Guidelines concerning the measurement of forced labour
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Objectives and scope

1. The principal objective of forced labour statistics is to inform countries on the measures needed to prevent and eliminate the use of forced labour, to provide persons in forced labour protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour. The intent of the present guidelines is to facilitate the process of testing the measurement of forced labour in different national circumstances and under different measurement objectives. The guidelines provide recommendations for the collection and analysis of forced labour statistics, and to facilitate the international comparability of forced labour statistics by minimizing definitional and methodological differences across countries.

2. Each country is encouraged to develop, where relevant, an adequate data collection system to provide information on forced labour for the various data users of the statistics, taking account of the specific national needs and circumstances. Such systems should be designed to achieve a number of objectives, specifically,

(a) To measure the prevalence and trend of forced labour in the country, providing information on the nature and extent of different forms of forced labour, and, in particular, among women, children, migrant workers, and other population groups at risk;

(b) To make available quantitative and qualitative data on the characteristics of forced labour prevalent in the country, shedding light, in particular, on the elements of deception and coercion exercised in recruitment, during work, and as deterrent to leave the job or the employer; and

(c) To focus data collection on any sectors of the economy or any population groups particularly at risk of forced labour, including information on the prevalence and characteristics of forced labour that would assist in the development of effective measures to eradicate forced labour in those sectors or among the particular population groups.

3. In conducting data collection on forced labour, countries should endeavour to use common concepts and definitions in order to promote international comparability and to permit the evaluation of the trends and differences for monitoring the effectiveness of national policies and plans.

Main concepts and definitions

Forced labour

4. 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.”
5. 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.

(a) The reference period may be short such as last week, last month or last season, or long such as the past year, the past two years, the past five years or lifetime. A short reference period may be appropriate where the concern is the measurement of forced labour among a particular category of workers. A long reference period may be appropriate where the concern is the measurement of forced labour among a general population group.

(b) Work is defined in line with the international standards concerning statistics of work, employment and labour underutilization adopted by the 19th International Conference of Labour Statisticians, 2013. It comprises 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. In certain circumstances, the scope of work for the measurement of forced labour may be broadened to include activities such as child 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).

(c) Threat and menace of any penalty are the means of coercion used to impose work on a worker against a person’s will. Workers can be actually subjected to coercion, or verbally threatened by these elements of coercion, or be witness to coercion imposed on other co-workers in relation to involuntary work. Elements of coercion may include, inter alia, threats or violence against workers or workers’ families and relatives, or close associates; restrictions on workers’ movement; debt bondage or manipulation of debt; withholding of wages or other promised benefits; withholding of valuable documents (such as identity documents or residence permits); and abuse of workers’ vulnerability through the denial of rights or privileges, threats of dismissal or deportation.

(d) Involuntary work refers to any work taking place without the free and informed consent of the worker. Circumstances that may give rise to involuntary work, when undertaken under deception or uninformned, include, inter alia, unfree recruitment at birth or through transaction such as slavery or bonded labour; situations in which the worker must perform a job of different nature from that specified during recruitment without a person’s 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 compensation or protective equipment; work with very low or no wages; in degrading living conditions imposed by the employer, recruiter, or other third-party; work for other employers than agreed; work for longer period of time than agreed; work with no or limited freedom to terminate work contract.

(e) The measurement of forced labour of persons should not be limited to the context of an employer-employee relationship but also to other types of work relationships. It should thus cover all categories of workers including employers, independent workers without employees, dependent contractors, employees, family helpers, unpaid trainee workers, organization-based volunteers and other unpaid workers, as defined in the Resolution concerning statistics on work relationships adopted by the 20th International Conference of Labour Statisticians, 2018.
6. For statistical purposes, *forced labour of children* is defined as work performed by a child during a specified reference period falling under one of the following categories:

(i) work performed for a third party, under threat or menace of any penalty applied by a third party (other than the child’s own parents) either on the child directly or the child’s parents; or

(ii) work performed with or for the child’s parents, under threat or menace of any penalty applied by a third party (other than the child’s parents) either on the child directly or the child’s parents; or

(iii) work performed with or for the child’s parents where one or both parents are themselves in a situation of forced labour; or

(iv) work performed in anyone of the following worst forms of child labour: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, [as well as forced or compulsory labour], including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties.

The term *child* refers to any individual under the age of 18 at the time of measurement, in line with the United Nations Convention on the Rights of the Child and the ILO’s Worst Forms of Child Labour Convention, 1999 (No. 182).

7. In the present context, *duration in forced labour* is defined as the total number of days or months a person was in forced labour during the specified reference period.

(a) Duration in forced labour may concern one or multiple spells of forced labour that occurred in the reference period.

(b) The complete spell of forced labour experienced by a person may have started before the specified reference period and may continue after the end of the specified reference period.

(c) Data on duration in forced labour serves to harmonize national statistics derived on the basis of reference periods of different lengths. Duration in forced labour is also by itself an important indicator of forced labour, as it provides information that is relevant to assessing the degree of exposure to forced labour.

**Types of forced labour**

8. *State-imposed forced labour* refers to forced labour imposed by State authorities, regardless of the branch of economic activity in which it takes place. It includes labour exacted by the State as a means of political coercion or education or as a punishment for expressing political views; as a punishment for participating in strikes; as a method of mobilizing labour for the purpose of economic development; as a means of labour discipline; and as a means of racial, social, national, or religious discrimination. While it is recognized that States have the power to impose compulsory work on citizens, the scope of these prerogatives is limited to specific circumstances, for example, compulsory
military service for work of purely military character; normal civic obligations of citizens of a fully self-governing country and assimilated minor communal services; work or service under supervision and control of public authorities as a consequence of a conviction in a court of law; work or service in cases of emergency such as war, fire, flood, famine, earthquake, etc.

9. 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. It may include activities such as begging for a third party, that, as noted above, go beyond the scope of the production of goods and services covered in the general production boundary of the System of National Accounts (SNA).

Forms of forced labour

10. Forced labour may take different forms within each of the two types of forced labour. In addition to the forms of slavery and serfdom defined in the UN Slavery Convention (1926) and Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), the following forms of forced labour are defined for statistical purposes. The list of forms listed below is not necessarily exhaustive and these forms are not mutually exclusive:

11. 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.

12. 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 harbourd 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. [The Statistical definition of trafficking for forced labour will be further elaborated in collaboration with UNODC.]

13. Forced commercial sexual exploitation refers to forced labour in the private economy imposed by private individuals, groups, or companies for commercial sexual exploitation. It includes women and men who have involuntarily entered a form of commercial sexual exploitation, or who have entered the sex industry voluntarily but cannot leave it. It also covers all forms of commercial sexual exploitation of children including the use, procuring, or offering of children for prostitution or pornography irrespective of their consent.

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Classifications and items of data collection

14. Statistics of prevalence of forced labour should be classified by sex and age group distinguishing at least between adults and children below 18 years of age, and where possible, by migrant status distinguishing at least between international migrant workers and others. The statistics should also be classified by duration in forced labour and by branch of economic activity.

15. The classification of branch of economic activity for forced labour should to the extent possible be in line with the latest international standard industrial classification of all economic activities. A preliminary classification covers the following major branches of economic activity: Agriculture and forestry; Fishing; Mining and quarrying (in particular brick kilns); Manufacturing; Construction; Wholesale and retail trade, repair of motor vehicles and motorcycles or cycles; Accommodation and food service activities; Military; Arts, entertainment and recreation; Prostitution and sexual exploitation; Drug production, sales and trafficking; Begging; Personal services including massages, beauty parlours, etc.; Domestic work; Other activities.

16. Important items of data collection on forced labour should include:

   (a) Data items for calculating prevalence estimates, namely items for identifying a worker during the reference period, and indicators for measuring “involuntary work” and “threat or menace of penalty” in line with the definitions given in paragraphs 5 and 6;
   (b) Socio-demographic characteristics such as sex, age or date of birth, marital status, educational attainment, migration status, country of birth;
   (c) Characteristics of forced labour such as type of forced labour; branch of economic activity; occupation category; status in employment; duration in forced labour; and elements of involuntary work and means of coercion, as well as information on recruitment processes, working and living conditions such as hours of work, income from work, social security coverage, paid sick leave, and paid annual leave.

17. Where measurement is focused on a particular sector of the economy or a given population group, the items of data collection should also include information on the specific features of the sector or population group of interest, in addition to the general items on prevalence and characteristics of forced labour mentioned in the preceding paragraph. In certain cases, it may also be appropriate to collect data on work history, forms of work and work relationships (employee, independent contractor, own-account worker, contributing family worker, etc.).

Data sources and data collection strategy

18. Statistics of forced labour may be compiled using a single or a combination of data sources. If a single source is used, household-based surveys provide, in general, an adequate and comprehensive scope to collect statistics on both prevalence and characteristics of forced labour, and to cover, in principle, all workers living in regular
households, including undocumented migrant workers and children below the legal age for admission in employment. Household-based surveys on forced labour can be conducted independently as “stand-alone” surveys or special modules attached to existing national surveys. As household-based surveys address all household members, data may be collected to assess the impact of forced labour on other members of the household. Also, because household-based surveys reach the workers in their living quarters, the respondents are likely to feel freer to talk about their work experience than they would at their workplace in the presence of their employer or work colleagues. The rarity and uneven spread of the phenomenon, however, makes sampling of forced labour in household-based surveys a complex task requiring special considerations in survey design and analysis. Also, workers living at their place of work or in institutional households will not be covered by the conventional household-based surveys.

19. Data on forced labour can, in principle, also be collected through establishments or the place of work of workers. Establishment-based surveys of forced labour may be suitable where the operators of the establishments are themselves the target of the study or where the study concerns a particular branch of economic activity or where measurement of forced labour may be disguised within a broader survey on a less sensitive topic. Also, if the employer agrees to be interviewed, it is possible to analyse the demand side of forced labour and have access to the administrative records and financial accounts of the establishment. Establishment-based surveys also provide the possibility of making direct observation on the work environment and conditions of work of the target population. Establishment-based surveys and household-based surveys may be combined in certain circumstances to take advantage of the benefits of each, for example, covering large or formal sector establishments through establishment-based surveys and small or informal sector establishments through household-based surveys.

20. Administrative records, such as lists of persons in forced labour compiled by local authorities or police force, or by non-governmental organizations and other service providers, may be useful for producing estimates of the prevalence of forced labour at relatively low cost. Where there are different administrative sources that refer to a common reference period and can be confronted against each other so as to measure their overlap with reasonable accuracy, estimates of the prevalence of forced labour may be derived under certain assumptions, known as multiple systems estimation (MSE). Administrative records on forced labour can also be combined with household-based or establishment-based surveys, for example, as multiple sampling frames for direct selection and interview of workers at their place of residence or work, or as information for targeting area frames for indirect selection of households and establishments. In all circumstances, it is important to ensure that the units reported in the administrative sources satisfy the criteria of the international definition of forced labour.

21. Other approaches of data collection include data collection at places of gathering of workers (such as street surveys, cross-border surveys, or surveys at service providers) or
22. In deciding on the appropriate strategy for data collection on forced labour, it is crucial to conduct thorough preliminary research studies examining the nature and distribution of the phenomenon to be measured, and the scope and merits of the available data sources. The preliminary study should involve the review of national laws and other legal instruments that refer to forced labour, human trafficking, slavery, bonded labour, etc. The preliminary study should also involve the identification and engagement with the main stakeholders, including government ministries, trade unions, employers’ organizations, human rights commissions, international organizations, religious leaders, non-government organizations, etc.

23. Preliminary data on forced labour may be compiled on the basis of reports on rescued persons by local authorities, police forces, tribunal judgements, non-governmental organizations, deportation centres and other government or non-governmental institutions. The review of these sources supplemented by interviews with selected key informants should provide an initial understanding of the forms and magnitudes of forced labour that may exist in the country. This preliminary investigation should help to make choices on the appropriate data sources for the statistical measurement and monitoring of forced labour at the national level or among a particular target group.

24. As part of the preliminary research or as an independent study, mixed methods and qualitative research also provide an in-depth understanding of the nature and characteristics of forced labour, especially in particular branches of economic activity.

Survey design

25. Where surveys are used for data collection on forced labour, a number of considerations should be taken into consideration. Evidence suggests that: (a) Data collection on forced labour is more effective at the place of residence or another convenient place away from the place work; (b) Face-to-face interviewing is a more effective mode of data collection on forced labour than other modes of data collection such as telephone interviewing or interviewing by mail; and (c) Self-response where the respondent replies to survey questions on a person’s own behalf provides significantly more accurate data than proxy- response where the respondent replies to survey questions on behalf of other household or family members.

26. The sample design should provide for a sufficiently large sample size to lead to representative estimates of forced labour with acceptable degree of precision, expressed by their standard deviations. In general, depending on the precision requirement of the estimates and the extent of geographical concentration of forced labour, the sample size needed for measuring the prevalence of forced labour using probability sampling in household-based surveys may be expressed in thousands of sample households and for measuring characteristics of forced labour in hundreds or more of sample workers in forced labour depending of disaggregation of the estimates.
27. In calculating prevalence estimates, countries should develop appropriate strategies for sample design depending on the form of forced labour to be measured, the level of disaggregation required for the estimates, the type of information available for sampling and the statistical infrastructure available for survey operations. The following are certain examples of methodologies that may be helpful for improving the efficiency of the multi-stage sample design of conventional household-based surveys. It involves methods that may be used for oversampling areas of concentration of forced labour in the initial stages of sampling and for targeting households of interest in the final stages of sampling. The sample design should also take into account any seasonality of employment in the target branch of economic activity or occupational group of interest.

28. One method of oversampling areas of concentration of forced labour is the identification of areas of the concentration of forced labour based on available information as separate strata, and the allocation of relatively more sample areas in these strata. Another method consists of merging neighbouring primary sampling units of higher concentration of forced labour and assigning them the sum of the probabilities of selection of their components. Still another method consists of ranking the primary sampling units by a rough degree of concentration of forced labour and incorporating the rank in the measure of size for sample selection of the area units with probabilities proportional to size. The procedure may be refined if the ranks can be replaced with auxiliary variables available in the area frame and having high correlation with forced labour.

29. Target sampling of households of interest may be achieved by screening the households of interest as part of the listing operations of the sample areas before sample selection of households at the final stage of sampling. The screening procedure may be based on a limited number of simple questions that may be administrated on a door-to-door basis as part of the listing operations of the selected sample areas. An alternative less costly procedure, applicable when the target households tend to live in dwellings close to each other, may be the use of adaptive cluster sampling according to which an initial set of households is selected by some probability scheme, and whenever the selected unit satisfies the screening criterion, additional units in the neighbourhood of that unit are added to the sample. The efficiency of the procedure may be improved with the use of appropriate stopping and dropping rules. In the case of measuring prevalence, the precision of the estimates may, under certain conditions, also be improved by expanding the sample to the immediate family network of respondents and adjusting the estimation method for proxy-response and multiplicity network sampling.

30. Where the survey of forced labour focuses on a particular branch of economic activity or occupation group, or a particular population group, the available information on the sector or population of interest should be used in the design of the survey. The information may be in the form of registers of establishments or enterprises engaged in that branch of economic activity or lists of geographical areas where the target population is concentrated. The information may then be linked to census or other adequate sampling frames for drawing probability samples based on indirect sampling techniques. The idea is the use of partial or imperfect sampling frames to reach area units of a complete sampling frame including workers engaged in informal workplaces,
from which appropriate samples or sub-samples can be drawn for data collection on target units of interest. The methodology assumes that the target units absent in the original imperfect frame, such as informal enterprises or establishments, are geographically close to those present in that frame.

31. Another approach for dealing with rare populations with no or imperfect sampling frames is network sampling, where the social relationships of the target units are used as the base of sampling. A particular type of network sampling increasingly used in social sciences for sampling rare populations, for example forced labour among undocumented migrant workers, is respondent-driven sampling. In respondent-driven sampling, sampling begins with a set of initial participants who serve as ‘seeds’, and expands in waves through selection (or recruitment) of other members of the target population under a specific protocol of coupons and incentives. Statistical theory shows that after many waves of sampling, the dependence on the initial sample is reduced and the final sample may essentially be treated as a probability sample, representing the target population.

32. On questionnaire design, experience shows that:

(a) Question wordings and sequencing are particularly important considerations when designing questionnaire for measuring forced labour and its characteristics. The forced labour status of the respondent should be determined on the basis of indirect questioning using a sequence of properly worded questions rather than direct questions using sensitive and unfamiliar terminologies.

(b) Where relevant, answer categories should provide for separate recording of “refusal” and “don’t know”. The refusal to reply to or express ignorance on certain questions concerning forced labour are generally not neutral replies and often hide a reluctance to divulge information on a situation deemed painful or sensitive.

(c) An effective tool for improving the interpretation and accuracy of data on forced labour is the collection of additional information with appropriate open questions recording the verbatim statements describing the circumstances of labour exploitation experienced by the respondent.

Role of interviewers and ethical considerations

33. The value of the information that surveys provide depends directly on the usefulness and accuracy of the data they collect, which in turn depends on how the survey is actually implemented in the field. All means should be used to ensure that the survey does not have negative repercussions on the respondents. These include strict respect of confidentiality of responses and anonymity of respondents.

34. The role of interviewers is also of crucial importance in this regard as they constitute the actual point of contact with the respondent and the source of information. The workload of interviewers and their training programme should be carefully planned so that the performance of the interviewers in their face-to-face data collection is of the highest level.
35. Interviewers should also be trained for the particular aspects of data collection on forced labour, namely the selection of a safe place of interview outside the place of work, the importance of avoiding the use of words such as forced labour and trafficking during interviews, making clear from the outset that the objective of the survey is research thus avoiding false expectation from participation in the survey, and appropriate treatment of child respondents. As some respondents may nevertheless discuss their personal situation and seek help, it is necessary that interviewers be familiar with national laws relating to forced labour and trafficking, especially with regard to complaints procedures and victims’ rights. They should also be receiving instructions during training on what to do in this type of situation, including familiarity with systems of referrals so as to be ready to indicate some kind of solution or intervention to assist workers in distress.

36. Interviewers may be threatened upon entering a village or the vicinity of an enterprise or a farm. Their training should include procedures for immediately leaving an area in case of danger, and means of communication for contacting their assigned supervisors at any point of time during their work. Given the possible danger to which interviewers may be exposed, they must have the option to withdraw from the survey at the end of the training period or at any time during the field work without suffering any penalty, if they feel that the task is too risky for them. To monitor such cases, provisions should be made for regular interviewer’s debriefing and, if necessary, post-survey counselling. Ethical considerations should also be respected with regard to data processing, data storage, and data analysis and reporting practices. Data should be anonymized to protect individually identifiable information. In the same regard, data analysis and reporting ensure a sufficient sample size so that individuals cannot be identified, especially when data are disaggregated by various characteristics.

Data analysis and reporting

37. In reporting national data on forced labour, the reference period of the statistics should be clearly specified. The report should also indicate whether the statistics refer to the stock of forced labour (number of persons experiencing forced labour at a given point of time) or the flow of forced labour (number of persons who experienced a spell of forced labour at any time during a reference period). For proper interpretation of the statistics, the data on stock or flow should be complemented with estimates of the average duration of forced labour during the specified reference period. It is also essential to indicate whether the statistics refer to persons in forced labour who experienced forced labour in the reporting country or in a country other than the reporting country.

38. For the purpose of international comparisons, the national statistics on forced labour should be reported in terms of prevalence and prevalence rate. Prevalence of forced labour is defined as the number of persons in forced labour at a given point of time (instantaneous prevalence). In practice, it can be measured as the number of persons who experienced forced labour during a specified reference period such as one calendar year or the last twelve months (one-year prevalence), or a longer period such as two years (two-year prevalence) or five years (five-year prevalence), adjusted for the average duration in forced labour among the persons in forced labour expressed as a fraction of the specified reference period. The resulting statistic may be interpreted as the average stock of forced labour at any point of time during the specified reference period.
period, thus independent of the length of the reference period and comparable among countries.

39. The prevalence rate of forced labour should be reported in terms of the number of persons in forced labour at the given point of time per one thousand inhabitants. The reference population to be considered is the total population of the country at the given point of time, covering both the working age population and the children population below working age.

40. Where relevant, the prevalence of forced labour should be separately measured for the two types of forced labour, namely privately-imposed forced labour and state-imposed forced labour. Where relevant, separate measurement should also be made on forms of forced labour such as forced commercial sexual exploitation, trafficking for forced labour, bonded labour, and forced labour of children, cutting across the different components of forced labour.

41. In general, the statistics of forced labour should be reported by sex and age group distinguishing at least between children below working age and adults at or above working age, and where feasible, by other social and demographic characteristics such as migrant status, country of citizenship, branch of economic activity and occupation category. To the extent possible, the data on forced labour should include quantitative information on duration in forced labour, means of coercion, nature of involuntary recruitment, nature of involuntary work and type of impediment to leaving the work. Where relevant and feasible, the data should provide information permitting the analysis of the interaction between persons in forced labour and other units such as parents, families and communities.

42. The reporting of data on forced labour should be accompanied by a methodological description on how the data were collected. The description should provide information on the scope of the data, the main concepts and definitions, the corresponding counting rules, as well as the breakdowns and classifications, and where relevant the sampling and estimation procedures. It should also include an assessment of the quality of the data, including where relevant and feasible, the measurement errors of the main estimates, the response rate, the rate of proxy-response, and the sampling errors in the case of a survey.

Global estimation

43. Taking immediate and effective measures to eradicate forced labour and end modern slavery and human trafficking has become a major concern of the international community and is a core element of the Sustainable Development Goals (SDGs) of the United Nations (Target 8.7). The achievement of that goal should be measured not only at the national level, but also at regional and global levels. Based on its past experience on global estimation of forced labour and the present ICLS guidelines, the ILO should develop a standard methodology for estimating forced labour at the international level and communicate the methodology and the data needs to governments and national statistical offices.
44. The standard methodology should make it easier for countries to report on Target 8.7 in their Voluntary National Reviews to the High-Level Political Forum on Sustainable Development. The indicator on trafficking in persons (16.2.2) already requires countries to report on trafficking in persons. As a consensus is reached on the methodology for the calculation of prevalence of forced labour, the ILO could propose to the Inter-Agency Expert Group on SDG Indicators (IAEG-SDGs) to include the indicator on forced labour as part of a future revision of the official list of SDG indicators.

Future work

45. To facilitate the process of testing the guidelines in different national circumstances and branches of economic activity, the ILO should work, through collaborative arrangements with countries, international, regional and sub-regional organizations, and workers and employers’ representatives:

(a) prepare technical manuals on practical methods for data collection, data processing, data analysis and data transmission on forced labour; and
(b) provide technical assistance through training and capacity building.