

## Draft guidelines on measurement of FORCED LABOUR

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## Outline

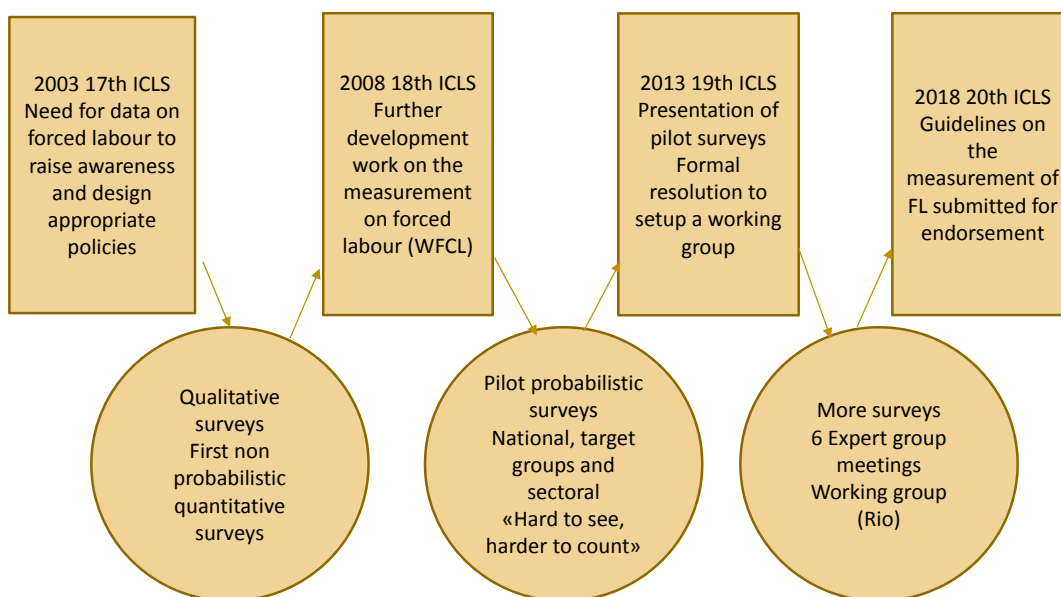
- Background: legal framework and previous ICLS
- Concepts and definitions: reference period, work, involuntary work and menace of a penalty
- Special case of children
- Duration of forced labour
- Data sources
- Sampling issues
- Future work



# The legal framework

- Forced Labour Convention, 1930 (**No. 29**)
  - ✓ Ratified by 178 Member States
- Protocol of 2014 to the Forced Labour Convention, 1930
  - ✓ Ratified by 26 Member States
- Abolition of Forced Labour Convention, 1957 (No. 105)
  - ✓ Ratified by 175 Member States
- Worst Forms of Child Labour Convention, 1999 (No. 182)
  - ✓ Ratified by 182 Member States

## From 2003 to 2018



# Objective and scope of the guidelines

- ✓ Encourage countries to test the conceptual framework for measuring forced labour
- ✓ Identify areas of modifications and improvements where necessary
- ✓ Assess the effectiveness of the methodologies in different national circumstances
- ✓ Find ways to confront unsuspected situations
- ✓ Evaluate the relevance of the statistical indicators for monitoring of national policies and plans to eradicate FL



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# Three broad measurement objectives

- ✓ Measurement of the prevalence of FL in a country at national or more refined geographical level
- ✓ Measurement of the characteristics of FL to understand its nature and forms
- ✓ Measurement of the prevalence and characteristics of FL in a particular sector or a specific population group



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# Concepts and definitions

For statistical purposes,  
a person is classified as in forced labour if engaged

- ✓ during a specified reference period
- ✓ in any work
- ✓ that is both involuntary and
- ✓ under the threat or menace of a penalty.



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## Reference period

- ✓ Short : last week, last month, last season
- ✓ Or long: the past year, the past two years, the past five years



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# Work

- ✓ in line with the international standards concerning statistics of work, employment and labour underutilization adopted by the 19th International Conference of Labour Statisticians, 2013.
- ✓ any activity performed by persons of any sex and age to produce goods or to provide services for use by others or for own use.
- ✓ the scope of work for the measurement of forced labour may be broadened to include activities such as begging for third parties that go beyond the scope of production of goods and services covered by the general production boundary of the System of National Accounts (SNA).



## Involuntary work: lack of free and informed consent from the worker

- ✓ unfree recruitment at birth or through transaction such as slavery or bonded labour;
- ✓ situations in which the worker must perform a different job from that specified during recruitment without his or her consent;
- ✓ abusive requirements for overtime or on-call work that were not previously agreed with the employer;
- ✓ work in hazardous conditions to which the worker has not consented, with or without protective equipment;
- ✓ work at substandard or with no wages;
- ✓ work under degrading living conditions linked to the job;
- ✓ work for other employers than agreed;
- ✓ work with a substantive change in job tasks than agreed;
- ✓ work for longer period of time than agreed;
- ✓ work with no or reduced freedom to terminate work contract.



# Threats and menace of any penalty

Means of coercion used to impose work on a worker against their will such as:

- ✓ Threats or violence against workers or workers' relatives;
- ✓ Restrictions on workers' movement;
- ✓ Debt bondage or manipulation of debt;
- ✓ Withholding of wages or other promised benefits;
- ✓ Withholding of identity documents;
- ✓ Abuse of workers' vulnerability through denial of rights or privileges, threats of dismissal or deportation.



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## Any type of work relationship ( not limited to employee-employer relationship)

- ✓ Employers
- ✓ Independent workers without employees
- ✓ Dependent contractors
- ✓ Employees
- ✓ Family helpers
- ✓ Unpaid trainee workers
- ✓ Organization-based volunteers
- ✓ Other unpaid workers



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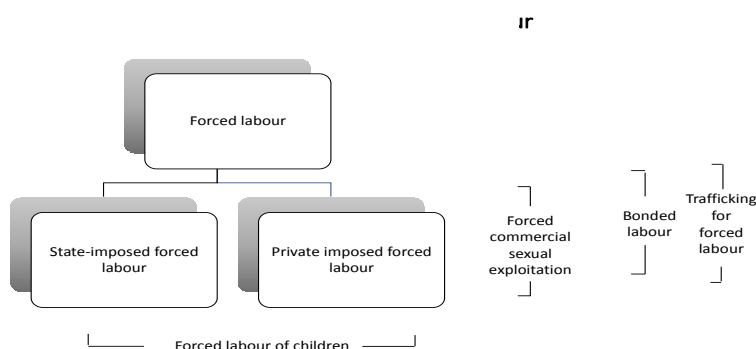
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# Special case of children

➤ Work performed by a child during a specified reference period falling in one of the following categories:

- ✓ work performed for a third party under threat or menace of any penalty applied by a third party (other than his or her own parents) either on the child directly or the child's parents; or
- ✓ work performed with or for his or her parents, under threat or menace of any penalty applied by a third party (other than his or her own parents) either on the child directly or the child's parents; or
- ✓ work performed with or for his or her parents where one or both parents are themselves in a situation of forced labour; or
- ✓ work performed in anyone of the following worst forms of child labour: a,b,c

# Forms of forced labour



# Duration in forced labour

- Total number of days or months a person was in forced labour during the specified reference period.
- Duration in forced labour may concern one or multiple spells of forced labour that occurred in the reference period.
- The complete spell of forced labour experienced by a person may have started before the specified reference period and may extend after the end of the specified reference period.



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# Items of data collection

Socio-demographic characteristics	• Forced labour characteristics
<ul style="list-style-type: none"><li>• Sex</li><li>• Age or date of birth</li><li>• Marital status</li><li>• Educational attainment</li><li>• Place of residence (urban/rural area)</li><li>• Migrant status</li><li>• Country of birth</li><li>• Country of exploitation</li><li>• Occupation</li><li>• Branch of economic activity</li><li>• Status in employment</li></ul>	<ul style="list-style-type: none"><li>• Indicators of involuntary work</li><li>• Means of coercion</li><li>• Duration of forced labour</li><li>• Recruitment process<ul style="list-style-type: none"><li>• how job was found,</li><li>• where recruitment took place,</li><li>• written or oral contract,</li><li>• type of information received at time of recruitment)</li></ul></li><li>• Working and living conditions<ul style="list-style-type: none"><li>• hours of work,</li><li>• income from work,</li><li>• social security coverage,</li><li>• paid sick leave</li><li>• paid annual leave</li></ul></li></ul>



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# Data sources

Critical importance of preliminary review of existing sources and interviews of key stakeholders to decide on the most appropriate data sources

- Household surveys
- Establishment surveys
- Administrative records
- Other type of surveys
  - ✓ Street surveys
  - ✓ Cross-border surveys
  - ✓ Surveys at service providers
- Other methods
  - ✓ Qualitative research
  - ✓ Mixed methods



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# Sampling procedures

Particular sampling procedures tested by the ILO

- Oversampling areas of concentration
- Target sampling of units of interest
  - Adaptive cluster sampling  
(Households with workers in palm oil plantations in Malaysia)
  - Respondent-driven sampling  
(Bulgarian community in the Netherlands)
- Indirect sampling of proxy-response where self-response is not possible
  - Weight adjustment treating proxy-response as indirect sampling



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# Methods of data collection

- Place of residence of other convenient location away from the place of work
- Face-to-face interviews
- Self-response
- Treatment of refusals and don't knows
- Importance of verbatims



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# Role of interviewers and ethical rules

- Critical importance of training of interviewers
- Strong ethical rules
  - ✓ For the safety of respondents
  - ✓ Not creating false expectations
  - ✓ Trained to listen to longer personal stories
  - ✓ Able to detect dangerous situations
  - ✓ Able to inform about support
  - ✓ Free to resign
  - ✓ Right to psychological support



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# Data analysis

- Clear counting rule based on the statistical definition
- Disaggregated by sex and age group
- Flow and stock: average stock = flow x duration (as a fraction of the length of the reference period)

Calculation of instantaneous prevalence rate of forced labour and international comparison		
	Country A	Country B
1 Population	10,000,000	25,000,000
2 Prevalence of forced labour	20,000	40,000
3 Prevalence rate of forced labour	2 per thousand	1.6 per thousand
4 Reference period	5 years	1 year (12 months)
5 Average duration of forced labour during reference period	1 year	6 months
6 Average duration as fraction of reference period	0.2 (=1/5)	0.5 (=6/12)
7 Instantaneous prevalence of forced labour	4000 (=0.2x20000)	20000 (=0.5x40000)
8 Instantaneous prevalence rate of forced labour	0.4 per thousand	0.8 per thousand



# Global estimates and follow-up activities

- SDG 8.7. Achievement should be measured at national, regional and global levels
- ILO should
  - ✓ develop a methodology for global estimate
  - ✓ Communicate the methodology and the data needs to governments and national statistical offices
- The methodology should facilitate countries in reporting on target 8.7 in their VNR
- Inclusion of a new indicator 8.7.2 on forced labour
- Work on measurement of trafficking for forced labour with UNODC



# Future work

- Prepare technical manuals for data collection, data processing, data analysis and data transmission on forced labour
- Provide technical assistance through training and capacity building



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Thank you!



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