee rate and confirmation of availability.

Please put “*for Forced Labour Consultancy work*” on the subject of your email.