



Strengthening Employers' Activities against Forced Labour

What is forced labour?

ILO Convention 29 defines forced labour 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”. Forced labour is a criminal practice, involving deliberate coercion which represents a severe violation of human rights and restriction of human freedom, as defined in ILO Conventions on the subject. Forced labour cannot be equated simply with poor working conditions or low wages. Nor does it cover situations of pure economic necessity.

Forced labour is a global problem affecting all countries and different economies. ILO estimates that there are 12.3 million cases of forced labour around the world, with approximately 80% involving exploitation by private agents. Forced labour abuse is largest in the Asia-Pacific region, followed by Latin America and the Caribbean, and sub-Saharan Africa. However, there are also large numbers of forced labour cases in industrial, transition and Middle Eastern countries.

A global business alliance against forced labour

The ILO Governing Body, at its 294th Session in November 2005, called for an intensified programme of action to strengthen the capacities of employers' organisations on forced labour and to integrate the issue better within their overall objectives.

Employers' organisations and business have a central role to play in combating, preventing and eradicating all forms of forced or compulsory labour. Employers' organisations, in particular, are strategically well-placed to provide institutional engagement and sustainability for programmes that address this abuse. Business involvement is key to the success of the ILO's campaign to rid the world of forced labour and human trafficking by 2015.

Why should business be involved?

Legal Compliance: The vast majority of ILO member States have ratified Conventions 29 and 105 on forced or compulsory labour. This means forced labour is punishable as a crime in most countries around the world, and that companies found using it could face criminal prosecution.

Managing risk and reputation: To be successful, companies must manage risk in an environment where risk is not static and can emerge through the actions of the company itself, its suppliers and other actors. Allegations of forced labour present legal risks as well as serious threats to brand and company reputation.

Addressing forced labour in global supply chains: Globalisation and the growing links across countries and firms have raised forced labour as a significant issue within global supply chains. International business is increasingly responding by looking beyond traditional methods of supply chain management.

Codes of conduct and CSR: Linked to this, the elimination of forced labour is a key element of codes of conduct and other corporate social responsibility (CSR) initiatives. Companies – particularly those that supply consumer markets – face new and growing expectations that production will comply with social and human rights criteria.

Forced labour is morally unacceptable.

A strategic alliance

This alliance will raise awareness and build capacity for employers by developing tools and guidance materials tailored to their specific needs. These tools – developed in close consultation with the International Organisation of Employers (IOE) and the Employers' Bureau of the ILO – will target particular economic sectors, for example agriculture, construction, and garments and textiles. Regional workshops and training will be conducted to raise awareness and help employers integrate forced labour into priority policy areas. For business actors, practical tools will be designed to enhance their capacity to detect, eliminate and prevent forced labour in their supply chains, and enable them to take effective remedial action where necessary. To this end, ILO will convene a series of expert group meetings comprised of business and employer specialists to oversee the work.

The role of employers and business

Key steps have already been taken by business and employers' organisations to join the fight against forced labour. Some companies have joined the UN Global Compact and committed to ending forced labour through CSR programmes. Others have signed on to the "Athens principles" adopted in early 2006, which provide guidance to business leaders on preventing and eradicating human trafficking.

But more needs to be done, and action can be taken on a number of fronts. At a recent business summit held in Hong Kong and at the UN Global Compact Leaders Summit held in Geneva in 2007, the ILO presented 10 Principles for Business Leaders to Combat Forced Labour and Trafficking. These principles outline some of the steps businesses can take to engage on the issue.

	Total Forced Labour	Total Trafficked
Industrialized Economies	360,000	270,000
Transition Economies	210,000	200,000
Asia and the Pacific	9,490,000	1,360,000
Latin America and the Caribbean	1,320,000	250,000
Sub-Saharan Africa	660,000	130,000
Middle East and North Africa	260,000	230,000
World	12,300,000	2,440,000

10 Principles for Business Leaders to Combat Forced Labour & Trafficking

- Have a clear and transparent company policy, setting out the measures taken to prevent forced labour and trafficking. Clarify that the policy applies to all enterprises involved in a company's product and supply chains;
- Train auditors, human resource and compliance officers in means to identify forced labour in practice, and seek appropriate remedies;
- Provide regular information to shareholders and potential investors, attracting them to products and services where there is a clear and sustainable commitment to ethical business practice including prevention of forced labour;
- Promote agreements and codes of conduct by industrial sector (as in agriculture, construction and textiles), identifying the areas where there is risk of forced labour, and take appropriate remedial measures;
- Treat migrant workers fairly. Monitor carefully the agencies that provide contract labour, especially across borders, blacklisting those known to have used abusive practices and forced labour;
- Ensure that all workers have written contracts, in language that they can easily understand, specifying their rights with regard to payment of wages, overtime, retention of identity documents, and other issues related to preventing forced labour;
- Encourage national and international events among business actors, identifying potential problem areas and sharing good practice;
- Contribute to programmes and projects to assist, through vocational training and other appropriate measures, the victims of forced labour and trafficking;
- Build bridges between governments, workers, law enforcement agencies and labour inspectorates, promoting cooperation in action against forced labour and trafficking;
- Find innovative means to reward good practice, in conjunction with the media.





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ILO Special Action Programme to Combat Forced Labour

The ILO established the Special Action Programme to Combat Forced Labour (SAP-FL) in 2001 to spearhead ILO activities against forced labour, including human trafficking. It is a broad-based programme working in close co-operation with employers and workers, civil society and other international organisations.

SAP-FL aims to address all aspects of forced labour, and it has successfully:

Raised global awareness and understanding of modern forced labour;

Assisted governments in developing and implementing new laws, policies and action plans;

Developed and disseminated guidance and training materials on key aspects of forced labour and trafficking, including those designed for employers' organisations; and

Implemented innovative programmes which combine policy development, capacity building and direct support for both prevention of forced labour and identification and rehabilitation of its victims.

SAP-FL works closely with IOE and national employers' organisations on the ground. Projects are ongoing in countries such as China, Brazil, Ukraine and Niger, spanning industrial sectors including construction, agriculture, forestry and others. These projects reveal that employers and business must play a central role in the elimination of forced labour. They also point to an encouraging future of commitment and engagement on the part of employers and business to tackle one of the worst abuses of modern society.

Key Publications

- **ILO: A global alliance against forced labour,**
Geneva, 2005.
- **ILO: Eradication of forced labour:**
General survey concerning the
Forced Labour Convention (No. 29),
and the Abolition of Forced Labour
Convention (No. 105),
Geneva, 2007.
- **ILO action against trafficking**
in human beings,
Geneva, 2008.
- **ILO: Guide to private employment**
agencies: Regulation, monitoring
and enforcement,
Geneva, 2007
- **ILO: Human trafficking and forced**
labour exploitation: Guidance for
legislation and law enforcement,
Geneva, 2005.