



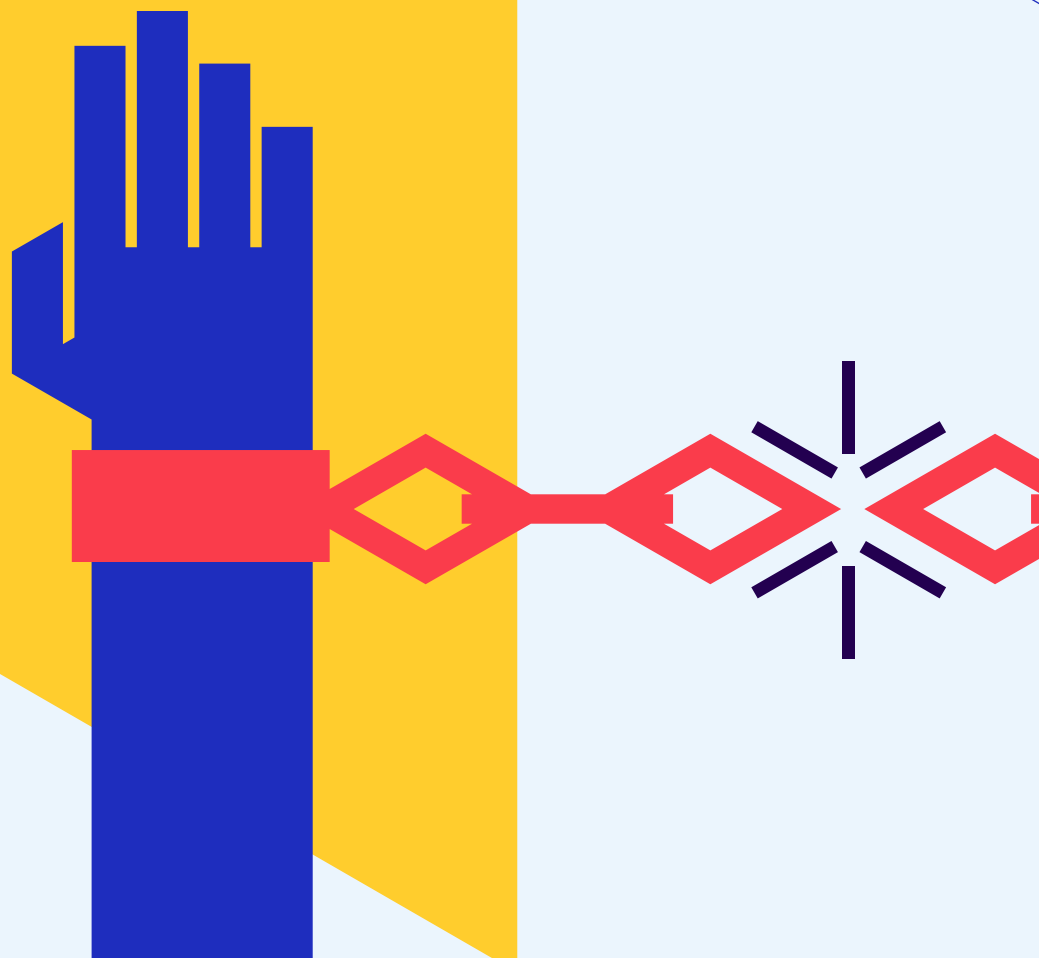
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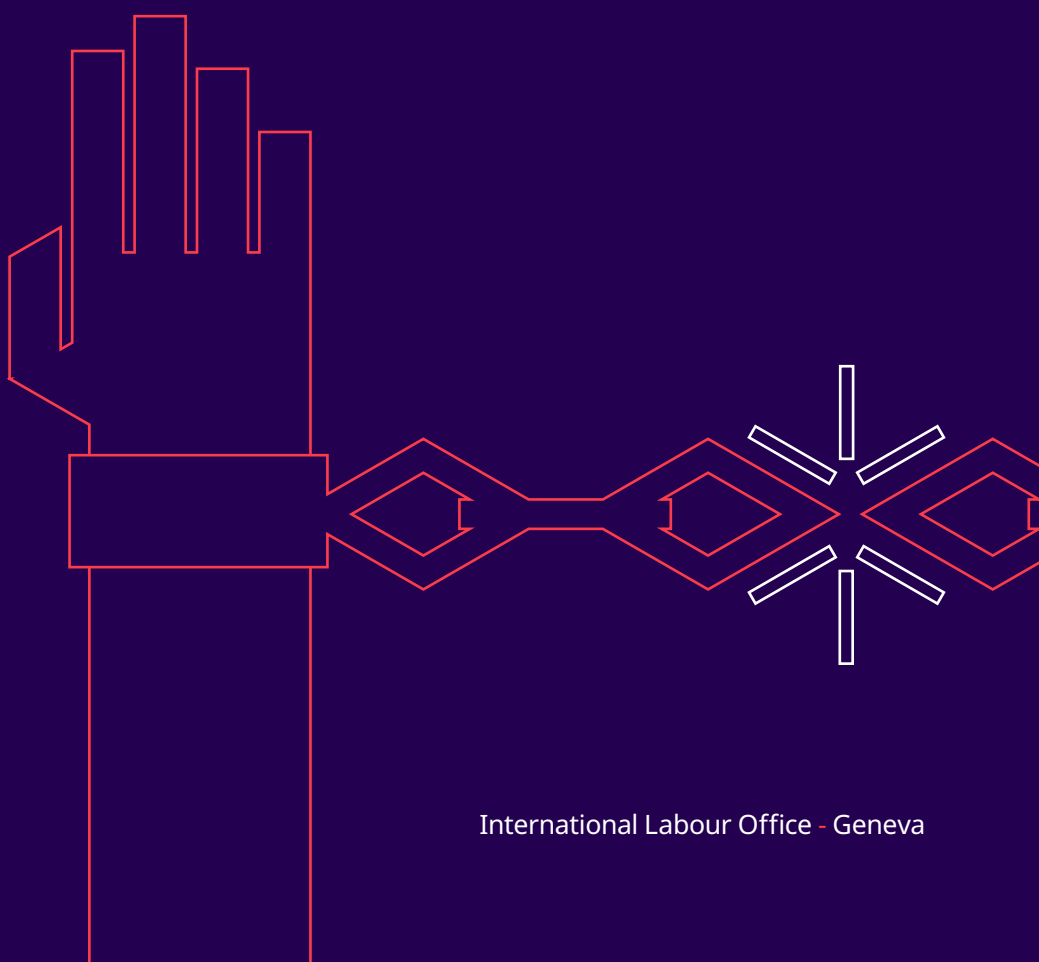
A powerful
and balanced
voice for business

► **Combating forced labour**

A handbook for employers
and business



▶ **Combating forced labour**
A handbook for employers
and business



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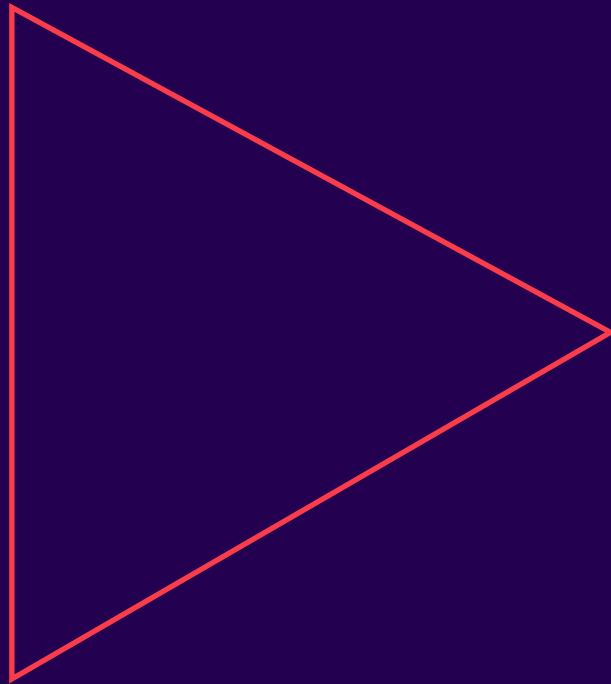
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► Abbreviations and acronyms

BHR	Business and Human Rights
EBMO	Employer and Business Membership Organization
CSR	Corporate Social Responsibility
HRDD	Human Rights Due Diligence
ILO	International Labour Organization
IOE	International Organisation of Employers
ILO GBNFL	ILO Global Business Network on Forced Labour
OSH	Occupational Safety and Health
RBC	Responsible Business Conduct
SDG	Sustainable Development Goal
SMEs	Small and Medium-sized Enterprises
UN	United Nations
UNGPs	United Nations Guiding Principles on Business and Human Rights

Introduction



► Introduction

Forced labour remains one of the most serious and persistent human rights violations globally, affecting 27.6 million people according to the latest 2022 global estimates.¹ It occurs in all countries, both developed and developing, across all economic sectors and within both global and domestic supply chains. Forced labour is driven by multiple root causes, including informality, structural socio-economic inequalities, weak enforcement of legislation, and unfair recruitment practices, among others. Forced labour, both privately imposed and State-imposed, remains a pervasive issue across all regions and sectors. Alongside the primary role and international obligations of States to eradicate forced labour, employers also play a critical role in contributing to its eradication. Preventing and addressing forced labour is therefore a key concern for companies as well as for employer and business membership organizations (EBMOs) that support them.

For companies, preventing and addressing forced labour is not only an ethical imperative and a matter of legal compliance; it is also a critical component of Responsible Business Conduct (RBC). Taking meaningful action against forced labour helps to protect brand reputation, meet investor and customer expectations, comply with growing regulatory frameworks, and uphold ethical standards across operations and supply chains. Addressing forced labour requires not only strong legal frameworks but also practical guidance and tools to support companies implement effective measures in practice.

In 2008,² the ILO and the IOE published the first edition of *Combatting Forced Labour: A Handbook for Employers and Business*, followed by the second edition in 2015.³ This third edition provides practical guidance to help companies identify, prevent and mitigate risks of forced labour within their operations and supply chains. It is grounded in international labour standards, including the ILO Forced Labour Convention, 1930 (No. 29)⁴ and its Protocol of 2014,⁵ as well as in the internationally endorsed frameworks on business and human rights: the *United Nations Guiding Principles on Business and Human Rights (UNGPs)*⁶ and the *ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)*.⁷ This handbook is based on the ILO definition of forced labour and its 11 indicators, which help to identify and assess risks of forced labour in practice.

The primary audience for this handbook includes companies (management, human resources, procurement, legal, compliance, and sustainability officers); EBMOs; industry associations; multi-stakeholder platforms supporting RBC; and other third-parties involved in human rights due diligence (HRDD) of companies.

1 ILO, Walk Free and IOM, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, 2022.

2 ILO and IOE, *Combatting Forced Labour: A Handbook for Employers and Business*, first edition, 2008.

3 ILO and IOE, *Combatting Forced Labour: A Handbook for Employers and Business*, second edition, 2015a.

4 ILO, *Forced Labour Convention, 1930 (No. 29)*.

5 ILO, *Protocol of 2014 to the Forced Labour Convention, 1930*.

6 United Nations, *UN Guiding Principles on Business and Human Rights (UNGPs)*, 2011.

7 ILO, *Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (MNE Declaration)*, 2023.

The handbook is organized into three sections:

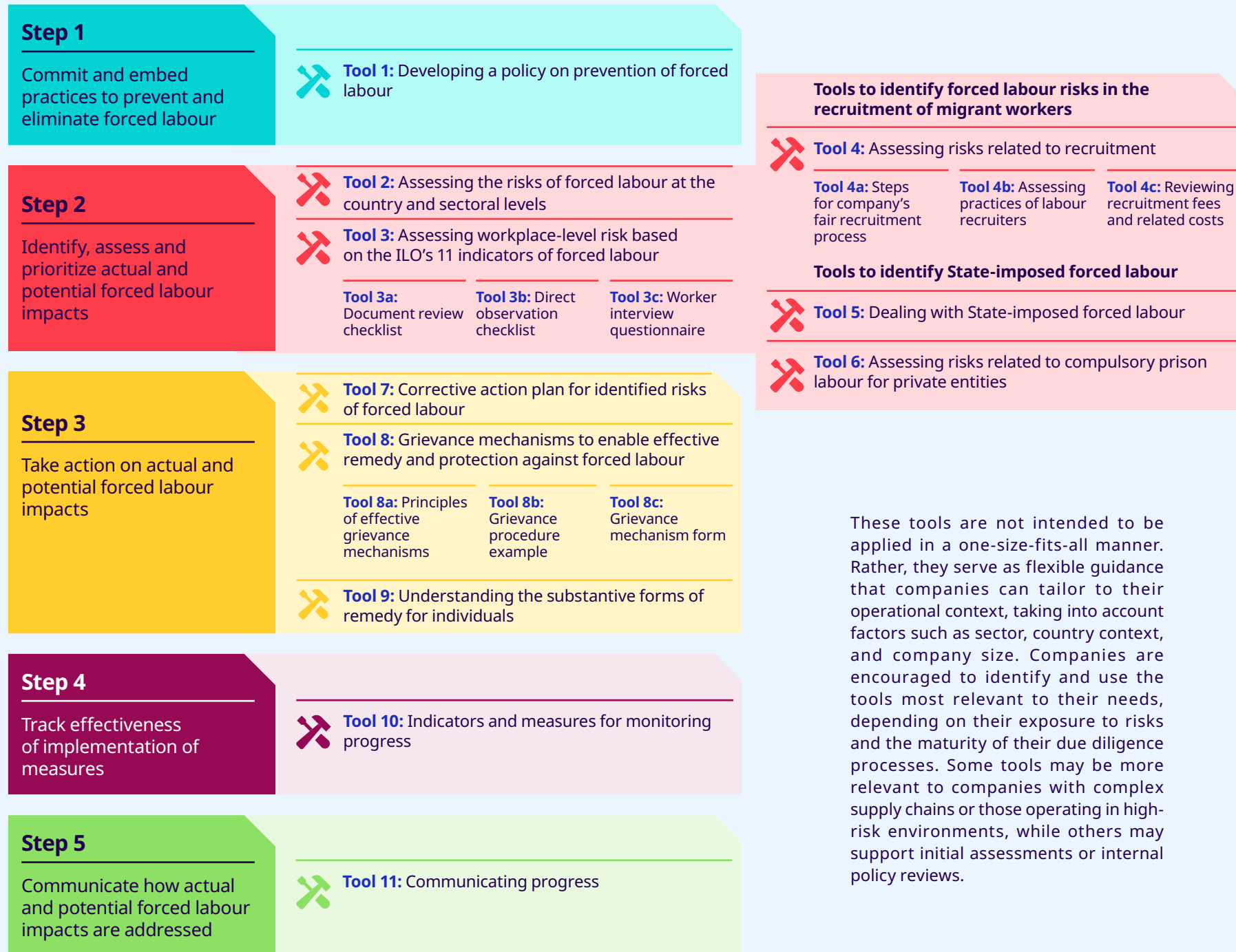
- ▶ **Section 1** provides foundational knowledge about what constitutes forced labour, including both forced labour imposed by private actors and State-imposed forced labour; and outlines the international legal framework on forced labour; the business case for eliminating forced labour; and how related risks may manifest within business operations and supply chains.
- ▶ **Section 2** offers step-by-step guidance on implementing HRDD based on the UNGPs. It is organized around five key steps:
 - ▷ **Step 1:** Commit and embed practices to prevent and eliminate forced labour.
 - ▷ **Step 2:** Identify, assess and prioritize actual and potential forced labour impacts.
 - ▷ **Step 3:** Take action on actual and potential forced labour impacts (including enabling remedy).
 - ▷ **Step 4:** Track effectiveness of implementation of measures.
 - ▷ **Step 5:** Communicate how actual and potential forced labour impacts are addressed.

This section presents practical examples of how companies have implemented these steps to guide users through each stage of the process.

Figure 1 describes the due diligence steps and includes an overview of the practical tools available for each step.

- ▶ **Section 3** highlights the crucial role of EBMOs in supporting their members to prevent and eliminate forced labour, and includes examples of EBMO initiatives from different regions.

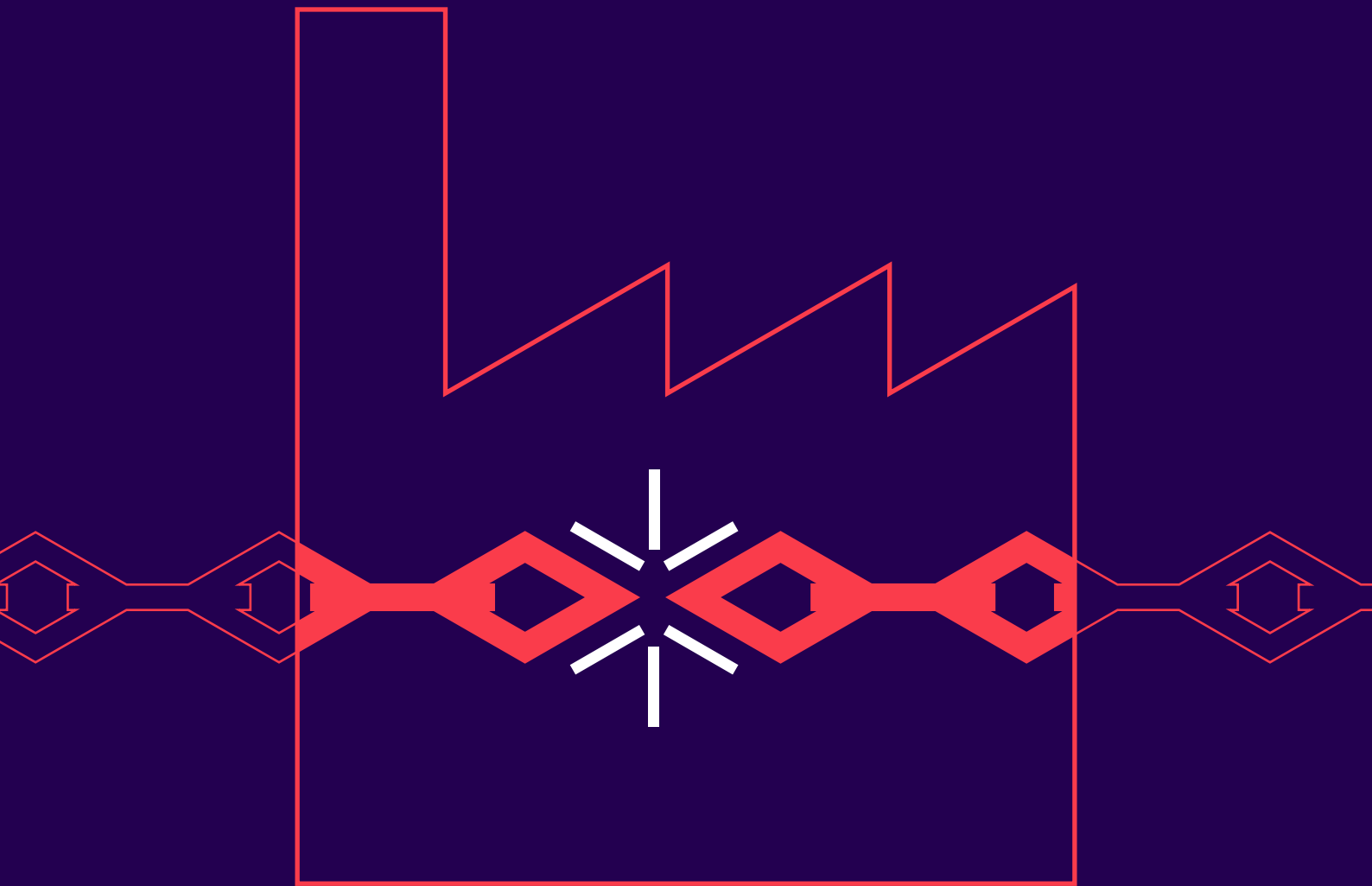
► **Figure 1:** Tool flowchart on implementing human rights due diligence (HRDD)



These tools are not intended to be applied in a one-size-fits-all manner. Rather, they serve as flexible guidance that companies can tailor to their operational context, taking into account factors such as sector, country context, and company size. Companies are encouraged to identify and use the tools most relevant to their needs, depending on their exposure to risks and the maturity of their due diligence processes. Some tools may be more relevant to companies with complex supply chains or those operating in high-risk environments, while others may support initial assessments or internal policy reviews.

1.

Understanding forced labour and why it matters for business



▶ 1. Understanding forced labour and why it matters for companies

What is forced labour?

Forced labour is defined in the ILO Convention No. 29 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/herself voluntarily.”*

This definition consists of four key elements:

- ▶ **Work or service** refers to any type of work, service or employment, in any activity, industry or sector, whether performed for the State or for private actors, including in the informal economy.
- ▶ **Any person** refers to adults and children, nationals and non-nationals, including migrant workers in regular or irregular situations, and refugees.
- ▶ **Menace of any penalty** refers to a wide range of penalties, threats or sanctions, used to compel someone to work. The “menace” means that the penalty does not have to be effective; the mere threat is sufficient. This includes various forms of indirect and direct coercion. Therefore, the threat may be made directly to the person or indirectly to their co-workers or to family members.
- ▶ **Offered voluntarily** refers to the free and informed consent of a worker to take a job and his or her freedom to leave it at any time. This condition is not met, for example, when an employer or recruiter makes false promises to induce a worker to accept a job that he or she would not otherwise have accepted.

In other words, forced labour occurs when individuals are forced to work against their will through coercion. Means of coercion may include actions such as withholding of wages, threat or use of violence, or restrictions on workers’ freedom of movement, among others. Forced labour is prohibited under international law and must be prosecuted as a criminal offence in countries that have ratified ILO Convention No. 29.

It is important to note that forced labour, trafficking in persons and slavery are terms that are often used interchangeably. While these concepts have significant overlap (see **Figure 2**), they are distinct concepts, each is defined in international law.

Trafficking in persons is defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons⁸ as: *“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”*

The ILO Protocol of 2014 calls for specific action to combat trafficking in persons for the purposes of forced or compulsory labour.

Slavery is defined in the 1926 Slavery Convention⁹ as: *“The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”*. It refers to a situation of complete ownership, in which an individual is subjected to the full control of another person (the slave owner) who can make decisions for this individual, including in matters related to education (such as attending school), work (type and conditions), and private life (such as whom to marry).

8 United Nations, [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime \(UNTOC\)](#), 2000.

9 United Nations, [Slavery Convention, 1926](#).

► **Figure 2:** How forced labour, trafficking in persons and slavery overlap



The main ILO instruments on forced labour are the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105),¹⁰ the Protocol of 2014 to the Forced Labour Convention (P029) and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203).¹¹ Together, these instruments form the core international framework to eliminate all forms of forced labour.¹² The Protocol of 2014 and the Recommendation No. 203 are the most recent instruments which provide a comprehensive framework for prevention, protection, enforcement, access to remedies, and partnerships.

Recognizing that forced labour represents one of the most severe forms of labour exploitation, and that its elimination relies on strong labour market governance and the promotion of decent work, the ILO's body of international labour standards¹³ sets minimum requirements to support this objective. These include, among others:

- Fundamental principles and rights at work.
- Standards on labour migration, private employment agencies, labour inspection, social dialogue, grievance mechanisms, violence and harassment, wage protection, working time, domestic work, and fishing.
- The ILO's *General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs*¹⁴ which provide guidance to promote fair and ethical recruitment practices.

Annex 2 provide a list of the most relevant international instruments related to forced labour.

Forced labour affects millions of people around the world and remains a widespread and persistent global challenge. It includes both forced labour imposed by private actors and State-imposed forced labour. **Figure 3** presents the latest global estimates of forced labour, including its regional distribution.¹⁵

¹⁰ ILO, [Abolition of Forced Labour Convention, 1957 \(No. 105\)](#).

¹¹ ILO, [Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#).

¹² These ILO instruments are complemented by other United Nations (UN) instruments, including the UN Slavery Convention of 1926, the [Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956](#), and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

¹³ Visit the [ILO Information System on International Labour Standards \(NORMLEX\)](#).

¹⁴ ILO, [General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs, 2019b](#). For more detail information on recruitment fees and related costs, see: ILO, [ILO Definition of Recruitment Fees and Related Costs, 2022b](#).

¹⁵ ILO, Walk Free and IOM, [Global Estimates of Modern Slavery, 2022](#).

► **Figure 3: Global estimates of forced labour**

How many people are trapped in forced labour?

27.6 million

people are in situations of forced labour. That's 3.5 people for every thousand in the world.

17.3 million

are in the private economy (excluding commercial sexual exploitation).

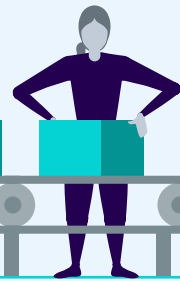
15.8 million are men and boys



15% of adults in forced labour are migrant workers despite accounting for only around 5% of the global workforce. They are **three times more likely to be in forced labour than non-migrant workers.**



3.3 million are children



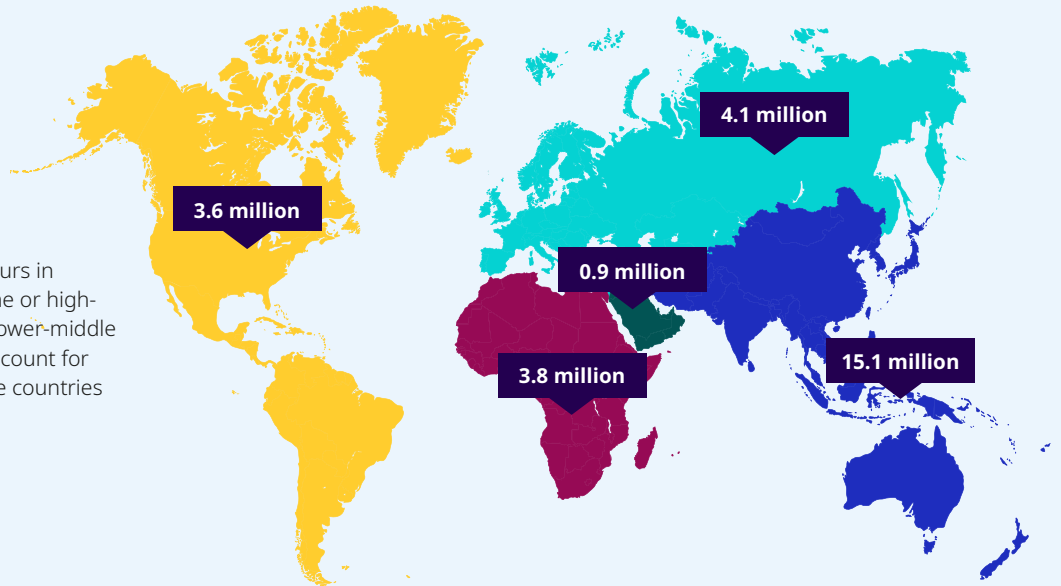
11.8 million are women and girls

Where does forced labour occur?

- 20%
- 32%
- 32%
- 16%

over **50%**

of forced labour occurs in upper-middle income or high-income countries. Lower-middle income countries account for 32% and low-income countries account for 16%.



■ Total forced labour

Main economic sectors



32% (5.5 million)

Services (such as trade, transport and hospitality except domestic work)



18.7% (3.2 million)

in manufacturing



16.3% (2.8 million)

in construction



12.3% (2.1 million)

in agriculture

How does State-imposed forced labour manifest?

State-imposed forced labour refers to forms of forced or compulsory labour that are imposed by State authorities, agents acting on behalf of the State, or entities exercising authority similar to that of State, regardless of the branch of economic activity in which it takes place. This is a direct consequence of the laws, policies or practices implemented by or on the part of a State.

Box 1 presents the circumstances that amount to State-imposed forced labour, as outlined in the ILO Convention No. 105. It is important to note that under no circumstances are the following forms of forced or compulsory labour considered lawful under international labour standards.

Box 1: State-imposed forced labour is also a business concern

Circumstances	Examples
As a means of political coercion or education, or as punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system.	Imposing compulsory labour as punishment for expressing dissent or criticism, verbally or in writing, of a Head of State or government officials. Use of compulsory labour for the “re-education” of political dissidents.
As a method of mobilizing labour for purposes of economic development.	Mobilizing citizens (public and private sector workers and others) to work in annual agricultural harvests.
As a means of labour discipline.	Imposing compulsory labour as a sanction for “neglect of duty” by public employees.
As a punishment for participating in strikes.	Imposing compulsory labour for organizing or peacefully participating in a strike.
As a means of racial, social, national or religious discrimination.	Imposing compulsory labour on individuals of a specific religion as a form of political control.

Some forms of compulsory labour required by the State are excluded from the scope of ILO Convention No. 29. These five exceptions are narrowly defined and permitted only under specific conditions. If these conditions are not met, the work may be considered State-imposed forced labour.

Box 2 presents the circumstances when compulsory work is permitted under international labour standards, along with examples of State-imposed forced labour.

Box 2: Circumstances under which States may impose compulsory work

Circumstances	Examples of non-compliance
Any work or service exacted under laws on compulsory military service for work of a purely military character.	Compulsory military service that involves work that is not of a purely military nature, such as participation in public infrastructure projects or work in agricultural production.
Any work or service forming part of the normal civic obligations of citizens of a fully self-governing country (e.g., jury duty).	Compulsory work undertaken for public purposes which are covered by other provisions of ILO Conventions No. 29 or No.105, such as public works of general importance, or work linked to economic development.

Circumstances	Examples of non-compliance
Any work or service exacted from a person as a consequence of a conviction in a court of law, provided that the work or service is carried out under the supervision and control of a public authority and the person is not hired to or placed at the disposal of private individuals, companies or associations.	Compulsory labour carried out by persons in detention who have not been convicted (e.g., pre-trial detainees); or work that is not voluntarily undertaken by prisoners in privately-managed prisons or for the benefit of private entities or individuals.
Any work or service exacted in cases of emergency, such as war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic disease, or invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or well-being of the whole or part of the population. The duration, extent and purpose of such work or service must be strictly limited to what is required by the emergency situation.	Work that is imposed in situations that exceed the strict definition of an emergency, such as the mobilization of persons to build roads suitable for mechanized transport in remote areas where such infrastructure is lacking; or work initiated during an emergency that continues after the emergency has ended.
Minor communal services performed by members of the community in the direct interest of the community can be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or its representatives are consulted on the need for such services.	Compulsory labour which impinges upon the performance of individuals' regular or ordinary employment, or which is not of a short duration or considered " <i>minor</i> ".

Tool 5 and **Tool 6** in Section 2 provide further guidance on addressing State-imposed forced labour and assessing risks of compulsory prison labour for private entities.

Why is it important to ensure fair recruitment?

Fair recruitment is a key safeguard against forced labour and human trafficking. When workers are not misled, indebted, or controlled through unfair recruitment practices, they are far less vulnerable to exploitation, debt bondage, or forced labour.

Fair recruitment refers to the process of recruiting workers in a manner that respects, protects and fulfils internationally recognized human rights, including international labour standards. The ILO's *General Principles*¹⁶ set out 13 general principles that apply to all workers, including migrant workers. These principles, cover recruitment both within and across borders, whether conducted directly by employers or through intermediaries. They emphasize that workers should not be charged, directly or indirectly, any recruitment fees or related costs, and that recruitment processes must ensure free and informed consent, uphold human rights, transparency, due diligence, and the rule of law, and remain free from deception or coercion.

The terms "*recruitment fees*" and "*related costs*" refer to any fees or costs incurred in the recruitment process for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.

¹⁶ ILO, *General Principles*, 2019b.

Why should companies be concerned? The business case for action against forced labour?

Forced labour in the private economy generates over US\$236 billion globally in illegal profits annually.¹⁷ This practice creates unfair competition between companies, and it also deprives governments of taxes and diverts public resources towards prevention, protection and enforcement measures that could otherwise be allocated to other priorities.

There are many compelling reasons why companies should play a central role in the global effort to eliminate forced labour, and why forced labour is detrimental for them.

Legal compliance

Almost all ILO Member States have ratified Conventions No. 29 and No. 105, and many have also ratified the Protocol of 2014. Upon ratification, States are required to adopt and implement legislation prohibiting forced labour. Companies must therefore understand and comply with national laws.

In addition, States that have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, are obliged to criminalize trafficking in persons, through appropriate legislation and other measures. Under Convention No. 29, the illegal exaction of forced or compulsory labour must be punishable as a criminal offence. Therefore, companies found to be involved in such practices may face criminal prosecution.

Human rights

Forced labour is an internationally recognized human rights violation, as recognized in the ILO Declaration on Fundamental Principles and Rights at Work,¹⁸ the UN Guiding Principles on Business and Human Rights (UNGPs)¹⁹ and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).²⁰ For companies, the responsibility to respect human rights is a global standard of expected conduct for all companies wherever they operate. It exists independently of States' abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations. And it exists over and above compliance with national laws and regulations protecting human rights.

These international frameworks require companies to comply with national laws on forced labour and to respect human rights, which means avoiding causing or contributing to adverse human rights impacts through their own activities and address such impacts when they occur, including remedying those it has caused, as well as seeking to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

As a human right abuse, forced labour should always be looked for as part of a company' HRDD. Target 8.7 of the Sustainable Development Goals (SDGs) calls on both governments and companies for immediate and effective measures to eradicate forced labour. The Alliance 8.7,²¹ a multi-stakeholder initiative facilitated by the ILO, provides a platform for partners to collaborate, share information, promising practices and lessons learned, and demonstrate progress. Partners include governments, international and regional organizations, employers' and workers' organizations, civil society organizations, academic

¹⁷ ILO, *Profits and Poverty: The Economics of Forced Labour*, 2024c.

¹⁸ ILO, *1998 Declaration on Fundamental Principles and Rights at Work*, 1998. Adopted at the 86th Session of the International Labour Conference (1998) and amended at the 110th Session (2022).

¹⁹ United Nations, *UN Guiding Principles*, 2011.

²⁰ ILO, *MNE Declaration*, 2023.

²¹ Visit the Alliance 8.7 website: www.alliance87.org.

institutions, and other relevant stakeholders and networks. Currently, 37 Pathfinder countries²² are taking agreed steps to achieve SDG Target 8.7. These countries may not only be where a company is operating, but also where it is sourcing.

Business values and societal expectations

Avoiding causing or contributing to forced labour is not only good for business, it is also the right thing to do. Credible and responsible business actors share a common understanding and values that respecting human rights is a necessity as moral value. As key actors in society, companies must also need to adapt to growing societal and consumer demands asking services and products that are produced with responsible practices to grow and thrive.

Managing risks and reputation

The presence of forced labour in business operations can create reputational and financial risks for companies. As global efforts to eradicate forced labour accelerate and penalties become more severe, companies must manage these risks not only for themselves, but also vis-à-vis their investors, shareholders, business partners and other relevant stakeholders.

Allegations or evidence of forced labour can jeopardize a company's retention of its license to operate, access to finance and investment, eligibility for public contracts, and ability to maintain or expand market access. For buyers, forced labour represents a significant risk to their own operations, brand and reputation. For local companies, especially those seeking to enter cross-border trade, demonstrating that their operations are free of forced labour is a key determinant in engaging with buyers.

Human rights due diligence and responsible business conduct

There is an increasing social expectation that companies will demonstrate RBC in their operations, with their business relationships, in their engagement with workers, stakeholders and society at large. While voluntary, this expectation is closely linked to a *"business' social license to operate"*, and elements of RBC are increasingly being translated into legal obligations. In the last decade, mandatory human rights due diligence legislation has been adopted in several countries.

Increased compliance-driven approach

Whilst these voluntary approaches and international frameworks remain the benchmark for companies, particularly in setting out expectations and respective responsibilities, new and potential future legislation is increasingly including extraterritorial elements. This will require companies to focus on being compliant, including cascading down requirements to their suppliers, to avoid liability risks.

Supply chain management

The elimination of forced labour is a key element in many companies and supplier codes of conduct, as well as other Corporate Business Responsibility (CSR) and responsible business initiatives.

Trade and investment risk

Several countries have adopted trade regulations prohibiting the import of goods produced with forced labour at any stage of their production. Within these jurisdictions, allegations of such practices can result in the confiscation of imported goods by public authorities, or cause disruption to trade and production

²² As of November 2025.

schedules. Moreover, allegations of forced labour and trafficking in persons can pose significant risks to investor relations. They can also jeopardize access to public funds, such as export credits, and create barriers to accessing bank finance or insurance coverage.

Recent free trade agreements, especially those that incorporate labour provisions from agreements with the European Union (EU) and the United States of America (USA), increasingly emphasize respect for human rights and labour standards. These agreements not only set terms for the respect and adherence to these rights but also include reporting requirements and enforcement provisions in cases of non-compliance. Therefore, contracting States are required to strengthen worker protections and, in turn, mandate stricter compliance from employers.

Section 2 of this handbook provides companies with a set of tools and guidance on HRDD to prevent, mitigate and account for actual and potential forced labour impacts in their operations and supply chains.

How could your company face the risks of forced labour?

Forced labour is a systemic issue deeply rooted in broader socio-economic and governance challenges. As such, companies, regardless of intent, may be directly or indirectly linked to environments where forced labour exists. Forced labour is a critical concern for companies, as it can occur within their own operations or across their supply chains. For many large or multinational companies, the risk within their direct operations may be relatively low. However, significant risks often emerge deeper in the supply chain, particularly through the practices of business partners. Even when companies do not have direct contractual or commercial relationships with the entities responsible for forced labour, such risks may still be linked to companies' operations, products or services through broader business relationships.

Many regions of the world, where companies operate or source from are characterized by poverty, limited access to education, weak social protection systems and high levels of informality. In these contexts, individuals, especially migrant workers, women, and members of marginalized groups, may face limited choices, leading to exploitative labour situations, including debt bondage and involuntary work.

Moreover, weak rule of law, humanitarian crises, conflicts and environmental disasters are increasingly pushing vulnerable populations into exploitative labour conditions. In these fragile contexts, national labour laws often fall short of international labour standards or are poorly implemented and enforced.

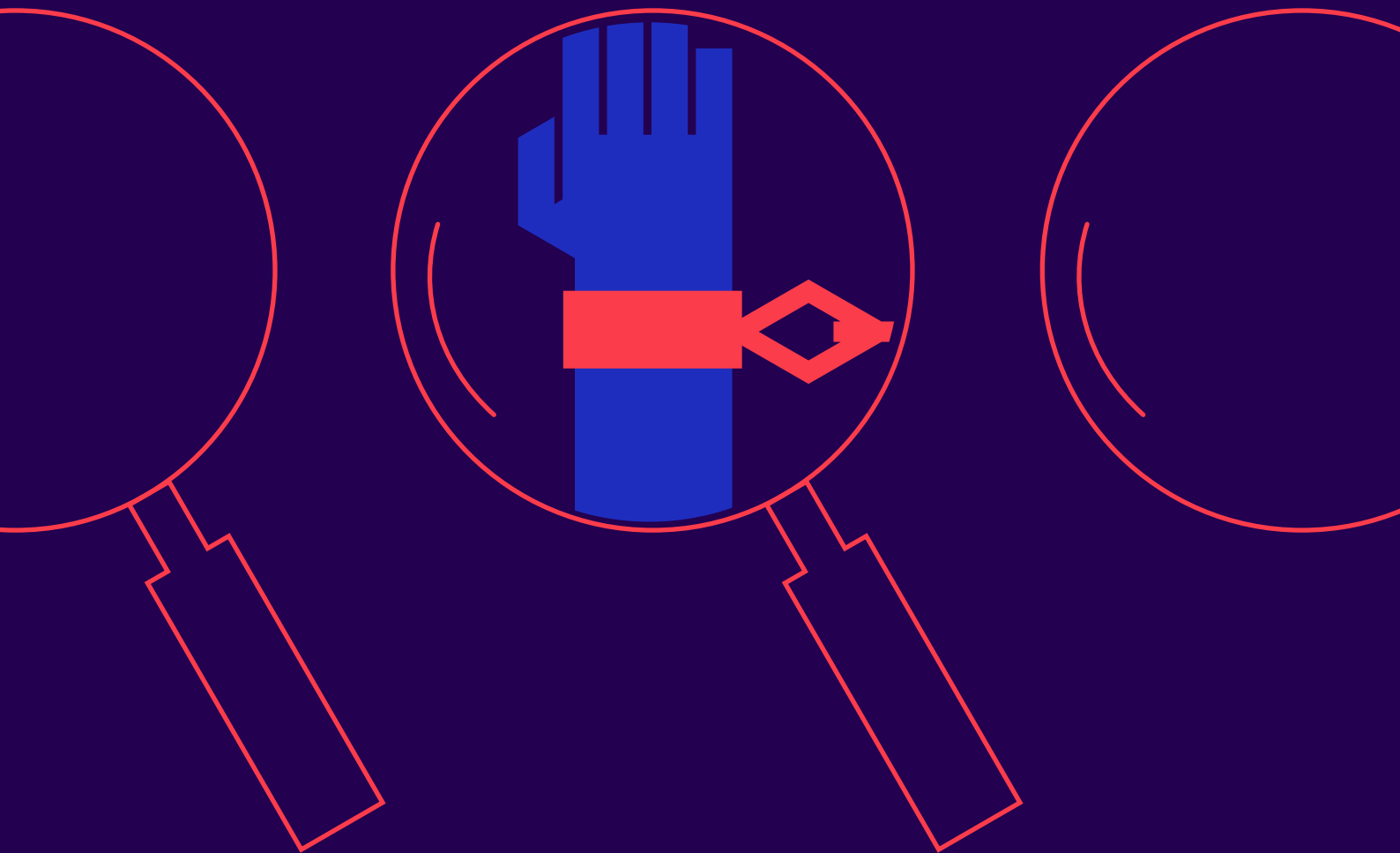
This means that even well-intentioned companies may be unwittingly linked to forced labour through their operations or supply chains due to structural gaps such as:

- ▶ Gaps in the application of State's duty to protect human rights, including poor implementation of national laws and/or international labour standards, ineffective law enforcement, weak governance and corruption.
- ▶ Lack of an enabling environment for sustainable enterprises.
- ▶ Lack of effective labour migration frameworks, leaving migrant workers exposed to abuse.
- ▶ Absence of respect for and protection of fundamental principles and rights at work.
- ▶ Flawed judicial systems and limited access to grievance mechanisms.

Section 2 of this handbook provides more information on the ILO's 11 indicators of forced labour, which help identify situations where individuals may be subjected to, or at risk of, forced labour. **Tool 2** and **Tool 6** provide practical guidance for identifying risks of actual and potential forced labour impacts.

2.

Human rights due diligence on forced labour: How to prevent, mitigate and account for actual and potential forced labour impacts



▶ 2. Human rights due diligence on forced labour: How to prevent, mitigate and account for actual and potential forced labour impacts

In accordance with UN Guiding Principle 17, companies should carry out human rights due diligence (HRDD) to identify, prevent, mitigate, and account for actual and potential adverse human rights impacts.

HRDD is a process through which companies assess their own operations and business relationships to identify actual (forced labour situations) and potential adverse human rights impacts (risks of forced labour). Companies are expected to take action to prevent or mitigate these impacts, monitor the effectiveness of their responses, and communicate how they are addressing them.

UN Guiding Principle 13(b) states that companies have the responsibility to: *“seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products, or services by their business relationships,²³ even if they have not contributed to those impacts.”*

However, whereas HRDD applies to a company's own operations and to business relationships directly linked to its operations, products or services, active engagement in remediation, either by providing it directly or by cooperating with others, is required only when the company has caused or contributed to the adverse impact. In situations where the company has not caused or contributed to the impact, it may nonetheless choose to use its leverage to positively influence its business relationships, where appropriate.

Box 3: Key features of effective due diligence

- ▶ **No one-size-fits-all approach** – HRDD should be tailored to the company's size, structure and context.
- ▶ **It is an ongoing process** – HRDD is not a one-off compliance exercise but a continuous effort to identify and manage risks over time.
- ▶ **Prioritization is essential** – Action should be prioritized based on the severity of the potential impact on people and the likelihood of occurrence. Special attention should be paid to individuals and groups most vulnerable to forced labour, such as migrant workers and Indigenous Peoples, among others.
- ▶ **Engagement should be ensured** – Engagement with potentially affected groups and relevant stakeholders should be continuous throughout the HRDD process.
- ▶ **Context matters** – The design and implementation of a HRDD process will vary depending on factors such as the operating environment, human rights risks and existing internal systems.
- ▶ **Collaboration is key** – Participation in multi-stakeholder or industry initiatives can support more effective action and help scale impact.

In accordance with UN Guiding Principle 18, HRDD process should *“involve meaningful consultation with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation.”* The ILO MNE Declaration, Article 10(e), emphasizes that the process should include *“meaningful consultation with potentially affected groups and other relevant stakeholders including workers' organizations, as appropriate to the size of the enterprise and the nature and context of the operation. For the purpose of achieving the aim of the MNE Declaration, this process should take*

²³ “Business relationships” are understood to include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services.

account of the central role of freedom of association and collective bargaining as well as industrial relations and social dialogue as an ongoing process.”

Addressing forced labour is a complex challenge that companies cannot tackle alone. Increasingly, they are collaborating by sharing non-financial information, such as social audit data, to reduce the burden on suppliers and strengthen their collective influence in improving labour practices. For instance, multi-stakeholder initiatives such as the ILO Global Business Network on Forced Labour (ILO GBNFL)²⁴ facilitate information sharing, coordination and the exchange of good practices. These initiatives help companies align expectations, reduce duplication and build a common understanding of how to address risks of forced labour.

EBMOs also play an important role by fostering collaboration among members, engaging with public authorities, and supporting effective enforcement and remediation. See **Section 3** of this handbook for more information.

Beyond business collaboration, companies are encouraged to engage with civil society, trade unions, local communities, and academic institutions to develop inclusive and effective responses to forced labour.

Good practice: Danone’s HRDD systems on forced labour

Danone has pledged to develop and deploy Human Rights Due Diligence (HRDD) systems focusing on forced labour in its own operations, with the aim of reaching 100 per cent coverage by 2025. This includes external workers hired by temporary work agencies or by subcontractors to carry out regular and continuous work at its entities. To fulfil this commitment, trained Business and Human Rights Leaders have been appointed in each Country Business Unit. These leaders play a pivotal role, being responsible for advancing the human rights agenda and integrating due diligence practices locally.

Source: Input received directly from Danone.

Building on the UNGPs due diligence cycle and aligned with the ILO MNE Declaration and international labour standards, this section draws on several ILO publications, including the handbook *Hard to See – Harder to Count*,²⁵ the *Due Diligence Toolkit on Fair Recruitment*,²⁶ and the IOE publication *Practical Guide for Employers: A Step-By-Step Approach for Companies of all sizes to Implement Human Rights Due Diligence for Responsible Business Conduct*,²⁷ among others.

It provides practical guidance for implementing the various steps of HRDD to identify, prevent, mitigate, and account for actual and potential forced labour impacts. The approach is grounded in risks associated with recruitment practices, the ILO’s 11 indicators of forced labour, and risks of State-imposed forced labour.

At each step, the handbook provides guidance, practical tools, such as templates, matrices, checklists and interview questions, as well as suggested next steps. The tools are designed to be applied sequentially and informed by the outcomes of the preceding steps.

The tools are not necessarily intended to be used in their original form, but rather provided as general guidance, based on international labour standards, for companies to adapt to their specific context and operational circumstances. It is also important to note that companies may choose to use only those tools that align with their priorities and the maturity of their due diligence processes and practices.

²⁴ Visit the ILO Global Business Network on Forced Labour (ILO GBNFL) website: <https://flbusiness.network>.

²⁵ ILO, *Hard to See – Harder to Count: Handbook on Forced Labour Surveys*, 2024a.

²⁶ ILO GBNFL, *The Due Diligence Toolkit for Fair Recruitment*, 2021, online course.

²⁷ IOE, *Practical Guide for Employers: A Step-By-Step Approach for Companies of all sizes to Implement Human Rights Due Diligence for Responsible Business Conduct*, 2025b.



Step 1

Commit and embed practices to prevent and eliminate forced labour

UN Guiding Principle 15 states: *“In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including: (a) A policy commitment to meet their responsibility to respect human rights”*. A policy commitment forms the foundation for embedding a company’s responsibility to respect human rights.

To effectively prevent and address forced labour, companies should begin by ensuring that their leadership acknowledges the risks and makes a clear, public commitment to prevent and eliminate forced labour. This is typically done through the adoption of a policy or code of conduct. While the content and length of the policy commitment may vary depending on the company’s resources and level of maturity, companies may choose either to develop a stand-alone document on forced labour or to integrate forced labour into their general policy commitment to respect human rights.

Regardless of the approach, the policy should include a clear reference to actions aimed at preventing or mitigating forced labour.²⁸ **Tool 1** provides guidance on designing a policy dedicated to preventing forced labour and on its implementation.

²⁸ For general guidance beyond forced labour, see IOE, *Practical Guide for Employers* (2025b) which includes a template for a human rights policy commitment.



Tool 1: Developing a policy on prevention of forced labour

Guidance

The Forced Labour Policy should set standards for the company itself, as well as for its suppliers, service providers and labour recruiters. It should be clearly communicated across the company, supported by ongoing training, and embedded through defined roles and responsibilities. A whole-of-business approach is essential to avoid siloed responses and to ensure accountability across functions.

Companies must also set and communicate expectations for suppliers and service providers and support them in meeting these standards.

The policy should reflect the specific context and operations of the company. Regardless of size, all companies benefit from having their policy documented in writing.



Companies may need to dedicate time and resources (or training) to help suppliers, service providers and labour recruiters understand their policy or code of conduct. This will ensure the company's expectations cascade to other tiers of the supply chain.

Good practice: Shell training for staff on human rights policies

To enable effective implementation and compliance with relevant policies, Shell requires staff to undertake regular training on its Code of Conduct and associated Ethics and Compliance policies. Training is also provided to contract personnel to gain visibility on up-to-date accurate supplier information. Moreover, staff who manage contracts with a higher labour rights risk may receive individual coaching and support on how to manage supplier corrective action plans.

For more information see: Shell plc, [Statement under the Modern Slavery Act, 2025](#).

Tool 1 outlines the key elements of a policy, as well as the steps to design and implement it.



Tool 1: Elements to consider when developing a policy on prevention of forced labour

Designing a policy

- ▶ Review existing company documentation, such as codes of conduct, policies on human rights, violence and harassment in the workplace, equal employment opportunity statements, and human resources guidelines.
- ▶ Review any sector- or industry-specific guidance.
- ▶ Identify whether there is an existing verbal commitment against forced labour, if not documented.
- ▶ Consult internal and external stakeholders, including workers and their representatives.

Elements of a policy

Who does it apply to?

Internal:

- ▶ All workers and jobseekers
- ▶ Business operations

Commit and embed practices to prevent and eliminate forced labour

External:

- ▶ Business partners: suppliers and service providers across all countries of operation.
- ▶ Labour recruiters and labour suppliers in countries of operation and countries of origin of migrant workers.
- ▶ Other stakeholders depending on the industry (e.g., local communities in the extractive sector).

Note: The policy should clearly state expectations for suppliers, service providers and labour recruiters to adhere to its principles, and include mechanisms for monitoring and enforcing these expectations.

Roles and responsibilities

- ▶ Clearly define and assign responsibilities for implementing the policy.
- ▶ Responsibilities should be distributed across management, supervisors and staff across different functions.

What should it address or include?

- ▶ A definition of forced labour in line with international labour standards (*see Section I: What is forced labour*).
- ▶ The scope of the policy: who it applies to and what activities or areas it covers.
- ▶ A clear statement that forced labour, trafficking in persons and unfair recruitment practices will not be tolerated.
- ▶ Commitment to comply with national laws, including labour laws and policies in all countries of operation, including countries of origin of migrant workers.
- ▶ Reference to compliance with all ILO fundamental principles and rights at work:
 - ▷ Freedom of association and the effective recognition of the right to collective bargaining.
 - ▷ The elimination of all forms of forced or compulsory labour.
 - ▷ The effective abolition of child labour.
 - ▷ The elimination of discrimination in respect of employment and occupation.
 - ▷ A safe and healthy working environment.
- ▶ Reference to relevant industry or sector codes of conduct or multi-stakeholder initiatives to combat forced labour (*see **Box 4** for industry codes of conduct*).
- ▶ Indicators of forced labour (*see **Box 5** for the ILO's 11 indicators of forced labour*)
- ▶ State-imposed forced labour, such as abuse of compulsory prison labour (*see **Box 1** and **Box 2**, and **Tool 5** and **Tool 6** for an explanation and guidance on State-imposed forced labour, including prison labour*)
- ▶ Provisions related to recruitment, working conditions and, where relevant, migration, including:
 - ▷ Clear and transparent employment terms and conditions.
 - ▷ Prohibition of recruitment fees and related costs being charged to workers.
 - ▷ Written employment contracts provided before departure in a language understood by the worker.
 - ▷ Prevention of contract substitution, including through the use of digital technologies.
 - ▷ Access to complaint mechanisms in a language understood by the worker.
 - ▷ Relevant contact information (e.g., embassies) in the destination country.
 - ▷ Information about work and residence permits.
- ▶ A well-defined compliance mechanism with provisions for remediation.
- ▶ Protection for whistleblowers.
- ▶ Provision for access to remediation, including specific provisions to ensure access for women workers and members of groups facing specific risks of discrimination, such as migrant workers and Indigenous Peoples, among others.

Commit and embed practices to prevent and eliminate forced labour

Implementing the policy

- ▶ Communicate the policy to all stakeholders, including suppliers, service providers and labour recruiters.
- ▶ Upload the policy in the company’s internal portal and public website.
- ▶ Design and implement an internal communication and training strategy to inform all workers.
- ▶ Translate the policy into multiple languages where necessary, and in formats that are easily accessible and adapted to the audience (e.g., workers, jobseekers, suppliers, service providers, labour recruiters and other stakeholders).
- ▶ Embed the policy into operational procedures, for example, into functions such as procurement, human resources and supply chain management.
- ▶ Ensure that roles and responsibilities assigned for implementing the policy are clear and known to relevant staff.
- ▶ Review and update the policy regularly, particularly as new information on risks emerges.

Box 4: Examples of companies’ policies and industry codes of conduct

Companies’ policies	Industry codes of conduct
<ul style="list-style-type: none"> ▶ Aldi Forced Labour Policy ▶ Colgate Palmolive Code of Conduct ▶ Danone Human Rights Policy ▶ Fomento Económico Mexicano SA (FEMSA) Human and Labour Rights Policy ▶ HP Migrant Workers ▶ Marks and Spencer Global Sourcing Principles ▶ Unilever Human Rights Policy Statement 	<ul style="list-style-type: none"> ▶ Responsible Business Alliance (RBA) Code of Conduct ▶ Ethical Trading Initiative (ETI) Base Code ▶ amfori BSCI Code of Conduct ▶ Fair Labour Association (FLA) Code ▶ World Employment Confederation (WEC) Code of Conduct



Step 2

Identify, assess and prioritize actual and potential forced labour impacts

UN Guiding Principle 18 states: *“In order to gauge human rights risks, business enterprises should identify and assess any actual and potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships”.*

According to the commentary under UN Guiding Principle 17, *“Human rights risks are understood to be the business enterprise’s potential adverse human rights impacts. Potential impacts should be addressed through prevention or mitigation, while actual impacts – those that have already occurred – should be a subject for remediation”.*

As a starting point, companies should map their supply chains to gain a clearer understanding of the countries, sectors, suppliers, service providers, workers and relevant stakeholders involved in the production or delivery of a product or service. Companies should verify whether such mappings already exist (for example, for logistical or operational purposes) and expand or update them as necessary to include jobseekers and workers, the primary rights-holders in the context of forced labour due diligence.

This section provides guidance and practical tools to help identify actual and potential forced labour impacts, using the ILO’s 11 indicators of forced labour²⁹ as a framework. The results of this identification process will inform the prioritization of HRDD, focusing on areas where the risks of forced labour are most significant.

According to the commentary under UN Guiding Principle 17, *“Where business enterprises have large numbers of entities in their value chains it may be unreasonably difficult to conduct due diligence for adverse human rights impacts across them all. If so, business enterprises should identify general areas where the risk of adverse human rights impacts is most significant, whether due to certain suppliers’ or clients’ operating context, the particular operations, products or services involved, or other relevant considerations, and prioritize these for human rights due diligence.”*

²⁹ ILO, [ILO Indicators of Forced Labour](#), revised edition, 2025.

Identify, assess and prioritize actual and potential forced labour impacts

In line with UNGPs, the identification and assessment of human rights impacts should involve consultations with potentially affected stakeholders, in a manner that takes into account language and other potential barriers to effective engagement. In the case of forced labour, the main affected stakeholders are workers. In situations where such consultation is not possible, reasonable alternatives should be considered such as consulting credible, independent expert resources, including workers' organizations, human rights defenders and others from civil society.

This step begins by introducing the ILO's 11 indicators of forced labour and explaining how they manifest, followed by guidance and practical tools to support the identification of forced labour situations and risks.

The tools include:

- ▶ **Tool 2:** Assessing risks of forced labour at the country and sectoral levels.
- ▶ **Tool 3:** Assessing workplace-level risk based on the ILO's 11 indicators of forced labour:
 - ▷ **Tool 3a:** Document review checklist.
 - ▷ **Tool 3b:** Direct observation checklist.
 - ▷ **Tool 3c:** Worker interview questionnaire.

While recruitment considerations are integrated into the tools above, Tools 4a-4c offer more in-depth guidance on fair recruitment, addressing both international and internal migrant workers. These include:

- ▶ **Tool 4:** Assessing risks related to recruitment:
 - ▷ **Tool 4a:** Steps for company's fair recruitment process.
 - ▷ **Tool 4b:** Assessing practices of labour recruiters.
 - ▷ **Tool 4c:** Reviewing recruitment fees and related costs.

This step also provides guidance on assessing the risks of State-imposed forced labour through the following tools:

- ▶ **Tool 5:** Dealing with State-imposed forced labour.
- ▶ **Tool 6:** Assessing risks related to compulsory prison labour for private entities.

Together, these tools offer a comprehensive, step-by-step approach to identifying forced labour impacts in company operations and supply chains. Although designed to follow a logical sequence, companies are encouraged to apply the tools most relevant to their operational context and the maturity of their HRDD processes.

Note: These tools are not intended to be completed or scored in a prescriptive manner. Rather, they serve as a qualitative guidance to help companies identify where forced labour impacts may exist, based on international labour standards. No weighting system is applied to the responses, and each indicator should be interpreted in context, with the goal of supporting informed judgment and prioritization for mitigation, based on the company's specific situation.



Tool 2: Assessing risks of forced labour at the country and sectoral levels

Guidance

To assess the risk of forced labour at the macro level, companies should develop a risk profile tailored to their specific context, taking into account country- and sector-specific factors. This assessment forms the foundation for identifying where risks of forced labour may exist within both the company's own operations and its suppliers throughout the supply chain.

The process involves gathering and analyzing relevant data and information,³⁰ primarily through desk-based review, to determine potential risks of forced labour across these two dimensions. The outcome is a general overview of where risks are likely to emerge, for example, in countries with high levels of informality and/or sectors where workers are exposed to hazardous or very poor working conditions.³¹ This overview will support companies in prioritizing areas that require further assessment within their operations and supply chains.

Tool 2 below outlines key elements to be researched at both the country and sectoral levels. Suggested sources of information are provided at the end of each category.



Tool 2: Elements to consider when assessing risks of forced labour at the country and sectoral levels

Country level elements

Socio-economic root causes

- ▶ What is the poverty index in the country?
- ▶ Are there groups traditionally affected by structural inequalities and discrimination that increase their vulnerability to exploitation and forced labour (e.g., based on gender, ethnicity, age, religion, migration status)?
- ▶ What is the level of informality in the economy and the percentage of informal workers?
- ▶ Are there cultural or social norms that could perpetuate traditional forms of slavery or lead to bonded labour?

Political situation and conflict

- ▶ Has the country experienced, is it currently experiencing, or is it prone to political instability (e.g., coups, civil unrest, frequent change of authorities, etc.)?
- ▶ What is the level of crime and violence?
- ▶ How prevalent is corruption?
- ▶ What is the state of the rule of law?

³⁰ For further guidance on "Identification and assessment of human rights risks", refer to IOE, *Practical Guide for Employers*, 2025b.

³¹ While informality and poor living or working conditions do not, in themselves, constitute forced labour, they are frequently associated with it. This is why circumstances involving risks, such as hazardous work, unsanitary employer-provided accommodation, or substandard working conditions, require closer scrutiny.

Legislation, policy frameworks and enforcement

- ▶ Has the country ratified key international standards on forced labour? (see [Annex 2](#)).
- ▶ Does the labour law address forced labour?
- ▶ Does the Penal Code criminalize forced labour and trafficking in persons?
- ▶ Are any sectors (e.g., agriculture, domestic work) or groups of workers (e.g., contract workers, home workers) excluded from labour law coverage?
- ▶ Do labour law or other legislation provide clear standards for working conditions and recruitment practices?
- ▶ Is employer-provided accommodation regulated?
- ▶ Is there legislation regulating recruitment and labour supply agencies, including a prohibition on charging recruitment fees and related costs to workers?
- ▶ Is there migration legislation that protects migrant worker rights? Are there differences in labour protections and rights of migrant workers compared to the local population?
- ▶ Does the country have a single-employer sponsorship system restricting migrant workers' freedom of movement?
- ▶ Has the country signed bilateral or regional labour migration agreements?
- ▶ Is there a national plan or policy on forced labour?
- ▶ Are there laws, policies or practices that mobilize people to work or involve compulsory labour?
- ▶ Are there policies or programmes on labour migration?
- ▶ Is there a functioning labour inspection system?
- ▶ Do labour inspectors conduct inspections on forced labour?
- ▶ Is there a well-established grievance mechanism for reporting labour rights violations, including forced labour?
- ▶ Is there a referral system and remedy mechanism for victims of forced labour?
- ▶ Are there institutions that support victims of forced labour?
- ▶ Have there been legal cases of forced labour in the country?
- ▶ Are there reports of poor application or enforcement of legislation?
- ▶ Are there serious concerns raised by ILO supervisory bodies regarding the national legal and policy frameworks and their implementation, for example by the Committee on the Application of Standards (CAS) or the Committee of Experts on the Application of Conventions and Recommendations (CEACR)?

Labour migration patterns

- ▶ What is the prevalence of international and/or internal migrant workers?
 - ▶ In which sectors are migrant workers employed?
 - ▶ What occupations do migrant workers have?
 - ▶ In which regions are they concentrated?
 - ▶ Are there known migration corridors (e.g., large flows from specific origin countries or regions)?
-



Identify, assess and prioritize actual and potential forced labour impacts

+ Where to look for information?

Websites:

- ▶ [NORMLEX](#): ILO database of International Labour Standards, ratifications and comments of ILO supervisory bodies.
- ▶ [NATLEX](#): ILO database of national labour, social security and related human rights legislation.
- ▶ [Forced Labour Observatory](#): ILO platform with global and national data on legal frameworks, enforcement, prevention (including fair recruitment and due diligence), protection, access to justice, and cooperation.
- ▶ [ILO Statistics on the Informal Economy](#): Global map of informal employment data.
- ▶ [World Bank Poverty and inequality platform](#): Data tool on poverty, inequality, and shared prosperity across 170 countries.
- ▶ [World Bank Worldwide Governance Indicators](#): Analysis of six governance dimensions across 200+ economies over the period 1996–2023.

Publications:

- ▶ ILO, *ILO Global Estimates on International Migrant Workers: International Migrants in the Labour Force*, 2024b.

Country-level sources of information:

- ▶ National Statistical Offices
- ▶ Labour inspectorates
- ▶ Employers' and business membership organizations (EBMOs)
- ▶ Police reports
- ▶ Court cases
- ▶ Studies by reputable institutions (e.g., government bodies, international organizations, universities, think tanks, centres for protection of minorities, etc.)

Sectoral level elements

Sectors with higher prevalence of forced labour

- ▶ Is the company operating in a sector with potential higher prevalence of forced labour (e.g., services, manufacturing, construction, agriculture).

Working conditions

- ▶ Is overtime commonly required in the sector?
- ▶ Are workers paid regularly?
- ▶ Are workers in the sector exposed to hazardous working conditions?
- ▶ Are the workplaces in the sector located in remote or hard-to-reach areas?
- ▶ Are workers in the sector provided accommodation by their employer?

Workforce

- ▶ Is there a significant presence of international and/or national migrant workers in the sector's workforce?
- ▶ What is the legal and employment status of migrant workers (e.g., are they employed under permanent or temporary permits; do they have irregular status)?
- ▶ Are workers hired by third-party labour recruiters?
- ▶ Is the workforce in the sector recruited through state mechanisms (e.g., employment of prisoners, recruitment and/or employment of workers through economic development programmes, labour transfers)?
- ▶ Is the sector characterized by high representation of women or minority groups (e.g., Indigenous Peoples)?

Identify, assess and prioritize actual and potential forced labour impacts

Type of contracts

- ▶ Is the demand for workers in the sector seasonal?
- ▶ Are workers employed under non-standard contracts (e.g., daily workers, outsourced or subcontracted work)?

Supply chains

- ▶ Does the supply chain involve multiple suppliers?
- ▶ Do suppliers operate in the informal economy?

Where to look for information?

Websites:

- ▶ [United Nations Global Compact "Business and Human Rights Navigator"](#). A web page on forced labour designed to help companies understand, assess, and act on the human-rights risk of forced labour in their operations and supply chains.
- ▶ Information from multi-stakeholder or industry initiatives

Publications:

- ▶ ILO, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, 2022.

Country-level sources:

- ▶ National Statistical Offices
- ▶ Labour Ministry and any migration-related ministries
- ▶ EBMOs
- ▶ National or sectoral studies on forced labour and working conditions by reputable organizations (e.g., government bodies, international organizations, universities, think tanks).



The proposed assessment above offers a comprehensive overview of potential risks and their likely locations, enabling companies to prioritize areas that require further investigation. Companies should assess not only the presence of individual risk factors but also how these factors may compound or interact. For instance, the presence of a large migrant workforce alone may not indicate forced labour risk. However, if these workers are concentrated in a sector with potential higher prevalence of forced labour, such as construction, and operate in a country with weak labour law enforcement and limited access to grievance mechanisms, the combination of these factors significantly increases the likelihood of forced labour.

Next steps

- ▶ Once companies have prioritized areas for further investigation, they can undertake a combination of document review, direct observation and worker interviews at the workplace, based on the ILO's 11 indicators of forced labour, using **Tool 3a** and **Tool 3c**.
- ▶ For companies that hire migrant workers, **Tool 4a** and **Tool 4c** provide further guidance to evaluate the recruitment practices.
- ▶ In situations that may involve State-imposed forced labour, particular care should be taken to assess the role of public authorities or mandatory labour systems. Companies should consider the broader legal, institutional and political context, and engage relevant stakeholders where feasible. **Tool 5** and **Tool 6** support this process.



Tool 3: Assessing workplace-level risks based on the ILO's 11 indicators of forced labour

Guidance

To help identify situations of forced labour, the ILO has developed a set of 11 indicators. These indicators provide guidance on how to translate the legal concept of forced labour into risks of forced labour; the identification of situations that require further investigation; and serve as detection tools.

The identification of any indicator can represent an early warning to be aware of and might deserve further investigation. **Figure 4** provides an overview of the ILO's 11 indicators, and **Box 5** explains each indicator.

► **Figure 4:** Overview of the ILO's 11 indicators of forced labour





Identify, assess and prioritize actual and potential forced labour impacts

Box 5: Explanation of the ILO's 11 indicators of forced labour	
Indicator	Manifestation
Restriction of movement	<p>Workers may have their movements restrained during recruitment (e.g., while being transported) and/or at the workplace. They may be locked up or guarded to prevent them from escaping, or have their movements controlled inside and outside the workplace through surveillance cameras or guards.</p> <p>Restriction of movement may be acceptable when based on legitimate concerns (e.g., safety or security), but only if reasonable and proportionate (e.g., some security measures can be justified to protect high-value goods).</p>
Abuse of vulnerability	<p>Occurs when an employer intentionally takes advantage of a worker's vulnerable position, for example, to impose excessive working hours or withhold wages. When a worker's legal status in the country depends on the job, when they are dependent on the employer for housing or land, or when they are without other survival options, the ability of a worker to leave a job can be severely constrained.</p> <p>The existence of vulnerability should be assessed considering the personal, situational, or circumstantial context of the alleged victim.</p>
Deception	<p>Involves failure to deliver what was promised to the worker, verbally or in writing. False promises can relate to working conditions and wages, but also regarding the nature of the job, its location, housing and living conditions or acquisition of regular migration status. Workers in such cases have not given free and informed consent. Had they known the reality, they would not have accepted the job offer.</p> <p>Children may also be recruited through false promises made to them or their parents, such as being sent to school.</p>
Withholding of wages	<p>Occurs when wages are systematically and deliberately withheld as a means to compel the workers to remain working and prevent them from leaving for another employer.</p>
Isolation	<p>Isolation can be used to control workers and prevent them from fleeing a job or seeking help. Workers can be isolated in remote locations, and/or denied access to means of communication (e.g., mobile phones, internet). Workers may not know where they are and are denied access to transportation to leave. Migrant workers working abroad, may be denied the money necessary for repatriation, preventing them from leaving.</p>
Physical and sexual violence¹	<p>Situations where workers, their family members or close associates are subjected or threatened with physical or sexual violence are strong indicators of forced labour.</p> <p>Signs of physical violence may be easier to detect than others through direct observation.</p> <p>Physical abduction or kidnapping is a form of extreme violence which can be used to take a person captive and then force him or her to work.</p> <p>Sexual violence may be used to control and humiliate victims. Rape is often used in forced commercial exploitation to "break" the resistance of victims, isolating them furthermore as they will feel ashamed and will not dare to seek help or talk about what has happened.</p> <p>Violence can also be used as a disciplinary measure and to deter co-workers from attempting to ask for help, complain or escape.</p>
Intimidation and threats	<p>Victims of forced labour may suffer intimidation and threats when they complain about their conditions or wish to quit their jobs. In addition to threats of physical violence, other common threats used against workers include denunciation to the immigration authorities, loss of wages or access to housing or land, sacking of family members, further worsening of working conditions or withdrawal of "privileges", such as the right to leave the workplace.</p> <p>Constantly insulting and undermining workers also constitutes a form of psychological coercion, designed to increase their sense of vulnerability.</p>

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Indicator	Manifestation
Retention of identity documents	Is a common means of control, mainly for migrant workers. Without documentation, workers may fear asking authorities for help due to risk of deportation, and may be unable to find another job or access services.
Debt bondage	Occurs when people are coerced to work against their will in order to repay a debt to an employer or recruiter (in the case of migrant workers), or when the debt is manipulated to compel people to perform work tasks or accept working conditions that they would otherwise refuse. Employers or recruiters may make it difficult for workers to escape from the debt, by undervaluing the work performed or inflating interest rates or imposing unagreed or excessive charges for food, housing, transport or emergencies.
Excessive overtime	Excessive overtime is not enough to amount to forced labour, but should prompt further investigation, especially when it concerns a significant portion of the workforce, is repetitive and goes beyond what is authorized under the national law or collective agreement. When workers are denied breaks and days off, when they are on call 24 hours a day, 7 days a week, when they are forced to do overtime to receive the minimum wage, this can signal a potential forced labour situation.
Abusive living and working conditions	Forced labour victims may endure working conditions that are degrading (humiliating or dirty) or hazardous (difficult or dangerous, or without adequate protective gear), in severe breach of labour law and violation of human dignity. They may also be subjected to substandard living conditions (overcrowded, unhealthy and lacking privacy). Abusive living and working conditions alone are not enough to amount to forced labour but they are often present in forced labour cases.

Note: (1) Article 1 of the ILO Convention No. 190 defines the term “*violence and harassment*” as: “(a) the term “*violence and harassment*” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment; (b) the term “*gender-based violence and harassment*” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.” See ILO, [Violence and Harassment Convention, 2019 \(No. 190\)](#) and Chapter 2 of ILO, [Violence and harassment in the world of work: A guide on Convention No. 190 and Recommendation No. 206](#), 2021c.

The presence of one or more indicators does not necessarily mean forced labour exists. Instead, they indicate a potential risk of forced labour and require further investigation. In some cases, there may be several indicators which, taken together, point to a forced labour case when both criteria of involuntariness and coercion are met.

Box 6: Involuntariness and coercion: The two necessary conditions of forced labour

Involuntariness or involuntary work, refers to any work undertaken without the free and informed consent of the worker. It may relate to hazardous working conditions, degrading living conditions at the worksite, deception at recruitment, or other factors.

Coercion refers to the means used to compel someone to work without their free and informed consent. It is the “force” that prevents a worker from refusing or leaving a job when they wish to do so. Workers can be directly subjected to coercion or witness coercion imposed on co-workers. Workers can also be coerced through threats or other forms of coercion directed towards their family members, co-workers or close associates. Global estimates of forced labour indicate that most workers in forced labour are subjected to multiple forms of coercion simultaneously.

In forced labour situations, the existence of threats and reprisals means the worker is not free to decide whether or not to work, for whom, and under what conditions.

Source: ILO, *Hard to See, Harder to Count*, 2024a, page 5.



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For instance, in situations involving strong indicators, such as the confinement of a worker, it is necessary to verify the essential elements of forced labour: involuntariness and coercion. Poor working conditions (such as excessive overtime, non-payment of agreed wages, or lack of safety measures, among others) represent non-compliance with labour legislation and indicate a high risk of forced labour. However, they do not in themselves amount to forced labour unless elements of involuntariness and coercion are present.

Each situation must be assessed holistically, taking into account all relevant indicators and the criteria of involuntariness and coercion. While some indicators are not immediately visible, these two criteria are often even harder to detect. This means that identifying forced labour requires detailed investigation. **Tool 3c** helps identify these less visible signs.

The following three tools are intended to support a deeper analysis of risks of forced labour:

- ▶ Tool 3a: Document review checklist.
- ▶ Tool 3b: Direct observation checklist.
- ▶ Tool 3c: Worker interview questionnaire.

These tools help provide a clearer assessment of whether forced labour exists and identify risks that should be mitigated to prevent such situations.

Figure 5 illustrates how these tools work together to provide a comprehensive assessment of forced labour situations and risks.

▶ **Figure 5:** Tools for detecting forced labour situations and risks



All three elements are critical. Document reviews alone are not enough and must be accompanied by on-site observations and interviews with workers. The information collected through these detection methods must be cross-checked. This means that the results of document reviews must be compared with direct observations and workers’ own descriptions of their working conditions and living conditions when applicable.

As previously mentioned, certain “red flags” that are warning signs of risks of forced labour, and, most importantly, the criteria of involuntariness and coercion, cannot be fully assessed without obtaining first-hand information from the rights-holders, in this case the workers or their representatives. Therefore, the worker interviews serve this purpose.




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Tool 3a – Document review checklist

Guidance

Reviewing documentation of the company related to its processes and practices can uncover critical initial warning signs or risks of forced labour. Information from document reviews provide guidance for companies as they decide which issues to probe. **Tool 3a** provides guidance on the types of documents to review, the aspects to assess, and red flags that may indicate the presence of indicators of forced labour requiring further investigation and/or inclusion in the corrective action plan (see **Tool 7**).

Tool 3a: Document review checklist


Document	Review	Possible red flag	Indicator
Employee list	<p>What is the workforce composition?</p> <p>Review the description of the workforce, the number of workers involved in each step of the production process, including during production peaks, ideally, disaggregated by sex, geographic location, worksite, contract type (permanent, subcontracted, temporary, daily), and immigration status.</p> <p>Review information on outsourcing and subcontracting.</p>	<p>No employee list or a mismatch between registered workers list and actual workers (e.g., the number) during observation is a warning sign that some workers are not known to authorities and/or not formally employed.</p> <p>Some tasks may also be outsourced or subcontracted, requiring further examination.</p>	Abuse of vulnerability, deception
	<p> Cross-check with actual workers found during observation.</p> <p>How many workers are listed?</p> <p>Analyse the ratio of the actual team size to estimated personnel requirements (e.g., by size of the field, factory, mine, vessel or by production targets).</p>	<p>A low ratio of actual team size to personnel requirements is a warning sign that workers are overburdened. Further inquiries into working time should be made.</p> <p>Increased risk of accidents due to lower safety</p>	Excessive overtime, deception, abusive working conditions
Workers' passports, identity cards or other official documents	<p>What is the profile of workers?</p> <p>Review whether they are migrant workers with irregular legal status.</p>	A high percentage of migrant workers with irregular status could suggest increased vulnerability to exploitation.	Abuse of vulnerability

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Document	Review	Possible red flag	Indicator
Contract	<p>Review the conditions specified in the employment contract (e.g., terms and conditions, tasks, hours of work, overtime regulation, annual leave, holidays, sick leave, maternity leave, accident coverage, authorized deductions).</p>	<p>A difference between the conditions specified in the employment contract and actual labour practices is a warning sign that workers were deceived at the time of recruitment or upon signature of the contract.</p>	Deception, abuse of vulnerability
	<p> Cross-check with actual labour practices (with worker interview and/or observation).</p>	<p>The terms and conditions of employment agreed upon at the time of recruitment are not those contained in the employment contract. Changes have been made without the knowledge or consent of the worker.</p>	
	<p>Check if there is a written and signed contract. Do workers have a copy of the contract?</p>	<p>No written contract is a warning sign that workers may have been deceived and it is a sign of vulnerability to abuse.</p>	
	<p>Review whether there are different types of contracts (indefinite term, fixed term, seasonal, daily) for different categories of workers (for example national or migrant workers).</p>	<p>Different types of contracts for different categories of workers can indicate discrimination (e.g., migrants with irregular status receiving only employment on a daily basis) and greater vulnerability for temporary or daily workers who may not have the same levels of protection.</p>	
	<p>Review what types of workers are hired through labour service providers companies and/or are subcontracted and under which conditions.</p>	<p>Outsourced workers may not have the same levels of protection. The roles and responsibilities between the user company and the labour supplier might be poorly defined or may fall outside labour laws. Companies also have less control and oversight of subcontracted and outsourced workers.</p>	
	<p>Check the format and length of the employment contract.</p>	<p>Very brief (e.g., one-page) contracts with poorly defined terms and conditions, or contracts lacking details about the employer, salary, working time or other working conditions.</p>	
	<p>In which language is the contract written?</p>	<p>The employment contract is written in a language that the worker cannot understand.</p>	
	<p> Cross-check with the languages that workers understand during observation or worker interview.</p>		



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Document	Review	Possible red flag	Indicator
	Review employment contracts for termination clauses and notice periods.	Workers do not have a termination clause in their contract and are therefore unaware of the termination conditions and their rights related to termination. Workers cannot terminate their contracts before the original end date, or the contract includes clauses with high penalties for doing so. Migrant workers and local workers do not have the same contract termination conditions or notice periods.	
	Check if social security provided for the workers	Failure to enrol workers in existing and appropriate social protection schemes.	
Job advertisement	Review the information provided in the job advertisement.	Misleading job advertisements (particularly for jobs requiring migration) with respect to the job, job location, employer, working conditions, employment contract terms, wages, or payment are a sign of deception.	Deception
Hours record	Do the hours of work reported raise concern, and do they correspond to the actual hours worked?  Cross-check with observation and worker interview.	Mismatched hours records are a warning sign of fraudulent records designed to disguise excessive working hours.	Excessive overtime
	Are hours of work recorded?	Absence of a record of working time is a warning sign of an attempt to hide excessive working hours. Working hours are loosely defined by the employer, if at all, and/or time "on call" is not accounted for as working time.	
	Examine how is overtime regulated and calculated	Unclear overtime regulations or methods of overtime calculation.	
	Review rest periods and paid holidays. Are rest days, free time and breaks provided, or is a person working "on call" (24 hours a day, 7 days a week)?	Lack of rest periods or paid holidays can be an indicator of excessive working time.	
	Cross-check if working hours are in accordance with the law	The working hours exceed the legal limits.	
	Examine daily timesheets and cross-reference with any productivity log or targets.	Work that is paid by "piece rate" and bound to unrealistic production targets may result in workers consistently working excessive hours.	

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Document	Review	Possible red flag	Indicator
Records of payment or wage records	Review the frequency of salary payments.	Large lump-sum payments (e.g., one payment in six months) are a warning sign of coercion through wage withholding.	Withholding of wages, deception
	Do the records show inconsistencies, and do they match those of the workers? Look for potential evidence that wage records or payslips may have been altered.	Workers' payslips do not match the records provided by the employer. Mismatched pay records are a warning sign of fraudulent records designed to disguise pay-related violations. There is evidence that wage payments are irregular, delayed, or deferred or that non-payment of wages is used to keep workers in employment. Missing wage or payment records could indicate that workers are not paid or paid less than agreed.	
	Are wages paid directly to the workers? Verify whether wages are paid to a third-party or to a bank account controlled by the employer.	Wages are received by a recruitment agency rather than directly by workers or their families.	
Records of payment or wage records	Check what are the payment modalities, amounts and how are the wages calculated Determine whether overtime payment is calculated properly and whether holidays and other benefits/allowances are in line with the labour law.	Workers are paid less than the minimum wage or less than what was initially agreed, when they are paid. Unclear payment modalities or unverified wages are warning sign of fraudulent records designed to disguise pay-related violations	Withholding of wages, deception
	Check if workers are paid on a "piece rate" and if the production targets are realistic (e.g., to earn at least the minimum wage)	Workers are paid on a "piece rate" and production targets are unrealistic, making it impossible to earn minimum wage without excessive overtime.	
	Review payslips for deductions made by the employer from the worker's monthly pay. Determine whether deductions relate to accommodation, recruitment fees, wage advances or other items. Look for any unlawful or unexplained deductions. In case of legal deductions, check whether they align with local market prices.	Declared deductions for recruitment fees or wage advanced are warning signs of debt bondage or manipulation of debt. Frequent or arbitrary wage deductions may be a sign of abusive working conditions.	Debt bondage

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Document	Review	Possible red flag	Indicator
	Verify whether a percentage of wages is paid <i>"in kind"</i> .	<p><i>"In-kind"</i> payments (e.g., accommodation, meals) may create dependency on the employer and must be carefully assessed for legitimacy, reasonableness, accuracy in calculation, and compliance with national legal limits.</p> <p>Payment through vouchers, coupons or promissory notes may restrict freedom of choice, create dependency, devalue wages and limit the ability to save, remit, or cover expenses - making it harder to leave employment.</p>	
	Examine records of loans and wage advances and determine the levels of interest rates charged.	<p>The worker has received wage advances or a loan from the employer or a subcontractor at high interest rates.</p> <p>The employer inflates workers' debt in order to ensure that they have minimal or no income.</p> <p>Workers are required to lodge deposits.</p>	
Occupational injury and illness reports	Examine records of workplace injuries.	<p>High number of reported occupational injury and illness, or fatalities at worksite.</p> <p>Suspiciously low number of recorded injuries or illnesses indicates that cases of occupational injuries and illnesses are being hidden.</p>	Degrading or hazardous working conditions
Complaint reports	Identify complaint reports and legal records or evidence of outstanding complaints and action taken against the company.	<p>High number of outstanding complaints without action taken.</p> <p>Absence of a complaint mechanism or no complaints recorded could be a sign of a weak mechanism or an environment that discourages reporting.</p>	
Complaint reports	Determine whether there are gender specific measures to support reporting of complaints.	Lack of gender specific measures to file a complaint limits workers ability to report, especially in the case of sexual harassment and/or violence.	Degrading or hazardous working conditions

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Document	Review	Possible red flag	Indicator
Records of disciplinary action	Review records of disciplinary action (e.g., the frequency, the workers disciplined, the measures of action).	<p>High number of disciplinary actions against workers can indicate disciplinary action is being used as a form of coercion.</p> <p>Disproportionate targeting of specific categories of workers (e.g., women, indigenous workers).</p> <p>Use of wage deductions or extra work as punishment.</p>	Abuse of vulnerability, abusive working conditions
Maintenance or inspection records	Review inspections, audits or maintenance records.	<p>The employer does not keep maintenance or inspection records, or records do not correspond with condition of work sites or accommodations (i.e., records show inspection of fire extinguishers that are not working or not present).</p> <p>Reports are insufficient to meet the requirements of the relevant standard.</p> <p>Reports repeatedly confirm serious problems, but these have not been addressed.</p>	Abusive working conditions
Plan of the worksite	Review worksite plans and examine them for: <ul style="list-style-type: none"> ▶ surveillance towers; ▶ access to sanitary facilities; ▶ access to water; ▶ access to electricity and light; ▶ access to transport and roads; ▶ access to medical care. 	<p>There are security guards, surveillance towers or cameras, which control the workers beyond what is reasonable and proportionate to maintain security at the worksite.</p> <p>Inaccessible or non-existent sanitation facilities.</p> <p>No access to medical care at the facility or nearby.</p> <p>Difficult access to the workplace or town (e.g., no transport services or roads). The worker has difficulty getting to town during rest days / holidays.</p> <p>Inadequate access to water, electricity or lighting.</p>	Isolation, restriction of movement, abusive working conditions
Security related policies	Review security related policies.	<p>Be aware that security related considerations can often be used to restrict freedom of movement of workers.</p> <p>Restrictions that disproportionately affect women should be assessed, as they may constitute gender discrimination.</p>	Restriction of movement

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Document	Review	Possible red flag	Indicator
Policies regarding identity documents	Examine policies and procedures related to workers' identity documents.	Use of standard forms signed by workers authorizing retention or restricted access to their identity documents.	Retention of identity documents
Grievance mechanism or complaint form	Does the company have a functioning and safe grievance mechanism? Examine grievance and complaint forms.	Absence of a safe grievance mechanism or suitable alternative, or the existing ones are inadequate (see Tool 7 and Tool 8).	Any of the 11 indicators
Occupational Safety and Health (OSH) Policies	Check if the company has an OSH policy and risk assessment. What does the policy include?	Absence of an OSH policy or suitable alternative, or the existing ones are inadequate.	
Other policies	Review documentation, such as codes of conduct, policies on human rights or prohibition of forced labour.	Absence of a formal policy or code of conduct on forced labour or on human rights prohibiting forced labour and including grievance and remediation mechanisms.	Abuse of vulnerability
	Check if the company has specific policies or mechanisms for hiring migrant workers, including through labour recruitment agencies. Verify if these ensure zero recruitment fees and related costs for workers. Review contracts with labour recruiters.	Policies or contracts with labour recruiters do not prohibit recruitment fees or related costs being charged to workers. Contracts lack clauses to termination in case of non-compliance with fee charging provisions	
	Determine if procurement procedures are clearly defined to help prevent risks of forced labour	There are no clearly defined procurement procedures or the procedures do not account for risks of forced labour.	
Audits	Review audit documentation and check for indicators of forced labour.	Audit reports identify risks of forced labour.	



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Tool 3b – Direct observation checklist

Guidance

Observations of worksites and employer-provided accommodation for working and living conditions can help identify additional risks of forced labour. They can be especially valuable in cases where frank testimony from workers may be difficult to obtain or could jeopardize their safety.

An array of forced labour indicators, including, but not limited to, abusive working conditions (such as ill-maintained and dangerous equipment, no first aid kit), abusive living conditions (such as restriction of movement or insufficient space to rest), or the presence of unregistered workers, can be revealed through on-site observations.

Along with worker interviews, on-site visits are also important for comparing the information contained in documentation and records with actual working conditions. On-site observation can permit the early detection and follow-up of labour abuses and substandard working and living conditions that could deteriorate into situations of forced labour.

Tool 3b: Direct observation checklist

Review	What to assess	Possible red Flag	Indicators
Worksite	Examine the location of the workplace and its connection to town, cities, modes of transportation, and connectivity.	The workplace is isolated, in a remote location, far from any habitation, communities, urban areas or similar workplaces. The workplace is hard to reach. There are no transport services, and the worker has difficulty getting to town during rest days or holidays.	Restriction of movement, Isolation, Abusive working conditions
	With regard to remote workplaces (and related accommodation), determine whether community facilities are easy to reach; accommodation is within a reasonable distance to work; and whether the location is safe.	The location is unsafe. Community facilities and accommodation are hard to reach.	
	Examine the worksite for surveillance measures such as security guards, cameras or towers.	There are security guards, surveillance towers or cameras and/or surveillance by peers, which permanently control the workers.	
	Do workers have access to adequate sanitation facilities?	Sanitation facilities are unsafe, unhygienic or inaccessible.	
	Examine if doors are locked and whether the workplace is surrounded by high walls, fences and/or barbed wire.	Workers are locked in their workplace. There are high walls, fences and/or barbed wire around the workplace.	
	Determine whether workers have access to medical supplies and care.	There is no possibility of getting medical supplies or care at the facility.	

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Review	What to assess	Possible red Flag	Indicators
Working conditions	Look for signs of hazardous work; inadequate protective gear; lack of running water or adequate food. Determine whether OSH measures are in place in accordance with legislation and any standard safeguards.	Workers undertake hazardous work without adequate protective gear. There is no personal protective equipment (PPE) of sufficient quantity and quality. Conditions are unsafe and/or unhygienic. Inadequate fire safety equipment (e.g., non-functioning or inaccessible).	Abusive working conditions, Isolation, Restriction of movement
	Determine whether the employer has adopted any measures to minimize the risk of weather-related hazards, including heat stress.	No adequate ventilation, heating, cooling or lighting.	
Working conditions	Examine the ratio of actual team size to personnel requirements.	The workplace is overcrowded or severely understaffed. There is limited or no privacy.	Abusive working conditions, Isolation, Restriction of movement
	Are certain groups of workers spatially separated from each other at the worksite or in recreation areas, for reasons other than work tasks?	Workers are deliberately separated from each other to avoid contact or organization/unionization.	
	Look for signs of restriction of movement.	Use of "exit" or "toilet break" passes or other restrictions.	
	Do workers live at the workplace or are they provided accommodation elsewhere?	Workers sleep and live at the workplace.	
Workers' Accommodation	Look at rooms and dormitories; sanitary and toilet facilities; canteen, cooking and cleaning facilities; leisure and social facilities; ventilation, heating, cooling, lighting.	Accommodation is visibly decrepit, poorly constructed, poorly maintained, dangerous, or unsanitary. Workers do not have their own bed but share it with another person working another shift. Workers have limited or no privacy. Cooking takes place in the bedroom; there are no separate bathrooms for shower and toilet. Kitchen, bathroom and overall conditions are unhygienic or unhealthy. No adequate and quality drinking water. No adequate and quality food. No access to food storage, sanitation or washing facilities. The dormitory is overcrowded. There are problems with electricity, ventilation or air conditioning. The accommodation is unsuitable for living (e.g., basement, storage shed or tent) and lacks privacy. There is no consideration for gender, such as separate accommodation for women and men. Workers do not have access, either through the community or their accommodation, to clothing, medical care, social and emergency services, social security, recreation areas or schools.	Abusive living conditions, Isolation, Restriction of movement, Retention of identity documents

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Review	What to assess	Possible red Flag	Indicators
Workers' Accommodation	Are workers allowed to enter and exit their living facilities freely, at all times? If not, does this differ for different categories of workers, such as female/male workers?	Workers are locked in their accommodation. Curfews limit workers' freedom of movement outside their accommodation during rest periods and days off.	Abusive living conditions, Isolation, Restriction of movement, Retention of identity documents
	Do workers have a secure place to keep their personal belongings and documents?	Workers do not have a secure place to keep their personal belongings and/or documents.	
	Consider whether there are any factors limiting migrant workers' access to housing – for example their irregular migratory status.	Regular housing is not available to workers with irregular migratory status, and no accommodation is provided by the employer.	
Physical and psychological state of workers	Observe workers' physical and mental state.	Workers have visible signs of maltreatment (e.g., bruises, stab wounds, mouth and teeth injuries, cigarette burns). Workers look exhausted and/or show signs of mental confusion, anxiety or fear. Workers' body language demonstrates fear and anxiety, especially in the presence of a supervisor.	Physical and sexual violence, Intimidation and threats

Tool 3c – Worker interview questionnaire

Guidance

Worker interviews help further investigate the findings gathered through other tools in this handbook. The short version of the worker interview questionnaire provided in **Tool 3c** is designed to identify potential areas of risks of forced labour through preliminary screening.

The questionnaire covers different stages of employment, from recruitment to separation, and highlights red flags in workers' responses that may indicate forced labour situations or risks, based on the 11 indicators. The questions are formulated in general terms and should be adapted to the respective sectoral and regional context.³²

Once these potential areas of risk are identified, users should refer to the corresponding sections of the more detailed questionnaire in **Annex 1** to examine and analyse those specific areas in depth. For example, if risks are identified in recruitment practices, questions should be asked to the worker about how they were recruited, the role of intermediaries, contract terms, any recruitment fees paid, etc.

Note: The interview should be conducted by a reliable and recognized third-party with no affiliation to the company.

Interviews should include a workforce sample that reflects the overall workforce, including especially at-risk groups such as migrant workers, temporary workers or subcontracted staff, and should consider work location, function, shift, gender, ethnic group, age, length of service, etc., depending on the context.

³² For examples on fishing sector, see: ILO, *Towards Freedom at Sea – Handbook for the Detection of Forced Labour in Commercial Fishing*, 2023b (indicators and example cases) and ILO, *ILO Training Package on Inspection of Labour Conditions on Board Fishing Vessels*, 2021b (interview procedure).

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Union representatives may help to organize worker interviews, but interviews should also include workers not suggested by the union.

In some cases, the trust of workers will be hard to gain. Remember that workers may have low expectations of help from company representatives or authorities, or even expectations of trouble, based on experiences at home or as migrants. In these cases, workers can be reached, or their stories learned, through trade union representatives or intermediaries such as charities, social service organizations, religious organizations and migrant community leaders. Actively engaging these groups can support more accurate assessments of suspected forced labour situations and risks.

Be aware that some workers may have been coached by recruitment agencies, supervisors or even other workers on how to answer questions. Signs of coached responses may include all workers giving exactly the same answers, answers that sound rehearsed, attempts by some workers to prevent others from speaking, or body language that contradicts what is being said. If workers continue to provide coached answers, simply close the interview in a normal manner and record your observations in your notes.

Box 7: Important principles for worker interviews

- ▶ Workers must be explicitly assured that their response will remain confidential and will not affect their employment status or result in any adverse actions against them.
- ▶ Ensure informed consent by explaining:
 - ▷ The content and purpose of the interview.
 - ▷ The potential risks and benefits of participating.
 - ▷ Why they have been selected and how the information will be used.
 - ▷ That their participation is voluntary, and they have the right to refuse to answer questions and stop the interview at any time without fear of consequence.
 - ▷ Their right to restrict the ways in which any information they shared is presented or disseminated.
- ▶ Explain the interview situation, for example: "I will be asking you to share your experiences and will be taking notes on what you say. I will not share your name or contact information."
- ▶ A private setting is best for conducting interviews, although workers should not feel isolated.
- ▶ Ensure a safe, neutral place for the interview, preferably away from the worksite.
- ▶ The interviewer should create a comfortable environment for the worker. This can be done by accommodating any cultural differences, allowing workers to refuse to answer certain questions, listening intently and asking follow-up questions, and helping workers understand the questions by providing examples if necessary (workers may not realize they have experienced threats or harassment).
- ▶ Workers should be interviewed in a language they understand and should be able to respond in their native language, with provision for interpreters if necessary.
- ▶ Interviewers should be of the same gender as the worker being interviewed, to allow the worker to respond transparently to questions related to harassment.
- ▶ Forced labour is a sensitive topic; questions can be asked indirectly to workers. For example, "Do you know of co-workers who".
- ▶ Use clear and appropriate language. Pose follow-up questions regarding any significant issues identified and guide the worker on how to voice their concerns (*see below Next steps box in case immediate action is required*).
- ▶ Only ask for as much detail as the worker is comfortable sharing.

The interviewer is responsible for detecting when an interview should not be conducted or should be stopped to prevent harm to the worker, if they show visible signs of distress. It is common for current victims and survivors of forced labour to suffer from various forms of distress, such as post-traumatic stress disorder or depression.

Note: For more information on ethical guidelines, see: ILO, [Ethical Guidelines for Research on Forced Labour](#), 2023a.

Note: During the interview, aim to understand whether there are signs that the worker is working involuntarily or under coercion. Use key follow-up questions, such as "Did you agree to these conditions?", "If you had known about these conditions, would you have taken the job anyway?", or "Have you been forced to work under these conditions?"

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 **Tool 3c:** Worker interview questionnaire (short version)³³

Worker interview questionnaire (short version)

Date of interview:

Company name:

Is the worker below the age of 18 years?

Sex:

Start date at the company (dd-mm-yyyy):

Position:

Contract type:

Contract duration (in months):

Migration status (if applicable):

Recruitment agency (if applicable):

Start

Before beginning, ensure informed consent and explain the purpose and process of the interview (see **Box 7**)

- ▶ Do you know why this interview is being conducted?
- ▶ Do you have any concerns about the interview?
- ▶ What language do you feel comfortable conducting this interview in?

Framing and general information

Recruitment stage

Questions	Possible red flags	Indicator
Before you agreed to take this job, were you informed about how much you would be paid, what your tasks would be and how long you would work, (and, if applicable, about the living conditions)?	The worker was not provided accurate information about the job during the recruitment process.	Deception
Did you sign a contract for this job? Did you read and understand your contract? If not, why?	There is no written contract, or the contract is written in a language the worker cannot understand.	
Did you sign blank pages or were pressured to sign additional work contracts after you arrived at the workplace?	The worker signed a contract with sections left blank, allowing for possible fraudulent alterations.	

³³ For an example on how to proceed to interview workers in the fishing sector see: ILO, *ILO Training Package on Inspection of Labour Conditions*, 2021b.



Identify, assess and prioritize actual and potential forced labour impacts

Worker interview questionnaire (short version)

Questions	Possible red flags	Indicator
Could you have refused to accept this work? If not, why?	The worker reports not having consented to the job and are working involuntarily.	Intimidation and threats
Did anyone used pressure or threats to make you take the job or agree to any of the conditions in your employment contract? If yes, what kind of threats?	The worker indicates accepting the job due to threats or pressure.	
Did you go into debt to get this job? <i>For example, to pay a recruitment agency, obtain a passport or work permit, or cover pre-departure accommodation or travel costs?</i> If yes, to whom?	The worker is in debt to the employer or recruiter and was threatened with serious consequences, such as physical harm to the worker or to a family member, or legal jeopardy, if the job is left before repayment.	Debt bondage
Do you have to work in order to pay off debt to your recruiter or employer? Do any of these debts prevent you from leaving the employer if you wanted to? If yes, why?		
Were you put (further) into debt through unagreed or excessive charges or interest rates?	The worker was deliberately put further into debt through exorbitant interest charges and/or unagreed or excessive charges for food, housing or other goods from the employer.	
Were you forced to take the job through physical force from the employer or someone else (e.g., abduction, confinement during the recruitment)?	The worker reports being forced to take the job due to physical force.	Physical violence

Employment stage

Questions	Possible red flags	Indicator
Are the conditions at work the same as those agreed at the time of recruitment? <i>(If different) What is different? For example: type of work; working and rest hours; duration of the contract; workplace; employer; wages; pay schedule; living conditions; freedom to move or leave.</i>	The actual terms of employment are not consistent with the contract. The worker was tricked into accepting a job that is worse than the one agreed at the time of recruitment. The worker indicates that the job would not have been accepted had the real conditions been known.	Deception
Can you freely enter and exit the company's facilities (dormitory/accommodation or worksite) without needing permission (except for safety reasons)? If not, what are the restrictions?	The worker states that mobility is constrained by their employer or supervisor <i>(e.g., workers are locked in their accommodation or workplace).</i>	Restriction of movement
Are you subjected to constant surveillance (also outside working hours)?	The worker reports constant surveillance by the employer or supervisor.	
Have you ever been asked to hand over personal documents <i>(e.g., passport, identity document, residence permit, work visa, etc.)</i> ? Are you able to access these anytime you want?	The worker is not in possession of personal documents and is unable to leave due to fear of losing them.	Retention of identity documents



Identify, assess and prioritize actual and potential forced labour impacts

Worker interview questionnaire (short version)		
Questions	Possible red flags	Indicator
<p>How much were you told you would be paid when you agreed to take this job? <i>(Specify currency and timeframe – e.g., monthly/daily).</i></p> <p>Are you always paid everything that you were promised? If not, how much was deducted and was the reason explained to you?</p>	<p>The worker is paid below the legal minimum wage and / or the amount paid does not match the terms agreed in the contract.</p>	<p>Withholding of wages</p>
<p>Do you ever have trouble getting your money? Did you have to work for no wages?</p>	<p>The worker states that the employer has previously withheld wage payments, delayed them or made unexplained deductions. Wage withholding is a warning sign of coercion.</p>	
<p>If you left your contract early, would you be paid for the days you have already worked?</p>	<p>The worker feels coerced to continue working for fear of losing unpaid wages if the job is left.</p>	
<p>How many hours a day do you work, how many days each week?</p> <p>Do you sometimes (or often) work for more hours than agreed and more than what is legal? <i>(Explain what the legislation provides for in the country)</i></p>	<p>The worker is required to work excessive hours daily or without rest days, despite legal requirements.</p>	<p>Excessive working hours</p>
<p>Do you have enough time to rest? Are you allowed to rest while sick?</p>	<p>The worker is required to work without breaks or days off. Refusal to work, even when sick or injured, results in penalties.</p>	
<p>Do you have to work overtime to meet the targets and to be paid what was promised?</p>	<p>The worker cannot meet quotas or earn the agreed wage under piece-rate systems without working excessive hours.</p>	
<p>What happens if you refuse to work overtime when asked?</p>	<p>The worker is unable to refuse overtime due to threats or punishment/penalties.</p>	
<p>Do you have to work in conditions or perform tasks that you think place you at risk of serious injury or illness? Were you given adequate protective gear and/or training? Are you allowed to refuse in such cases? If not, why not?</p>	<p>The worker reports undertaking hazardous work without adequate protective gear and/or training.</p> <p>The worker is unable to refuse unsafe assignments due to threats of punishment, loss of wages or employment.</p>	<p>Abusive working conditions</p>
<p>Do you have to perform tasks that you think are illegal or work in conditions that you find degrading, humiliating or otherwise intolerable? Would you expect any negative consequences if you refuse? If yes, which ones?</p>	<p>The worker endures working conditions that are in severe breach of labour law and violate human dignity.</p>	
<p>Are you provided housing/sleeping quarters by the employer? If yes, do you have to live in housing that you find degrading, unhygienic, unsafe, overcrowded, lacking in privacy or otherwise intolerable?</p>	<p>The housing is described as intolerable due to very poor conditions and inadequate access to essential needs <i>(e.g., clean water, sanitary facilities, etc.)</i></p>	<p>Abusive living conditions</p>



Identify, assess and prioritize actual and potential forced labour impacts

Worker interview questionnaire (short version)

Questions	Possible red flags	Indicator
Are you denied access to a mobile phone or the internet?	The workers' mobile phone have been confiscated and/or access to phone or internet is restricted during their free time, or only allowed under employer supervision.	Isolation
Are you able to talk to family, co-workers, social support or trade unions? Do you belong to any worker organization? Are you free to join or form a trade union?	The worker reports being isolated from family or co-workers, and/or is restricted from contacting social support networks or trade unions.	Isolation
Have you ever witnessed verbal abuse, harassment or physical or sexual violence in the workplace? If yes, what kind?	Violence is used to threaten, intimidate, punish or coerce the worker.	Physical and sexual violence
Have you been threatened with or experienced violence? If yes, what kind of threats or violence occur at your work?	Workers report any actual or threatened verbal or physical (sexual) abuse, or (sexual) harassment.	
Have you or your family been threatened or intimidated with violence, humiliation, denial of food/water, denial of rest, additional work or withholding of wages?	The worker and/or worker's family are intimidated and threatened as a means of coercion and control.	Intimidation and threats
Do you and your colleagues feel safe to raise a complaint? If not, why?	The worker is intimidated and does not feel safe to raise complaints, fearing punishment.	
Have you been threatened with deportation or being reported to the authorities to stop you from refusing certain conditions of work or tasks, or quitting?	Threats of deportation or being reported to authorities are used as disciplinary measures, especially for international migrant workers.	Abuse of vulnerability

Employment separation stage

Do you feel free to leave the job at any time? If not, why not? Did you want to leave the job but were prevented from doing so? If yes, what measures were taken to prevent you from quitting?	The worker does not feel free or able to leave the employer and terminate the employment.	Coercion, involuntariness
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Good practice: Danone's assessment of adverse impacts

Danone assesses adverse impacts on the ground through audits or self-assessments. With guidance from external experts including the Fair Labor Association Danone has identified ten priority countries of operation, based on two criteria: human right inherent country risk and size of the external workforce employed at Danone's sites. In these ten priority countries, facilities, including plants, headquarters and warehouses, SMETA audits have been conducted by certified auditors. Danone ensured that trade union representatives were interviewed. In the other countries, human rights self-assessments have been conducted at priority sites (defined as those with over 150 Danone employees or if the external workforce exceeds 20% of the Danone headcount) using an internal self-assessment tool. The self-assessment tool aligns with the Ethical Trade Initiative (ETI) Basecode and Danone Sustainability Principles. It also incorporates questions from the survey designed by the Fair Labor Association for members of the Consumer Goods Forum-Human Rights Coalition.

Source: IOE, *Practical Guide for Employers*, 2025b.

→ Next steps

- ▶ The above questions help identify risks that require action to prevent them from developing into forced labour. The questionnaire can also reveal indicators and potential victims, prompting further investigation. In some cases, however, interviews may also uncover high-risk situations where workers appear to be employed involuntarily under threat. When this happens, the interviewer should proceed with the following steps to take immediate action to support the victim(s):
 - ▷ Guide the worker on how to voice their concerns.
 - ▷ Offer referral to victim support services:
 - Referrals to relevant services should always be offered to workers who have experienced or are currently in situations of forced labour and/or human trafficking.
 - Workers should never be referred without their consent. If an individual requests or accepts a referral, the interviewer should make every effort to facilitate it.
 - Interviewers should have cards providing the addresses and phone numbers of referral services, including shelters, psychosocial care, legal aid, health services, and trustworthy law enforcement contacts. The cards should be translated into relevant languages and produced in a format that is accessible and discreet for distribution to workers.
 - After explaining available referral options, enquire about what the worker would like to do, what kind of help they prefer and how they want to access the selected support. The interviewer should go beyond simply providing written information wherever possible, for example, by contacting the referral service on the worker's behalf when they provide approval to do so. Do not take action or contact authorities such as police or immigration services without the worker's explicit permission.
 - For individuals who do not want immediate help, offer referral information for possible future use.

Note: For further guidance on remedy, see [Tool 9](#).

- ▶ If children below 18 years old are found, refer to the ILO and IOE Child Labour Guidance Tool for Business.¹
- ▶ For situations that do not constitute forced labour but still present a risk, companies should develop a corrective action plan for identified risks of forced labour (see [Tool 7](#)). Any issues that require immediate response or escalation should be prioritized.
- ▶ Companies that hire migrant workers and have identified potential risks at the recruitment stage, may need to further assess their own recruitment practices using [Tool 4a](#) and [Tool 4c](#).
- ▶ Companies sourcing from countries where State-imposed forced labour is suspected should assess the related risks using [Tool 5](#). Similarly, companies making use of prison labour should assess the associated risks using both [Tool 5](#) and [Tool 6](#).

Note: (1) ILO and IOE, [ILO-IOE Child Labour Guidance Tool for Business. How to do Business with Respect for Children's Right to Be Free from Child Labour](#), 2015b.



Tool 4: Assessing risks related to recruitment

Low-skilled migrant workers are three times more at risk of being in forced labour than non-migrant workers.³⁴ In addition, migrant workers with irregular migration status are at even greater risk. The recruitment phase is particularly critical, where risks of forced labour may first appear, including deception regarding the job or terms and conditions of employment, retention of identity documents, and the imposition of recruitment fees and related costs on workers, which can result in debt bondage and heightened vulnerability. Women migrant workers may encounter additional and gender-specific risks at all stages of recruitment and migration, such as discrimination, sexual harassment, or unequal treatment in job placement.

In the context of global labour mobility and increasing skills shortages, companies often turn to private employment agencies and labour recruiters, ranging from individual agents to large multinational firms, to meet their workforce needs. These actors play a significant role in matching labour supply and skills with international employment opportunities, especially in cross-border recruitment of migrant workers. In this landscape, recruitment practices vary widely, and not all are conducted in a fair or transparent manner. One growing concern is the burden of recruitment fees and related costs placed on workers, which can lead to indebtedness and increase vulnerability to forced labour.

The ILO Private Employment Agencies Convention, 1997 (No. 181)³⁵ calls on States to establish systems for registering, licensing, and regulating private employment agencies, and prohibits these agencies from charging workers, directly or indirectly, in whole or in part, any fees or costs. This principle is reaffirmed in the *ILO General Principles*,³⁶ which cover 13 principles that apply to all types of recruitment and should guide the implementation of fair recruitment at all levels, providing operational guidelines for companies and public employment services. Moreover, business-led initiatives such as the Code of Conduct of the World Employment Confederation³⁷ emphasizes that “*private employment services shall not charge directly or indirectly, in whole or in part, any fees or costs to jobseekers and workers, for the services directly related to temporary assignment or permanent placement*”.

It is important to note that both international and internal migrant workers may face abuses during recruitment. The following tools support companies that recruit international and/ or internal migrant workers in assessing risks linked to their recruitment:³⁸

- ▶ **Tool 4a:** Steps for company’s fair recruitment process.
- ▶ **Tool 4b:** Assessing practices of labour recruiters.
- ▶ **Tool 4c:** Reviewing recruitment fees and related costs.

³⁴ ILO, *Global Estimates of Modern Slavery*, 2022, page 4.

³⁵ ILO, *Private Employment Agencies Convention, 1997 (No. 181)*.

³⁶ ILO, *General Principles*, 2019b.

³⁷ World Employment Confederation (WEC), *Promoting Fair Recruitment and Employment Practices – Code of Conduct*, 2017.

³⁸ For more comprehensive guidance on due diligence for fair recruitment, see ILO GBNFL, *The Due Diligence Toolkit for Fair Recruitment*, 2021, online course; and IOE, *An Employer’s Guide to Fair Recruitment*, 2021.

Tool 4a – Steps for company’s fair recruitment process³⁹

Guidance

The tool below describes common steps in the recruitment process. Each company should review its own recruitment process, as these steps vary depending on whether recruitment is national or international, and on the laws and agreements governing labour migration corridors. A detailed assessment of recruitment processes in each migration corridor is the basis for identifying risks of recruitment related abuses that need to be prevented. Such assessment also helps to clarify the roles and responsibilities of different stakeholders involved in the recruitment and labour migration process, whether workers are migrating for work within the country or from abroad, allowing the company to strengthen due diligence, where necessary.

Tool 4a: Steps for company’s fair recruitment process

Service description

1 Government approval

In some jurisdictions, companies that wish to recruit migrant workers must first conduct a labour market assessment to demonstrate that they are unable to hire workers locally. Once this is done, the responsible authority reviews the request and, if satisfied, grants approval. In some countries, recruiting workers from another state or region may require local government approval.

2 Recruitment service agreement

This agreement is concluded between the employer and the selected service provider, e.g., a labour recruiter or recruitment agency in the country of destination or origin.

3 Demand letter or letter of engagement should contain:

- ▶ Number of workers required.
- ▶ Position and job description.
- ▶ Skill or qualification requirements.
- ▶ Worksite and job hazards.
- ▶ Accommodation site and conditions.
- ▶ Working conditions, including wages, periodicity of payments, hours of work, shifts and overtime limits.
- ▶ Leave entitlements, including sick leave and annual leave.
- ▶ Deployment dates and contract duration.
- ▶ Conditions for employment termination.
- ▶ Indication of zero-fee and costs to workers recruitment.

4 Demand letter attestation at embassy

This process may be initiated by the employer or a service provider on the employer’s behalf. For the latter, the employer may wish to include a review of the process as part of recruitment due diligence.

5 Government approval in countries of origin

This is granted by the relevant public authority and communicated to the employer or its service provider, allowing recruitment to proceed.

³⁹ This tool is adapted from tools developed as part of ILO, *Fair Recruitment Matters for Business – Lessons from a Pilot Study in Qatar’s Construction Sector*, 2021a.

Service description

6 Preparation of the job advertisement

The employer or service provider prepares a clear and accurate job advertisement that reflects the terms outlined in the approved demand letter. The advertisement should specify the job title, key duties, required qualifications, working and living conditions, wages and benefits, and the employer's commitment to a zero-fee recruitment policy. It should also include transparent information on the application process, deadlines, and contact details, ensuring compliance labour and recruitment standards.

7 Searching for job applicants

Normally conducted by the service provider in the country of origin and monitored by the employer. The following channels are often employed:

- ▶ Existing databases.
- ▶ Sub-agents.
- ▶ Circulars or newsletters.
- ▶ Word of mouth.
- ▶ Local TV, radio or print media advertisements.
- ▶ Recommended candidates (from employer, current or former workers).
- ▶ Mass text messaging services.
- ▶ Social media.

8 Conducting pre-selection

- ▶ Candidates matching the requirements are shortlisted.
- ▶ Candidates receive a first briefing on zero-fee and costs to workers recruitment as well as other relevant information pertaining to the process, job and destination.
- ▶ This process may be managed by the service provider alone or in cooperation with human resources representatives of the hiring company.

9 Interviews

- ▶ Explain the nature of the job and the working and living conditions.
- ▶ Explain workers' rights and responsibilities.
- ▶ Brief the workers on the zero-fee recruitment and related costs policy, along with the recruitment plan and schedule.
- ▶ Interviews may be conducted by the service provider or involve the participation of the employer.

10 Selection

- ▶ Employers review documentation and select the final candidate list.
- ▶ Offer letter is made to candidate(s).
- ▶ Employment contract is written and explained to workers in a language they understand.
- ▶ Next steps are explained, including reiteration of zero-fee recruitment and related costs policy

11 Other processes

- ▶ Contract approval in country of origin.
- ▶ Welfare contribution in country of origin.
- ▶ Passport application.
- ▶ Visa application.
- ▶ Medical examinations.
- ▶ Training.
- ▶ Taxes.

Service description

12 Pre-departure orientation or training

In some jurisdictions, pre-departure orientation is required by law to prepare the migrant workers for life abroad. It may be provided by a public authority, a trusted civil society organization or a recruitment agency. In other cases, the employer may wish to invest in preparatory training for selected candidates. This is often facilitated by the service provider and conducted in cooperation with the employer.

13 Overseas travel arrangements

If this step of the migration process is not handled directly by the employer, recruitment due diligence must ensure that migrant workers are not paying for services and related costs, including documentary evidence that shows the service provider covered the payments.

14 Arrival

The following should be included in the overall recruitment costs and covered by the employer:

- ▶ Additional taxes or social security.
- ▶ Medical examinations.
- ▶ Uniform or equipment costs.

15 Post-arrival orientation

After arriving at the destination, workers should receive an orientation organized by the employer or service provider. This session familiarizes workers with workplace rules, health and safety procedures, grievance mechanisms, cultural norms, local laws and available support services. It also reinforces key employment terms and workers' rights.

16 Return or repatriation

Travel costs from the worker's workplace or employer-provided accommodation to their place of origin should be included in the overall recruitment costs and covered by the employer.



Identify, assess and prioritize actual and potential forced labour impacts

Tool 4b – Assessing practices of labour recruiters⁴⁰

Guidance

Ensuring the company assesses the practices of third-party labour recruiters to determine whether they follow fair recruitment practices, and are therefore a viable option as a service providers, is key. This tool supports such assessment.

Tool 4b: Assessing practices of labour recruiters

Background

- 1 Does the labour recruiter have a policy on fair recruitment?
 - 1a. Does the policy include reference to zero recruitment fees and related costs charged to workers?
- 2 Is the labour recruiter licensed or registered (depending on national legislation)?
- 3 Is the labour recruiter a member of a national or international employment agencies association?
 - 3a. Has the national or international employment agencies association received certification or adopted a policy on fair recruitment that members must abide by?
- 4 Has the labour recruiter undergone any training on fair recruitment?
- 5 Does the labour recruiter use subagents or other informal labour intermediaries?
- 6 Has the labour recruiter been subject to any allegations of worker abuse?
- 7 In which industry sectors or regions/countries does the labour recruiter specialize?
- 8 What is the share of women and men recruited by the labour recruiter?

Cost structure

- 9 Has the labour recruiter provided a breakdown of all recruitment fees and related costs to be covered by the employer?
- 10 Is the fee structure of the labour recruiter in line with the market rate?
- 11 Is the fee charged to the employer inclusive of all recruitment costs, where applicable, work permit, medical examination, insurance, skills and qualification tests, training and orientation, travel and lodging, administrative costs, labour recruiter fee and related documentation?
- 12 Is the labour recruiter charging any recruitment fees or related costs to the workers?
- 13 Is the fee or cost charged by the labour recruiter to the worker in accordance with national rules and regulations, and where relevant, the laws and regulations of the country of origin?
- 14 Does the labour recruiter provide loans or financial advances to workers who cannot afford recruitment fees or related costs?
- 15 Are workers required to lodge any security deposits with the labour recruiter?

⁴⁰ This tool is adapted from ILO, *Business Responsibility on Preventing and Addressing Forced Labour in Malaysia: A Must-Read Guide for Malaysian Employers*, 2019a. Companies are encouraged to adapt the tool to their local contexts.

Identify, assess and prioritize actual and potential forced labour impacts

Documentation, procedures and contract

- 16 Is the information in the job advertisement accurate?
- 17 Are job seekers made aware that they should not be responsible for any recruitment fees and related costs?
- 18 Is the labour recruiter operating in compliance with national laws, policies and procedures, and, for international recruitment, with the laws, policies and procedures of the country of origin?
- 19 For international recruiters, is the labour recruiter aware of how to comply with laws, policies and procedures in the country of destination?
- 20 Is the employment contract issued in a language understood by the worker?
- 21 Are the terms and conditions of employment explained to the worker?
- 22 Is the signed employment contract the same as that provided by the employer or used in the country of destination?
- 23 Are the terms and conditions of the employment contract consistent with the employer's requirements and standards and with labour law?
- 24 Does the labour recruiter employ any discriminatory interview or selection processes?
- 25 Does the labour recruiter manage personal information collected from workers in a confidential manner and store personal data securely?
- 25a. Does the labour recruiter provide pre-departure orientation to workers?
- 26 Is a grievance mechanism available to jobseekers? Does the labour recruiter maintain a database of complaints and documentation showing how complaints have been resolved?

Identification documents, travel and medical examination

- 27 In the case of international recruitment, does the labour recruiter follow the correct immigration procedures?
- 28 When required, is the medical examination conducted free of charge to the worker?
- 29 If a medical examination is conducted, are the related expenses part of the recruitment cost borne by the employer?
- 30 Are the transport and logistic arrangements for the worker part of the recruitment cost borne by the employer?
- 31 Does the labour recruiter retain or hold the passport or other identity documents of the worker at any point in the process?

Tool 4c – Reviewing recruitment fees and related costs

Guidance

This tool can be used to map the recruitment fees and related costs involved in different labour migration corridors. By examining the fees and costs incurred at each stage of the recruitment process, the employer can obtain an accurate picture of these costs and determine how they are currently distributed. Subsequently, the employer should determine the appropriate cost distribution between themselves and the labour recruiter, keeping in mind that workers should not bear any fees associated with their recruitment, in accordance with international labour standards and the ILO's *General Principles*.⁴¹

The tool below provides a sample template to collect information on possible recruitment fees and related costs and on the party who incurred these costs. The tool should be used to report current and accurate information from the recruitment process. Each row should be completed to the best of the company's knowledge, using up-to-date data from company representatives, workers (see [Tool 3c](#)), labour recruiters, and, where relevant, government authorities.

Tool 4c: Reviewing recruitment fees and related costs⁴²

Recruitment cost item <i>(list per migration corridor, if relevant)</i>	Amount <i>(and currency)</i>	Cost distribution		
		Employer	Labour recruiter	Worker or jobseeker
Recruitment fee for services rendered by the labour recruiter				
Administrative fees for approval in country of destination				
Administrative fees for demand letter				
Attestation fees at embassy				
Administrative costs for government approval in country of origin				
Advertisement costs				
Subagent fees				
Local travel and lodging for interview				
Interview costs				
Skills, qualifications and/or language tests				
Skills certificates				
School records				
Contract approval				
Welfare contribution				
Medical tests				
Photographs				

⁴¹ ILO, *General Principles*, 2019b.

⁴² In some cases, certain related costs may be borne by governments. It is important to review and analyze the applicable national legislation to understand such provisions.

HRDD Steps

Step 1

Step 2

Step 3

Step 4

Step 5

Identify, assess and prioritize actual and potential forced labour impacts

Recruitment cost item <i>(list per migration corridor, if relevant)</i>	Amount <i>(and currency)</i>	Cost distribution		
		Employer	Labour recruiter	Worker or jobseeker
Passport costs				
Biometric costs				
Visa/work permits				
Security deposits				
Insurance				
Immigration fees or levies				
Medical costs				
Vaccination costs				
Police clearance				
Official translations				
Security deposits				
Taxes				
Notary, attestation or legal fees				
Pre-departure orientation training costs				
Pre-departure internal travel and lodging				
Travel to destination <i>(e.g. flights and local transport to reach worksite/accommodation from place of origin)</i>				
Equipment or uniform costs				
Enrolment in social security				
Post-arrival orientation training costs				
Post-arrival medical examinations				
Return travel costs				
Return travel allowance				
Other				

The final set of identification tools addresses State-imposed forced labour. Companies that source, or may potentially source, from areas where there is suspicion of State-imposed forced labour should apply these tools.

Good practice: Samsung measures progress against forced labour through monitoring recruitment fee reimbursement to workers

Samsung Electronics disclosed its revised Migrant Worker Policy¹ highlighting “the Employer Pays Principles” and reflecting ILO’s new definition of fees. Samsung conducts special audits for forced labour and delivers training on responsible recruitment for suppliers. The company measures the progress against forced labour in the supply chain by tracking the reimbursed amount of recruitment fees and the number of managers in suppliers who completed its responsible recruitment training.

Notes: (1) See Samsung, [Migrant Worker Policy](#), 2020.



Tool 5: Dealing with State-imposed forced labour

Guidance

Most of the guidance in the handbook focuses on actions to prevent and remediate risks and situations of forced labour caused by private actors within supply chains. State-imposed forced labour arises from national laws, policies, or practices, and often occurs within a broader social context marked by coercive state apparatuses and a general absence of civic freedoms.

To assess whether State-imposed forced labour may pose a risk in a supply chain, reports and information from ILO supervisory bodies and other UN human rights agencies are particularly valuable sources.⁴³ These reports come from trusted international mechanisms that assess whether countries' laws and practices comply with international standards, and they should be a key starting point for analysis.

Noting that compulsory prison labour under the control of, or for the benefit of, private individuals or entities is never permitted (see **Tool 6**), initial desk research should check for the following risk indicators:

- ▶ Evidence of a State policy or State-sanctioned practice, as expressed in laws, high-level policy documents, administrative instructions or institutional mandates, that directly or indirectly legitimizes the use of involuntariness or coercion (including coercive pressures by State authorities or systematic use of prison labour) in human resource allocation.
- ▶ Evidence of a State policy or practices that instrumentalizes employment or work for political objectives, such as aligning political views with those of the established political, social or economic system, altering the population composition in particular areas, or enhancing national security.
- ▶ Evidence of a State policy or State-sanctioned practice that restricts job or geographical mobility for economic, social, cultural or political purposes.
- ▶ The presence of a coercive environment (a significantly reduced civic space manifested in systemic restrictions of fundamental freedoms and enhanced surveillance), a comprehensive mechanism for pressure-driven labour mobilization, or a State policy mandating work or production targets for targeted populations.
- ▶ Evidence of a State policy or State-sanctioned practice that causes or perpetuates the disadvantaged position or vulnerabilities of racial, social, national or religious groups.

Where there is evidence of one of the above five indicators, further assessments or traceability studies may be necessary to understand whether there is a credible possible risk of State-imposed forced labour within the supply chain.

A major challenge arises in situations involving State-imposed forced labour, where private actors often have limited, if any, agency to address abuses resulting from deliberate State laws, policies or practices. As the State itself imposes this category of forced labour, States may have little incentive to collaborate with, or address challenges raised by companies.

In such contexts, victims are often denied access to remedy, as States not only fail to recognize the existence of forced labour but may actively legitimize or conceal it. Traditional protections, such as national laws, enforcement bodies and judicial systems, may be either inaccessible to victims or used to reinforce their exploitation. As a result, and depending on the scale of the problem, there may be little or no possibility of remediation through national institutions. Because these practices may be embedded in national policies, State structures can be used systematically and at scale, creating a high-risk environment that is exceptionally difficult to influence.



Safety considerations for suppliers, third party auditors and workers should be taken into consideration when undertaking due diligence in these contexts. Where a mapping, desk research and/or traceability study indicates a possible risk of state-imposed forced labour, parallel action should be taken. In particular, while the due diligence processes by a company should continue and be ongoing as it can further uncover additional negative impacts link to state-imposed forced labour, it is important to take steps to ensure that affected and involved stakeholders cannot be subject to retaliations. Companies should carefully consider the following questions in **Tool 5** below to ensure that their actions are responsible and do not put at risk those involved or affected.

⁴³ For ILO supervisory body comments see the [Committee of Experts on the Application of Conventions and Recommendations \(CEACR\)](#) website.

 **Tool 5: Dealing with State-imposed forced labour**

Questions to consider before undertaking company-level assessments or further due diligence

Questions	Considerations
1 Can an assessment be undertaken safely and credibly?	Fundamental preconditions for State-imposed forced labour include an overall coercive environment within the context in which it is taking place (specific geographical area, specific groups of the population, prisons, etc.), which may inhibit the free expression of concerns by workers.
2 Is it possible, within the specific context, to collect accurate information without exposing workers, civil society actors, auditors or other stakeholders to the risk of retaliation?	The absence or inability of UN agencies, such as the ILO, or independent NGOs or human rights institutions to undertake a credible assessment in the given context is a strong indicator that it could be unsafe to do so.
3 Can independent third-parties, such as the ILO or credible NGOs, support, validate or help conduct the assessment?	The broader context must be considered when determining whether enterprise-level assessments can be conducted in a safe and credible manner. The principle of “do no harm” must be the priority. If there is a credible risk that data collection could place individuals at risk, the assessment should be postponed, adapted, or not undertaken. Desk research may be a more suitable approach to identifying risks of State-imposed forced labour, complemented by traceability studies to assess whether the supply chain is situated within a high-risk context.
4 Are sufficient safeguards in place to protect against retaliation?	When the State is responsible for forced labour, there are usually no credible mechanisms in place to protect individuals, such as workers, auditors, or civil society actors, from retaliation. Legal protections for workers, suppliers, third-party auditors or researcher are likely to be either absent or not enforced, especially when exposing State-linked abuses. Reporting abuses may itself carry significant risks, including harassment, arrest, loss of employment or other negative consequences.
5 Are there effective and enforceable protections for workers, suppliers, third-party auditors or researchers in case risks or situations of State-imposed forced labour are uncovered?	The legal system may lack independence, and whistleblower protections are frequently ineffective or entirely lacking in practice. A company’s ability to implement effective safeguards in such a context is likely to be significantly constrained.
6 Are there established protocols that can effectively prevent and respond to possible retaliation, especially from State actors?	The range of effective actions is likely to be extremely limited. Since the State is the source of the coercion, companies often lack safe, legal or practical avenues to resolve abuses. Traditional approaches to remediation, such as engaging authorities, supporting victims or improving workplace conditions, may not be possible or may place stakeholders at further risk.
7 If risks or situations of State-imposed forced labour are identified, what actions can be taken?	Companies and their suppliers may have little or no capacity to stop or reduce the risk of State-imposed forced labour. Compliance measures, audits or corrective action plans are unlikely to be meaningful in a setting where the abuse is systemic and sanctioned or carried out by State actors.
8 Is the company or its suppliers able to implement measures that could cease, prevent or mitigate such risks or violations?	Efforts to intervene can even provoke retaliation or increase adverse impacts on workers. In these situations, companies, suppliers and partners generally lack the leverage needed to influence government behaviour.
9 Does the company, its suppliers or partners have leverage to influence change?	
10 What, if any, power does the company or its suppliers have to provide remediation to adverse impacts already caused?	

→ Next steps

- ▶ If on-the-ground assessments or further due diligence activities cannot be carried out safely, companies should rely on open-source desk-based research and traceability studies to assess the risk of State-imposed forced labour, focusing on contextual and structural indicators rather than direct enquiries into forced labour situations.
- ▶ In accordance with UN Guiding Principle No.19, where there is no reasonable prospect that a company can prevent or remediate forced labour, due to minimal leverage or lack of access to meaningful engagement, its continued involvement should be carefully reviewed.¹ This is especially important when there is a risk of the company becoming complicit in gross human rights abuses, such as State-imposed forced labour. In such instances, companies must promptly assess whether and how to disengage, taking into account several factors, including how “crucial” the relationship is to the business, the “severity” of the abuse, and the potential human rights consequences of terminating the relationship. Wherever possible, the decision should also be informed by internal and independent external human rights expertise and should include meaningful consultation with potentially affected groups and other relevant stakeholders. Mitigation measures necessary to minimize adverse impacts resulting from the decision – either to remain or disengage, should also be taken.²
- ▶ Before ending a business relationship, the UNGPs emphasize that companies should seek to be part of the solution. Where possible, leverage should be exercised. In this regard, the UNGPs acknowledge that leverage is not static. It may be limited at the outset, but could be built over time. Companies should evaluate their previous efforts to address forced labour and assess whether new or adapted strategies could credibly produce better outcomes.
- ▶ Drawing on the ILO’s experience in addressing State-imposed forced labour, three minimum conditions are essential to enable effective remediation over time:³
 - ▷ Government recognition of the problem and a genuine commitment to reform. This may be demonstrated through public statements, engagement with UN bodies such as the ILO, cooperation with independent civil society organizations, or participation in multi-stakeholder initiatives.
 - ▷ State permission for an independent entity, such as the ILO, to conduct third-party monitoring or independent assessments, with firm guarantees from the State to ensure the safety and protection of all participants.
 - ▷ The existence of an independent and credible complaint mechanism that is accessible to affected individuals, capable of receiving grievances in line with principles of effective grievance mechanisms, and empowered to engage directly with government authorities for follow-up and resolution. Such a mechanism must be guided by the principle of “do no harm”, have the authority to operate with freedom of movement, independently follow-up with victims, and seek redress in cases of potential retaliation directly with authorities.

Notes: (1) The UNGPs should not be interpreted as requiring enterprises to terminate all relationships whenever they are unable to fully prevent or mitigate adverse human rights impacts. Nor should they be understood as obliging enterprises to maintain relationships solely because termination might pose potential human rights risks. Instead, enterprises are expected to make a carefully considered decision, weighing the full range of potential impacts. However, if an enterprise chooses to remain in the relationship, it must do so with a clear understanding that specific responsibilities and potential consequences follow. See Office of the United Nations High Commissioner for Human Rights (OHCHR), *Business and Human Rights in Challenging Contexts: Considerations for Remaining and Exiting*, 2023. (2) Additional guidance can be in OHCHR, *Business and Human Rights in Challenging Contexts*, 2023. (3) See, for example, ILO, *Building Trust in Cotton Fields: The ILO’s Engagement in Uzbekistan*, 2022a.


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Tool 6: Assessing risks related to compulsory prison labour for private entities

Guidance

Compulsory prison labour can never be under the control of, or used for the benefit of, private companies or individuals. It may only be imposed by the State on prisoners who meet specific conditions: they must be convicted of a crime by a court of law following due process, be under the control and supervision of a public authority, and the work must not be for the benefit of private individuals, companies or associations. Some jurisdictions require or permit prisoners to work for private entities or under their control. When the use of prison labour by private actors is systematic or widespread, prisoners may have no genuine choice regarding participation.

When prison labour involves private companies, it must be based on the free and informed consent of the prisoner. Prisoners should be able to refuse work without facing penalties, such as loss of privileges or adverse impacts on their sentence. A good test of free consent is whether the job conditions approximate those of regular, freely chosen employment.

Indicators that the work offered as prison labour is not forced labour include:

- ▶ Each worker receives and signs a standardized consent form from the enterprise, indicating that they agree to work. The form specifies the wages and conditions of work.
- ▶ The conditions of work offered by the company approximate those of work outside the prison, namely:
 - ▷ Wages are comparable to those of free workers with similar skills and experience in the relevant industry or occupation, taking into account productivity levels and any costs the enterprise incurs for prison security supervision.
 - ▷ Wages are paid directly to workers. Workers receive clear and detailed wage slips showing hours worked, wages earned, and any deductions authorized by law for food and lodging.
 - ▷ Daily working hours are in accordance with the law.
 - ▷ Occupational safety and health (OSH) measures comply with legal requirements.
 - ▷ Workers are included in the social security scheme for accident and health coverage.
 - ▷ Workers may withdraw their consent at any time, subject only to reasonable notice requirements.
- ▶ Advantages may also be offered, for example:
 - ▷ Workers gain benefits such as learning new skills and the opportunity to work cooperatively in a controlled environment, enabling them to develop team skills.
 - ▷ Workers have the possibility of continuing similar work upon release.

If supply chain mapping or a traceability study reveals the use of prison labour, it is essential to assess, within the specific context, whether there is a risk that prisoners are not engaged voluntarily. **Tool 5** should be applied first to assess the broader context and structural risks. Tool 6 serves as an additional instrument to help determine whether prison labour for the benefit or under the control of private parties amounts to a situation of forced labour. Direct interviews with prisoners should be avoided unless the assessment conducted with Tool 5 demonstrates that they can be carried out safely and credibly.

**Tool 6: Assessing risks related to compulsory prison labour for private entities****Questions to determine whether compulsory prison labour constitutes forced labour**

Questions	Considerations
1 Has the prisoner been ordered to work by a public authority or a court of law?	<p>Irrespective of the alleged or convicted crime, it is illegal under ILO Convention No. 29 for prisoners to undertake work of a compulsory nature for a private entity or individual.</p> <p>If a court of law orders any form of compulsory labour (correctional work, public works or imprisonment with compulsory labour), it cannot be performed for a private entity. Likewise, even where prison systems mandate prisoner labour, they cannot compel prisoners to perform work for private entities. This means prisoners cannot be required or ordered to be hired to or placed at the disposal of private entities or individuals.</p> <p>This includes compulsory work performed within prison premises if they are operated by private entities.</p> <p>Compulsory prison labour is only permitted if the work is both controlled and supervised by a public authority under certain conditions. Under no circumstances can prisoners be ordered to undertake compulsory work under the conditions outlined in Box 1.</p>
2 Has the prisoner freely provided their written consent to engage in work?	<p>Consent must not result from a threatened penalty for refusal (e.g., loss of privileges or rights). The consent should also indicate the expected wages and conditions of work.</p> <p>There must be sufficient safeguards in place to ensure the prisoner volunteered freely.</p>
3 Do the working conditions of the prisoner reflect the terms and conditions of work of workers engaged in free employment in the relevant economic sector?	<p>Prisoners should enjoy the same OSH standards as free workers in comparable jobs, and have access to comparable wage levels and social security benefits, allowing for reasonable differences (e.g., deductions for food and lodging).</p>
3a. Are wages paid directly to the prisoners?	Prisoners should receive clear and detailed wage slips, including any authorized deductions.
3b. Are wage levels appropriate?	Wages should be comparable to those of free workers with similar experience and skill levels in the relevant industry or occupation, considering productivity levels.
3c. Are working hours in accordance with the law?	Daily working hours must comply with labour laws in the relevant jurisdiction.
3d. Is social security provided to prison labourers?	This should include accident and health coverage. Certain differences may be accepted in relation to free workers.
3e. Are OSH regulations followed?	Health and safety measures must comply with legislation, and standard safeguards available to other workers must also be in place.
3f. Are prisoners able to withdraw their consent at any time, subject only to reasonable notice periods?	Withdrawal of consent to work must be permitted without any penalties affecting privileges or rights in prison.
3g. Are any employment-related advantages offered to prison labourers?	Additional advantages, such as learning new skills or the potential to continue similar work upon release, may indicate free consent.
4 Is the work of prisoners supervised by public authorities?	<p>Periodic inspection of premises by a public authority is not sufficient to meet the requirements of ILO Convention No. 29.</p> <p>Any work hired to or placed at the disposal of private entities must be undertaken voluntarily. Public authorities should supervise and authenticate the voluntariness and formal consent of prisoners.</p>

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- ▶ If conditions for employing prisoners in private employment are not met, the company must determine whether it has the ability to influence these arrangements as part of its remediation efforts, to ensure that any labour is truly voluntary and conducted under conditions that approximate those of a free labour market.
- ▶ Once risks have been identified using the proposed tools in **Step 2**, both at the recruitment stage and during employment, the company should take action. The next stage of the due diligence process provides guidance on how to respond to identified risks or situations of forced labour. It integrates three interrelated elements:
 - ▷ a corrective action plan to address and prevent recurrence of risks;
 - ▷ a grievance mechanism to enable safe reporting and engagement with affected workers;
 - ▷ remediation to ensure that adverse impacts are appropriately addressed and victims obtain effective remedy.



Step 3

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According to the commentary under UN Guiding Principle 17, “*human rights risks are understood to be the business enterprise’s potential adverse human rights impacts. Potential impacts should be addressed through prevention or mitigation, while actual impacts – those that have already occurred – should be a subject for remediation.*”

This step provides guidance on both, how to prevent and mitigate potential impacts (risks) of forced labour, and how to remediate impacts (forced labour situations).

In accordance with UN Guiding Principle 24, companies should prioritize addressing the most severe risks or those where a delayed response could render them irreparable: “*(...) business enterprises should first seek to prevent and mitigate those that are most severe or where delayed response would make them irreparable.*”

This section provides the following practical tools:

- ▶ **Tool 7:** Corrective action plan for identified risks of forced labour. Provides guidance on developing a corrective action plan to mitigate risks of forced labour identified through the tools in the previous step.
- ▶ **Tool 8:** Grievance mechanisms to enable effective remedy and protection against forced labour:
 - ▷ **Tool 8a:** Principles of effective grievance mechanisms. Outlines key design principles to ensure grievance mechanisms are accessible, transparent, and responsive.
 - ▷ **Tool 8b:** Grievance procedure example. Provides an example of a grievance procedure that companies can adapt to their specific context.
 - ▷ **Tool 8c:** Grievance mechanism form. Outlines a grievance mechanism form designed to be simple and confidential.
- ▶ **Tool 9:** Understanding the substantive forms of remedy for individuals. Provides guidance on appropriate remediation measures for individuals affected by situations of forced labour.



Tool 7: Corrective action plan for identified risks of forced labour

Guidance

Developing a corrective action plan is a key step in addressing the risks of forced labour identified using the tools above. It enables a company to determine where to focus its efforts and what specific actions are needed to mitigate or eliminate these risks, thereby preventing forced labour situations. Rather than focusing on individual cases, the corrective action plan aims to review internal policies, practices or processes that require adjustment.

The corrective action plan should clearly outline the relevant indicators of forced labour, describe the issues identified and their root causes, specify the corrective actions required to mitigate the risks, assign responsibilities to the appropriate staff or departments within the company, and establish a clear time-frame for implementation.

This tool provides an example of the key elements of a corrective action plan, using selected indicators of forced labour to illustrate how companies can respond to specific risks. While the examples in the tool are not exhaustive, they provide a starting point for designing tailored interventions based on the risks identified. The timeline for implementing corrective measures will depend on the company's size, resources and operating context. However, it is recommended that mitigating actions begin as soon as the corrective action plan has been completed and approved internally.

Prioritization is essential, as not all risks can be addressed simultaneously. Actions should be sequenced based on the severity of the impact on workers and the likelihood of occurrence.



Tool 7: Corrective action plan for identified risks of forced labour

Details	Root causes	Actions required	Responsible departments (where applicable)	Timeframe (provide timeframe)
1. Deception/wage deductions				
A document review, including a cross-check of worker payment transactions against employment contracts, revealed that actual salaries were lower than those specified in the contracts.	The employer was deducting recruitment fees and costs from the workers' monthly salaries.	Review company policies and processes related to recruitment, including contracts with labour recruiters.	Human resources. Legal/compliance.	
		Develop or amend policies and practices in line with international standards and national legislation, where they are absent or do not provide full protections.	Human resources. Legal/compliance.	
		Ensure that contracts with labour recruiters prohibit any recruitment fees or costs being charged to workers and that they contain clauses to terminate contracts in case of non-compliance with fee-charging provisions.	Procurement.	
		Calculate recruitment fees and costs paid by workers. Reimburse workers for any recruitment-related fees or costs previously paid. A payment schedule can be established to allow reimbursement over several months.	Human resources. Finance.	



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Details	Root causes	Actions required	Responsible departments (where applicable)	Timeframe (provide timeframe)
		<p>Conduct further investigation into whether the wage deductions created a situation of debt-bondage.</p> <p>Provide assistance to any worker who wishes to terminate their employment (following reimbursement of wages).</p>	<p>Human resources.</p> <p>Sustainability.</p> <p>Legal/ compliance.</p>	
		<p>Design and conduct training and distribute information materials to managers and workers on workers' rights regarding recruitment, wage deductions and available grievance mechanisms.</p>	<p>Human resources.</p> <p>Sustainability.</p>	
		<p>Ensure copies of payslips are provided to workers with information on hours worked, wages and any legal deductions and are countersigned by workers.</p>	<p>Human resources.</p> <p>Finance.</p>	

2. Abusive working and living conditions / isolation

<p>An observation of the employer-provided housing facilities revealed that they were unsanitary and too small for the number of workers they are intended to accommodate. The housing is located on the same site as the workplace, which is in a remote area with no access to public transportation, making it difficult for workers to leave at any time.</p>	<p>Lack of investment in adequate housing infrastructure.</p> <p>Absence of policies ensuring safe and healthy living conditions for workers.</p> <p>Failure to account for workers' transportation needs.</p>	<p>Conduct a full audit of the current housing facilities to assess compliance with health, safety, and space standards.</p>	<p>Human resources.</p> <p>Facilities/ infrastructure.</p> <p>OSH.</p> <p>Compliance.</p>	
		<p>Develop and implement housing standards aligned with national and international labour standards.¹</p>	<p>Human resources.</p> <p>Facilities/ infrastructure.</p> <p>OSH.</p>	
		<p>Renovate or rebuild existing housing to meet adequate sanitary and spatial requirements based on housing developed standards.</p>	<p>Facilities/ infrastructure.</p>	
		<p>Establish safe and regular transportation options for workers to travel offsite.</p>	<p>Facilities/ infrastructure.</p>	
		<p>Conduct further investigation into whether isolation and lack of transport are used for coercive purposes by employer (e.g., to prevent worker from leaving).</p>	<p>Human resources.</p> <p>Compliance.</p>	
		<p>Ensure housing standards are clearly documented and communicated to managers and workers, including available grievance mechanisms in case of non-compliance.</p>	<p>Human resources.</p> <p>OSH.</p>	
		<p>Explore the feasibility of workers securing their own, private accommodation, if they so choose.</p>	<p>Human resources.</p> <p>OSH.</p> <p>Finance.</p>	
		<p>Implement periodic reviews of workers' accommodation and transportation to monitor compliance</p>	<p>Human resources.</p> <p>Facilities/ infrastructure.</p> <p>OSH.</p>	



Take action on actual and potential forced labour impacts

Details	Root causes	Actions required	Responsible departments (where applicable)	Timeframe (provide timeframe)
During interviews, workers reported being required to work additional hours to meet production targets, without receiving any overtime pay.	Lack of clear policies and monitoring systems to track working hours and ensure compliance with labour laws.	Review and revise policies on working hours and overtime compensation in line with national labour laws and international labour standards.	Human resources. Finance. Legal/compliance.	
		Ensure employment contracts include provisions for overtime, specifying working hour limits and compensation.	Human resources.	
		Ensure time-tracking systems accurately record all working hours, including overtime.	Human resources. Operations/production.	
	Weak enforcement of overtime compensation policies.	Audit recent payroll and time records to identify unpaid overtime.	Human resources. Legal/compliance.	
		Compensate workers for any unpaid overtime identified	Human resources. Finance.	
		Adjust production targets to align with workforce capacity.	Operations/production. Finance.	
		Ensure overtime is undertaken on a voluntary basis, without repercussions for workers who chose not to undertake overtime work	Human resources. Operations/production.	
		Conduct further investigation to understand whether the worker is being coerced into working overtime hours against their will	Human resources. Compliance.	
		Document and communicate overtime regulations to managers and workers, including available grievance mechanisms in case of non-compliance.	Human resources.	
Implement periodic internal reviews to monitor compliance with overtime regulations.	Human resources. Operations/production.			

Note: (1) For guidance for workers' housing, see ILO, [ILO Helpdesk factsheet No. 6](#), 2009.

Good practice: Nestlé's Human Rights Salient Issue Action Plans

Nestlé has identified Forced Labour and Fair Recruitment as one of its ten human rights salient issues. These issues are addressed through dedicated Human Rights Salient Issue Action Plans, which set out the company's strategy for assessing, addressing, monitoring, and reporting on each of them. The action plans define the measures required across the value chain and outline opportunities for collective action. Each salient issue is managed at the global level and addressed through dedicated actions implemented locally across Nestlé's operations and supply chains.

Sources: Nestlé, [Creating Shared Value at Nestlé](#), 2024; and Nestlé, [Nestlé Human Rights Salient Issue Action Plans](#), 2023, updated in 2025.



Tool 8: Grievance mechanisms to enable effective remedy and protection against forced labour

Guidance

A grievance mechanism is a channel through which workers and other stakeholders can safely raise complaints or concerns about labour rights abuses, including forced labour. While not a “remedy” itself, it is a critical pathway to effective remediation. A well-designed grievance mechanism enables early detection of abuses, supports worker voice, and provides the information needed to trigger corrective actions or remediation.

State-based grievance mechanisms

UN Guiding principle 25 states as a foundational principle, that: *“As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.”*

States are the primary duty-bearers responsible for ensuring access to remedy, by providing strong institutions and legal pathways. They are also encouraged to support access to non-state grievance mechanisms, such as those operated by financial institutions or industry initiatives. Alternative non-judicial options, such as employment tribunals or national human rights bodies, can also help victims seek justice.

However, risks remain. Forced labour victims may face retaliation, particularly migrant workers or in situations of State-imposed forced labour, making protection measures essential. There is also a growing trend of national courts taking on cases of abuses committed abroad. This means companies may face legal consequences for forced labour anywhere in their operations or supply chains, underscoring the need for proactive action.

Company grievance mechanisms

Under the UNGPs, companies that cause or contribute to adverse impacts have a responsibility to help provide remedy to affected individuals. One of the most practical ways to do this is through effective grievance mechanisms.

The tools in this section focus primarily on non-judicial remedies. Grievance platforms should allow workers and other stakeholders to raise concerns confidentially and without fear of retaliation, either directly with the company or through an impartial third-party.

- ▶ **Tool 8a:** Principles of effective grievance mechanisms. Outlines key design principles to ensure grievance mechanisms are accessible, transparent, and responsive.
- ▶ **Tool 8b:** Grievance procedure example. Provides an example of a grievance procedure that enterprises can adapt to their specific context.
- ▶ **Tool 8c:** Grievance mechanism form. Outlines a grievance mechanism form designed to be simple and confidential.

While **Tool 8b** and **Tool 8c** are generic in nature, their implementation should be guided by the design principles outlined in **Tool 8a**. Well-designed grievance mechanisms enable enterprises to address concerns at an early stage, before they escalate into forced labour situations, and to enable remediation when issues do occur.

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For companies, grievance mechanisms are also a core component of human rights due diligence. They establish clear communication channels for workers, subcontractors, community members, or whistleblowers to report risks or abuses. When such issues are left unaddressed, the risk of forced labour increases significantly.

Company-run grievance mechanisms should operate alongside State and industry systems, which may offer alternative or complementary avenues for remedy. Because sustainable remediation requires addressing root causes, such as exploitative recruitment, poor working conditions, or weak enforcement, companies should also understand and connect with State-level systems. National employer organizations can be valuable partners in navigating and engaging with these mechanisms and processes.

Tool 8a – Principles of effective grievance mechanisms⁴⁴

Guidance

Company-level grievance mechanisms establish the processes and procedures for addressing workplace complaints and play a vital role in resolving issues and supporting continuous improvement. The UNGPs set out eight effectiveness criteria for operational-level grievance mechanisms: they should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue. International labour standards⁴⁵ align with these criteria, emphasising two fundamental principles for effective grievance procedures:

- ▶ Every worker should have the right to raise a grievance without fear of retaliation or prejudice.
- ▶ The grievance procedure must be efficient and accessible to all workers.⁴⁶

Effective grievance mechanisms should be tailored to the specific risk context, identified through assessments or peer learning. This includes addressing language and accessibility barriers, and ensuring confidentiality, impartiality, and protection from retaliation, especially where labour rights are restricted. Existing systems, such as hotlines, may be adapted if they meet required standards. See [Tool 5](#) for guidance in State-imposed forced labour contexts.



Adapting existing grievance mechanisms that stakeholders already trust and are familiar with to address risks of forced labour can help avoid confusion and fragmentation, particularly in contexts where multiple mechanisms are in place. This approach also enables companies to integrate human rights risk management more efficiently with existing compliance processes, reducing duplication of efforts across various issue areas. However, to effectively address the specific risks associated with forced labour, such mechanisms may require targeted enhancements to ensure they can identify, respond to, and prevent such adverse impacts.

Key considerations for adaptation include:

- ▶ **Ensuring accessibility** in multiple languages and through multiple formats (e.g., digital, verbal, written).
- ▶ **Ensuring safety** for users by providing confidentiality and protection from retaliation, particularly for anonymous or sensitive complaints.
- ▶ **Training grievance handlers** on the indicators and nuances of forced labour, including psychological coercion and indirect forms of abuse.
- ▶ **Building trust in the mechanism**, especially among workers in vulnerable situations who may fear reprisal or have limited experience with formal reporting channels.
- ▶ **Integrating with recruitment and labour management systems**, so that complaints about hiring practices or wage deductions can be flagged and addressed early.

⁴⁴ Adapted from ILO, [Promoting Fair Recruitment and Employment: A Guidance Tool for Hotels in Qatar](#), 2020, Checklist 3: Effective Company Grievance Mechanisms.

⁴⁵ See: ILO, [Examination of Grievances Recommendation, 1967 \(No. 130\)](#).

⁴⁶ ILO, Recommendation No. 130, para. 5.



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The design and implementation of grievance mechanisms may vary depending on the business model, supply chain structure, and operational context. **Box 8** outlines four primary approaches that companies may adopt, individually or collectively, to ensure meaningful access to remedy: operational-level grievance mechanisms, partnerships with suppliers, and collective business-led mechanisms. Each offers distinct advantages and considerations and can contribute to a broader due diligence framework when thoughtfully implemented.

Box 8: Approaches to grievance mechanisms for addressing forced labour		
Type of mechanism	Benefits	Considerations
Enterprise-level grievance mechanisms		
Mechanisms established and managed by individual companies, typically at the workplace or enterprise level. They enable workers and other stakeholders to raise concerns directly related to the company's own operations. These mechanisms are tailored to the specific context of the workplace or facility, accessible to workers, contract workers, and on-site stakeholders, and integrated into the company's due diligence and risk management systems.	Enables real-time resolution of grievances close to the source. Builds direct trust and engagement with workers.	Requires strong capacity, training, and impartiality to be trusted. Must be designed with language, cultural, and literacy needs in mind. Needs protection mechanisms to prevent retaliation against complainants.
Company-Supplier partnership		
Companies collaborate directly with their suppliers to co-develop or strengthen grievance mechanisms within supplier operations. It normally involves shared responsibility between a company and its supplier to manage and resolve complaints, such as hosting the mechanism at the supplier level with monitoring or support from the contracting company. This approach can assist in aligning labour rights expectations and remediation standards.	Enhances supplier capacity and ownership of human rights risk management. Promotes shared accountability and sustainability of remediation efforts. Improves transparency and dialogue across the supply chain.	Companies should avoid imposing top-down solutions; mechanisms must be context-appropriate and jointly developed. Requires clear roles, escalation protocols, and ongoing communication. Mechanisms must be trusted by workers and insulated from supplier retaliation.

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Type of mechanism	Benefits	Considerations
Collective business-led mechanisms		
<p>Mechanisms developed and implemented jointly by multiple companies, often within the same industry or region, to address systemic issues that are difficult to tackle individually. Typically governed through multi-stakeholder initiatives or business coalitions, these mechanisms may be industry-specific (e.g. apparel, agriculture) or cross-sectoral, and often involve independent facilitation, monitoring, and worker engagement structures.</p>	<p>Promotes consistency in standards and access to remedy across suppliers and regions.</p> <p>Increases leverage and resource sharing among companies.</p> <p>Addresses root causes of forced labour and other labour rights violations through collective action.</p>	<p>Requires strong governance and transparency to be credible.</p> <p>Must ensure worker trust, accessibility, and independence from commercial interests.</p> <p>May need to be tailored or localized to complement site-level mechanisms.</p>
Independent third-party mechanisms		
<p>Mechanisms fully managed by independent third-parties, with no direct control by suppliers or buyers. These are particularly relevant in contexts where conflicts of interest are difficult to mitigate, or where there is a heightened need for confidentiality and protection against retaliation. Their independent nature can foster greater trust among workers and stakeholders, especially where traditional mechanisms may be compromised by power dynamics or lack of impartiality.</p>	<p>Enhances worker trust by ensuring confidentiality and impartiality.</p> <p>Can operate across multiple sites or suppliers, improving scalability and consistency.</p> <p>Particularly useful in high-risk contexts where enterprise- or supplier-level mechanisms may not be trusted or feasible.</p>	<p>Requires strong oversight, governance, and transparency to maintain legitimacy.</p> <p>Should be well-publicized and accessible to all workers in appropriate languages and formats.</p> <p>Needs clear coordination protocols with companies to ensure timely and effective remediation of substantiated complaints.</p>



Take action on actual and potential forced labour impacts

Tool 8a: Principles of effective grievance mechanisms

Part 1: Grievance mechanisms		
1. Inclusive design		
1a. Engagement	Buy-in to the grievance mechanism should be developed during the design phase.	Worker representatives should be engaged in the development of the company policy and the grievance mechanism. Consult with intended users on the design of the mechanism, its processes and the available outcomes.
1b. User-centric design	Ensuring user-centric design and implementation is essential to building trust in the mechanism.	Outline simple, clear steps for users. Technological solutions may provide a clear, transparent and easy to use mechanism provided that: i) Barriers to access are considered; and ii) The digital divide affecting certain groups of workers (e.g., female workers, illiterate workers, workers from ethnic or Indigenous communities) is considered and the context-specific risks are taken into account. Pilot the mechanism to identify gaps before broader implementation.
1c. Collaboration	Create collaborative working relationships with representative worker organizations and relevant civil society actors to build trust in the mechanism.	The grievance procedure should explicitly mention the role of trade unions and, where absent, worker representatives. Involve trade unions and worker representatives in the design and processes of the grievance mechanism, clearly establish their role in its implementation, and in the monitoring of the mechanism to ensure its continual improvement, effectiveness and accessibility to workers.
2. Right to access judicial or non-judicial remedies		
2a. Access to other mechanisms	The grievance mechanism must not restrict access to other judicial or non-judicial remedies available under law.	The grievance procedure should affirm the right of all workers to submit complaints through other judicial or non-judicial channels, including simultaneously. These can be tailored to country and sector-specific contexts. Where grievances expose criminal conduct, report to the relevant authorities, provided the concerned worker(s) gives consent.
3. Legitimacy		
3a. Trust and accountability	Workers and users trust the mechanism. The entity implementing and managing the mechanism must be accountable throughout the grievance process. Specific measures to ensure trust and accountability in high-risk contexts are taken in response to context challenges.	Establish and communicate a formal accountability structure, internally and externally, including safeguards for confidentiality and protection against retaliation. Proactively identify, mitigate and manage actual or perceived conflicts of interest to ensure credibility and trust in the grievance process. Allow anonymous complaints. Engage external experts or mediators when appropriate, particularly in sensitive or high-risk cases. Create an oversight body or advisory panel with representatives from civil society, workers, or third-parties to review case handling. Ensure business executives are aware of, and informed about, the grievance mechanism and its effectiveness.



Take action on actual and potential forced labour impacts

3b. Safety	Ensure the safety, security, and rights of complainants and victims of abuse.	<p>In high-risk contexts, consider different accessibility and operation modalities for communication channels and grievance receipt to ensure safe and confidential access.</p> <p>Communicate safeguards clearly to potential users.</p> <p>Establish a system to conduct rapid safety assessments immediately upon receipt of potential forced labour situation.</p> <p>Develop protocols for follow-up on situations involving children, ensuring their protection and the involvement of parents or guardians, where appropriate.</p> <p>Identify local support services and establish referral partnerships with credible NGOs, government bodies, and expert service providers.</p> <p>Create protocols for temporary suspension of staff or contracts of individuals accused of abuse or misconduct, ensuring protection of affected individuals and the integrity of investigations.</p>
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4. Accessibility

	<p>The mechanism must be easily accessible to all intended users and stakeholders.</p> <p>Individuals who encounter barriers to access are supported to ensure meaningful participation.</p>	<p>Design the mechanism to be accessible to all individuals who may be affected by the business's operations, including workers, suppliers, including contractors and subcontractors, supply chain workers, and members of local communities at no cost to the user.</p> <p>Offer a variety of access points (e.g., email, phone hotlines, postal addresses, suggestion boxes, online/mobile applications, verbal submissions), with some options available 24/7.</p> <p>Tailor access methods to reflect local languages, cultural norms, literacy levels, and workplace realities.</p> <p>When complaints do not initially meet required information thresholds, provide support to help individuals furnish the necessary information and ensure their concerns are appropriately registered and addressed.</p>
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5. Procedural fairness

5a. Transparency of the process	Workers and users should have the right to be informed of, present at, and participate directly in procedures.	<p>All parties are regularly informed about procedures and next steps.</p> <p>Workers are allowed time off in order to take part in the procedures</p> <p>Where necessary, recruitment agencies are involved.</p> <p>The company keeps written records at all stages of the process, including the initial complaint, investigation notes, responses, meeting notes and outcomes.</p>
5b. Confidentiality	The mechanism must ensure the confidentiality of complaints and complainants.	<p>Company policy and grievance procedures specify that complaints will be treated as confidential, protecting the identity of workers and/or whistleblowers.</p> <p>The mechanism allows for anonymous complaints, without requiring personal information or physical presence.</p> <p>Responses to anonymous complaints are disseminated in locations visible to all workers.</p>

Take action on actual and potential forced labour impacts

5c. Reasonable timeframes	Procedures should be efficient and straightforward, allowing sufficient time for comprehensive investigations while ensuring timely resolution.	Grievance procedures establish time limits for each stage of the process, as well as an overall timeframe for resolution. All parties are kept informed on the expected duration throughout the process.
Predictability	Users should be given clear information about the procedure and possible outcomes.	Articulate and follow a clear procedure for processing and addressing grievances and ensure informed consent at each step. Processing protocols include defined steps such as notifying relevant internal units of complaints, conducting investigations, and outlining potential outcomes.
5d. Communication and access to information	All workers should be informed about available channels to raise complaints in a clear understandable manner.	Workers are informed at the time of recruitment, in a language they understand, about company and State-level grievance mechanisms. Workers are given detailed information on the purpose, operation, and available channels to raise questions and grievances. Worker representatives may be trained to share this information to fellow workers. Company personnel policy and grievance procedures specify that migrant workers may seek assistance from their embassies in cases of unethical, improper, or unlawful conduct. Information remains accessible at all times, including through documentation provided to workers, and workplace notice boards, including in workers' accommodation. All line managers and senior staff are familiar with the grievance procedure. The company actively seeks feedback from workers, directly or through worker representatives, on the grievance mechanisms through regular meetings (e.g., orientation and information sessions and monthly human resources meetings).
5e. Non-reprisal	Workers and third-parties must not face any form of reprisal or retaliation as a result of raising complaints or participating in grievance procedures. Failing to do so undermines the effectiveness of the grievance mechanism and means it does not meet human rights standards.	Company policy and grievance procedures guarantee protection against reprisal, harassment, threat or loss of rights for all complainants (workers and whistleblowers) who raise a complaint through company, State, or non-State channels. Company policy and grievance procedures guarantee that workers and whistleblowers will not be subject to any form of reprisal, harassment, threat or loss of rights as a result of raising complaints or participating in procedures. This applies to complaints raised through company channels or any other State or non-State channels. Company policy and grievance procedures ensure that no hidden costs or loss of remuneration will result from workers' participation in procedures
5f. Right to be accompanied	Workers should have the right to be accompanied by a colleague, friend or worker representative.	Grievance procedures guarantee worker' right to be accompanied by a person of their choice in any meetings or hearings, including by a worker representative.
5g. Escalation	Lines of responsibility should be clearly defined for receipt, classification and management of grievances.	Company policies specify who is responsible for each step in case non-compliance persists as well as avenues for escalation.

Take action on actual and potential forced labour impacts

6. Additional procedures for groups in situations of vulnerability

6a. Access for women workers	The grievance mechanism should include safeguards for the protection of women workers.	Grievance focal points are properly oriented and trained to receive and handle complaints from female workers, especially those related to sexual harassment and discrimination.
6b. Access for migrant workers	Companies should address barriers faced by migrant workers, such as language or lack of representation.	Companies should design and implement specific and active/positive measures/procedures to ensure migrant workers can access grievance mechanisms without discrimination and in a language they understand. Grievance procedures guarantee migrant workers' right to be accompanied by a person of their choice in any meetings or hearings.
6c. Access for agency workers	Companies must ensure that agency workers have access to grievance mechanisms.	Company policy guarantees access for all workers, including for those recruited by placement agencies. Companies verify that placement agencies have grievance mechanisms in place before contracting them (as part of due diligence). Placement agencies are informed that any placed worker will be briefed on the company's grievance procedure and may lodge complaints at any time in case of labour rights violations (e.g., non-payment of wages, substandard accommodation).
6d. Access for children	Grievance mechanism should take into consideration the protection of children.	Grievance focal points are oriented and trained to handle complaints involving underage workers.
6e. Other groups	Companies should undertake efforts to identify and address the accessibility needs of other groups (e.g., illiterate workers, workers with disabilities).	Grievance mechanisms and procedures are adapted to reflect the specific needs of other groups of workers or stakeholders.



Take action on actual and potential forced labour impacts

Part 2: Continual improvement of grievance mechanisms

7. Monitoring and training

<p>7a. Ongoing assessment of procedures, and continual improvement</p>	<p>Grievance mechanisms and management systems should be regularly reviewed.</p>	<p>Maintain a grievance register to track complaints, processing procedures and outcomes, and regularly use grievance data to analyse internal processes and trends.</p> <hr/> <p>Regularly review procedures and management systems to ensure they remain responsive, up to date, and aligned with internal policies, national laws and international guidance. The grievance mechanism must be regularly improved based on findings.</p> <hr/> <p>Workers’ representatives are involved in the review process (while maintaining the confidentiality of complainants), as well as external experts or independent auditors, where applicable.</p> <hr/> <p>The company supports internal and external review processes by providing data and findings from grievance procedures. These include the types and number of complaints raised, average time for resolution, remediation offered, follow-up actions taken, and percentage of repeat cases.</p> <hr/> <p>Use information from reviews and trends to inform corrective action plans aimed at improving the prevention of risks of forced labour.</p>
<p>7b. Internal capacity</p>	<p>Companies should ensure that sufficient human and financial resources are allocated to support the handling of grievances and the management of procedures.</p>	<p>Develop comprehensive grievance policy and procedures, including guidance for each step, timelines, contact points and follow-up for monitoring purposes.</p> <hr/> <p>Provide orientation and training to supervisors and managers on the handling of grievances and the management of procedures, including the importance of worker representation.</p> <hr/> <p>Ensure that personnel responsible for managing grievances receive appropriate training on risks of forced labour and related forms of exploitation, and on how to recognize and respond appropriately to indicators of forced labour in complaints.</p> <hr/> <p>Ensure that no language barriers exist between workers and staff assigned to receive and handle complaints.</p> <hr/> <p>The governance structure for the grievance mechanism must be sufficiently independent, ensuring that no party to a particular grievance process can interfere with or appear to interfere with the process or its outcome.</p>

Good practice: FEMSA's ethics line

The Fomento Económico Mexicano SA (FEMSA) requires suppliers to establish a whistleblowing mechanism, in accordance with the company’s size, resources, and scope, so that workers can report illegal acts, violations of regulations and/or inappropriate behaviour in a confidential manner and without fear of retaliation. This mechanism is required over and above FEMSA’s own “Ethics Line”, through which reports from employees, suppliers and diverse stakeholders can be submitted via email or by phone in multiple languages based on the company’s code, policies and principles.¹ The Ethics Line operates 24 hours a day, every day of the year, and is managed by a specialized company that is independent of FEMSA but with high-level supervision by its Board of Director’s Audit Committee.

Notes: (1) A list of email addresses and phone numbers associated with the FEMSA Ethics Line is provided in the [Supplier Guiding Principles](#), 2022.



Take action on actual and potential forced labour impacts

Tool 8b – Grievance procedure example

Guidance

This tool is of a generic nature and should be used in a manner that is tailored to the needs of each company. It should be guided by the principles set out in **Tool 8a** on the design of an effective grievance mechanism, informed by the two key principles contained in the ILO Recommendation No. 130, and aligned to the effectiveness criteria of the UNGPs. The tool sets out the common stages of receiving, reviewing and addressing complaints in non-judicial forms of remedy, for example at workplace or company level. It also encourages continuous improvement by linking the grievance procedure to recommendations to strengthen due diligence mechanisms.

Tool 8b: Grievance procedure example

Prior to receiving grievances	
<p>1. Establish protocols governing the process, safety, confidentiality and impartiality of the mechanism.</p>	<p>To enable effective remediation of human rights grievances, a formally established and fully operational grievance mechanism must be in place. This mechanism should be accessible to all relevant stakeholders, including workers, suppliers, service providers and labour recruiters, and must allow for the confidential and safe reporting of concerns, the impartial handling of allegations, and the timely delivery of appropriate responses, all in line with due process principles.</p> <p>Context-specific safeguards may be required to prevent retaliation against complainants, ensure their safety and security, and support the reliable functioning of a credible system. It is essential that the design of grievance mechanisms incorporates these considerations to avoid the risk of the system itself becoming a source of adverse impacts.</p>
<p>2. Set up a system for managing cases.</p>	<p>A case management system must enable the registration, tracking and closure of all reported situations, allowing for real-time monitoring of response timelines and the implementation of corrective actions. Such a system helps ensure that situations are not lost or overlooked. The recording of information must be handled confidentially. The system may need to support different levels of access to sensitive data. A structured and transparent approach to managing reported situations ensures that grievances are addressed promptly, consistently and in accordance with defined procedures and standards.</p>
<p>3. Mapping of local regulations and third-party service providers.</p>	<p>Before forced labour situations are identified or reported, it is essential to conduct a review of applicable local legal and regulatory frameworks and to allocate adequate human, financial and logistical resources for the delivery of effective remedies. Suppliers, contractors, and managers must be trained on the response protocol and equipped with the necessary skills to implement it.</p> <p>In addition, a mapping of relevant service providers and stakeholders, such as government programmes, NGOs, legal aid services and child protection specialists, must be conducted in advance as part of the overall remediation protocol. This ensures that, when a situation is identified, appropriate support can be mobilized immediately in line with the needs of the affected individual(s).</p>

Take action on actual and potential forced labour impacts

Stage 1

1. Receive the grievance

2. Confirm receipt of grievance and provide information on the process, timeframes and access to information

Companies should confirm receipt of all grievances submitted and identify the deadlines or timeframe for addressing the reported situation.

The complainant should be able to track each phase and progress of the procedure.

3. Safety assessment and confidential recording of complaint in case management system.

Possible outreach to:

- ▶ Pre-identified external service providers
- ▶ Parents/guardians of children (in situations involving minors)

Consideration of immediate action, including temporary suspension of contracts.

The primary priority when abuses are identified or raised through a complaint is to ensure the safety of the person at risk. Upon receipt of a complaint, an immediate step (within the first 24 hours) is to verify safety needs and assess whether urgent action is required to prevent adverse impacts and ensure the immediate safety and protection of the person(s) at risk, with their informed consent. Safety concerns may involve risks of retaliation or other immediate dangers associated with the complaint. At-risk individuals may include whistleblowers, workers, or their families. As verification of the complaint is not possible at this stage, any decision must be based on the complaint as submitted.

Depending on the outcome of the safety assessment, and based on the informed consent of the victim or complainant (in situations where the complaint is made on behalf of others), the case manager may need to reach out to external third parties for support. This may involve outreach to pre-identified external service providers such as trade unions, NGOs particularly in situations involving high risk of retaliation or imminent danger. Immediate action may include referral to medical, legal or social services. Alternatively, outreach to local authorities may be required.

In situations involving coercive employment of children (or other forms of child labour), outreach to parents or guardians will also be needed.

Inform the complainant of their right to seek representation or support from a trade union (where available) as part of the grievance process, should they wish to do so.

In situations involving risk of retaliation or serious threats, the supplier or subcontractor must be instructed to immediately stop the harmful conduct, and the accused individuals or contractors should be temporarily suspended while an investigation is carried out.

It is critical to maintain confidentiality and, depending on their wishes, the anonymity of the complainant.

Record the grievance and create a unique profile/identifier.

4. Grievance examination and review

- ▶ Clarify the facts and context.
- ▶ Determine the risk for the complainant and company.

Based on the facts and evidence provided and other sources available to the grievance handler, review the complaint details to understand the nature, severity, and scope of the issue raised. Where possible, clarify facts and context and determine the root causes of the violation. Identify relevant policies, actors involved and any supporting evidence. Based on the information available, determine whether the situation requires urgent action.

At this point, it is also important to evaluate the risks posed to the complainant, including any new potential retaliation risks, confidentiality needs and individual vulnerabilities.

A risk assessment for the company should also be undertaken at this stage to analyse legal and compliance risks, particularly whether the grievance raises legal liabilities, breaches of labour standards or compliance violations. The potential for reputational damage if the issue becomes public or spreads internally, and whether the grievance may affect operations, workforce morale or productivity, should also be assessed to plan accordingly.



Take action on actual and potential forced labour impacts

5. Determine response strategy

<ul style="list-style-type: none"> ▶ Based on the outcome of the grievance examination and review the following next steps may be considered: mediation, investigation, referral, and/or escalation. ▶ Ensure the strategy minimizes adverse impacts, upholds procedural fairness and maintains trust in the mechanism. ▶ Maintain communication with the complainant throughout the procedure and inform them of any changes. Ensure informed consent. ▶ Record the assessment and rationale for decisions taken. 	<p>The response should be based on actions that ensure no harm, uphold procedural fairness and maintain trust in the mechanism.</p> <p>Grievances may require internal escalation beyond the initial point of contact, depending on the complexity and severity of the complaint. This would be determined based on an assessment of whether the issue can be resolved at the current level or requires escalation to senior management, legal, compliance, and/or ethics teams. If there is a conflict of interest or the handler lacks neutrality or independence, the situation must be escalated.</p> <p>Depending on the nature and severity of the situation, the level of risk to the complainant or victim, or the emergence of systemic issues, such as involvement of multiple workers or management's awareness and tolerance of the situation, external third-party support may be required. Where appropriate, this may also include the involvement of local authorities.</p> <p>External referral may be appropriate or necessary when internal mechanisms have been exhausted or are deemed ineffective. It may also be warranted in situations requiring specialized expertise or impartiality, such as expert advice, targeted support services or facilitation of mediation, arbitration or expert panels for particularly sensitive or technically complex cases.</p> <hr/> <p>In cases where the allegations pertain to serious misconduct or breaches of criminal law, check with the individual(s), or their guardian in the case of children, if they agree to the situation being reported to government authorities such as law enforcement, ombudspersons, labour inspectors or human rights bodies, as applicable. Ensure any such referrals do not endanger the individual(s) or their family and that they are based on informed consent.</p> <p>Where the facts require validation, undertake an investigation. Referral to a formal fact-finding process can help determine the validity of a grievance and usually involves enterprise-level evidence collection, interviews and documentation. This can also be useful in situations involving serious allegations and/or where root causes need to be understood. Engage external experts where needed, particularly if interviews with victims or survivors are required, to ensure the approach is confidential, trusted, victim-centred and trauma-informed.</p> <p>Referral to mediation may be useful for interpersonal conflicts or misunderstandings involving less severe grievances, where both parties are willing to engage. It is unlikely to be appropriate for grievances involving indicators of forced labour.</p> <p>In situations of escalation or referral, a transparent record of the reasons and rationale for the decision should be maintained. Next steps, changes to expected timelines, and any changes to points of contact or procedure should be communicated to the complainant.</p> <p>Regardless of whether an external referral is pursued, complainants should be informed of their right to pursue local avenues for justice.</p>
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Take action on actual and potential forced labour impacts

6. Decision making on grievance

- ▶ Discuss with the complainant their expected resolution.
- ▶ If several options exist, consider these together with the complainant to determine which offers the best outcome.
- ▶ The interests of both the company and the complainant should be considered.
- ▶ The decision must fully resolve the grievance and, as far as possible, restore the complainant to their situation prior to the occurrence of the adverse impact.
- ▶ Consider the implications for other individuals who may be affected by the decision.

Before determining the final remedy, initiate a dialogue with the individual(s) to understand what resolution they are seeking. In the case of children, dialogue with their guardian should take place. Clarify expectations and ensure realistic understanding of what is possible in the context, including timing (e.g., if repayment of unpaid wages is required, whether it will be paid all at once or in instalments) and in alignment with company policies and legal frameworks.

Third parties identified in the stakeholder mapping can assist in this determination, particularly for serious or sensitive issues. If multiple resolution pathways exist (e.g. apology, restitution, reassignment, policy change), discuss these openly with the complainant and jointly consider which option provides the most appropriate, fair and sustainable outcome.

If agreement on a proposed resolution cannot be reached, involve or appeal to senior management and/or a third party.

The final individual remedy should meet the complainant's needs and also consider the legitimate interests of the company. Strive for a balance that upholds the rights of the complainant or victim. The remedy should aim to fully address the adverse impact and, as far as possible, restore the complainant or victim to the position they were in before the issue occurred. Consider the immediate safety needs of the individual(s), including safeguards against possible retaliation and any rehabilitation needs. Consider whether the remedy will lead to closure and long-term satisfaction for all parties involved.

The broader impact of the remedy should also be considered, including its potential effect on co-workers, other complainants, supervisors and others.

Stage 2

7. Implementation of remedy

- ▶ Confirm and document the agreed remedy.
- ▶ Assign responsibility and clear timeframes for implementation.
- ▶ Input to corrective action plan.

Clearly document the resolution agreed upon by all relevant parties. Ensure the remedy aligns with legal obligations, internal policies and any investigation or mediation findings or advice from third party experts.

Identify who is responsible for implementing each aspect of the remedy (e.g., human resources, line manager, finance, legal) and set clear deadlines and accountability mechanisms.

Maintain complete records of actions taken, communications and final outcomes to ensure transparency, learning and accountability.

If the grievance revealed broader issues, recommend systemic changes, staff training or other measures, and incorporate these into the corrective action plan.

Stage 3

8. Grievance not satisfied

- ▶ When the complainant does not accept the proposed resolution or believes the issue has not been adequately addressed.

Re-engage with the complainant to understand the basis for dissatisfaction and explore alternative resolution options, such as mediation, dialogue or referral to a neutral third party.

Undertake an internal review of the situation to ensure procedures were followed and determine whether adjustments are needed.

Options at this point may also include escalating the grievance to a higher-level body or external mechanism, if applicable (e.g., national labour dispute body, ombudsperson, or international mechanism), or undertaking a second-instance procedure (see below).

Maintain open communication, transparency and respect throughout the extended process, and document all actions and decisions, including rationale for any final outcomes.

Monitor for potential retaliation or secondary grievances, and provide ongoing support as needed.



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9. Possible second instance procedure for grievance

The complainant may request a second review if:

- ▶ The grievance was not resolved satisfactorily.
- ▶ New evidence has come to light.
- ▶ There is concern about bias, procedural error or failure to consider key facts.

The appeal, and its grounds (e.g., perceived unfairness, new information, other flaws) should be reviewed by a separate, impartial body. This may include human resources, legal, ethics or external experts (for sensitive or high-risk situations). The officers involved in the original decision should not conduct the second review.

The review process may involve a re-examination of the situation file, evidence and appeal submission along with additional fact-finding and interviews, if necessary. All procedural safeguards followed in the first instance should also be applied in the review.

Indicate whether the second instance is the final stage within the company grievance mechanism and communicate the outcome of the review.

Where applicable, inform the complainant of available external recourse (such as the labour inspectorate, ombudsperson or court) if they remain dissatisfied.

Stage 4

10. Complaint closure

<ul style="list-style-type: none"> ▶ Evaluation and monitoring. ▶ Close the complaint when remediation is complete and results are verified. 	<p>Before closing a complaint:</p> <ul style="list-style-type: none"> ▶ Verify that the affected worker received the appropriate remedy as planned. ▶ Measure the effectiveness of the remedy. ▶ Monitor for potential retaliation or new issues arising as a result of the resolution. Ensure the worker is not retaliated against or re-victimized <p>Close the complaint formally in the grievance registry/system.</p>
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11. Continuous improvement

<ul style="list-style-type: none"> ▶ All reported situations should include recommendations for improving due diligence in order to continually improve the system. ▶ Regularly review complaints, trends and remediation outcomes to ensure the remedy system is effective and fit for purpose, and that it informs future corrective actions. 	<p>Record lessons learned and feed them into the continuous improvement process of the grievance mechanism.</p> <p>Ensure structural issues and the root causes of complaints are addressed through the corrective action plan and company measures to prevent similar cases from arising in the future.</p> <p>Clearly define responsibilities for suppliers, contractors, supervisors and recruiters, and hold them accountable for failures.</p>
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Tool 8c – Grievance mechanism form

Guidance

Once the company designs its grievance mechanism in line with the principles above, it is important to provide clear instructions on how to submit or record grievances. This template form will help workers and the company structure the grievance claim and the response.

Tool 8c: Grievance mechanism form

Worker information

(if not filed anonymously) (Grievances may also be filed jointly or on behalf of a group of individuals)

Name:

Contact details:

(Include telephone and email if possible)

Employee number or another identifier:

Job title:

(or status if whistleblower)

Supervisor:

Department:

Safety assessment

(To be completed by the appropriate grievance officer or supervisor depending on the nature of the complaint)

Immediate safety needs:

(Yes/No. Document details of safety assessment and actions taken, if any, to secure the safety of the complainant and/or victim)

Grievance information

(To be completed by worker or person recording the grievance by phone/in-person)

Date of incident:

(Include when the incident occurred, if known, or the date on which you became aware of the incident or the beginning of a continual problem)

Date of reporting:

(This date is important to ensure timely resolution. Remember there are multiple channels through which you can submit a grievance)

Details of grievance:

(Please provide as many details as you are comfortable sharing. This information will help with further investigation)

< HRDD
Steps

Step 1

Step 2

Step 3

Step 4

Step 5

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Additional details including names of people involved if applicable:

(If you feel comfortable sharing, this will help resolve the grievance)

Remedy requested:

(What do you think should be provided to support you in overcoming the effects of the incident)

Investigation

(To be completed by company)

Investigation process and findings:

(Clearly document how the company has verified facts in the claim)

Safeguards:

(Clearly document specific safeguards or measures necessary to ensure the individual's safety and protection from retaliation or other negative repercussions)

Proposed remediation to grievance:

(What proposal for remedy would restore the worker to the position they were in before the adverse impact occurred)

Follow up

(To be completed by the company)

Remediation assigned to:

(Ensure responsibility for resolution is assigned)

Target closure date:

(A reasonable timeframe for closure should be determined and the worker kept informed of the process)

Validation of remediation:

(Verify that the affected worker receives appropriate remedy and assess its effectiveness. Monitor to ensure the worker is not retaliated against or re-victimized. Support referral to legal, medical or social services if needed and based on informed consent. Record details of the case, actions taken, and outcome)



Tool 9: Understanding the substantive forms of remedy for individuals

Guidance

Even when robust policies and procedures are in place, an enterprise may still cause or contribute to unforeseen adverse human rights impacts that it was unable to prevent. When such impacts are identified, whether through human rights due diligence or other channels, the company's responsibility to respect human rights requires it to take proactive steps to support effective remediation, either directly or in collaboration with relevant stakeholders.

Depending on the nature of the impact, remedy can be individual or collective, and may be granted by judicial or non-judicial institutions, or by the enterprise itself.

Access to effective remedy is a core component of the UNGPs. UN Guiding Principle 1 recalls that States should take *"appropriate steps to prevent, investigate, punish and redress"* business-related human rights abuses within their territory and/or jurisdictions. UN Guiding Principle 25, in Pillar III on access to remedy, also reminds States to *"take appropriate steps to ensure"* that those affected by business-related human rights abuses within their territory and/or jurisdiction *"have access to effective remedy"*. This may be through judicial, administrative, legislative or other appropriate means, including both State-based judicial mechanisms and State-based non-judicial grievance mechanisms.

Under this foundational principle, States have a duty not only to ensure access to remedy but also to facilitate public awareness and understanding of how State-based mechanisms are accessed and what support exists for doing so. These mechanisms should form the foundation of a wider system of remedy, which may include non-State-based grievance mechanisms administered by companies or through collaborative initiatives.

What constitutes an effective and appropriate remedy depends on the specific circumstances. While addressing issues such as compensation for losses is important, the remedy must remain centred on the affected individual. Therefore, the individual's perspective on what is *"effective"* should be at the core of both the remediation process and its outcome.

As per the enterprise's responsibility on access to remedy, UN Guiding Principle 22, in Pillar II, provides that where *"business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes"*. In fulfilling this responsibility, and to enable grievances to be addressed early and remediated directly, enterprises should establish or participate in effective operational-level grievance mechanisms for individuals and communities who may be adversely impacted.

Operational-level mechanisms are typically expected to focus on reaching agreed solutions through dialogue as the means to address and resolve grievances. Such a flexible approach increases the potential to obtain tailored remedies in different cases (see *OHCHR Interpretive guide on Access to remedy*).⁴⁷

States, alongside the mechanisms they provide, have an important role to play in raising awareness of such non-State-based mechanisms and facilitating access to them. Among other actions, this includes

⁴⁷ OHCHR, [Access to Remedy in Cases of Business-Related Human Rights Abuse: An Interpretive Guide](#), 2024.



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maintaining an enabling legal and policy environment for the functioning of such mechanisms, ensuring protection from retaliation for rights holders who access them, and promoting the establishment of such mechanisms through international cooperation.

Remedy is not just about responding to adverse impacts, it’s also about restoring trust, addressing root causes and preventing future abuses.

The below forms of remedy generally include the following categories: restitution, rehabilitation, compensation, satisfaction and the prevention of further adverse impacts. Recognizing that different remedies may be more effective in different situations, this tool distils international guidance and is designed to support enterprise decision-making in providing remedy for impacts that have occurred.

 **Tool 9:** Understanding the substantive forms of remedy for individuals

Remedy type	Description	Example
Restitution	The aim of restitution is to restore the affected person or group to their original situation before the adverse impact occurred.	In the context of adverse impacts associated with forced labour, restitution can involve a variety of actions, including the restoration of liberty and enjoyment of human and labour rights, reinstatement in employment, the return of identity documents or other confiscated valuables, and the restoration of access to essential services.
Rehabilitation	Rehabilitation can be a vital remedy in many situations. Some affected persons or groups may need a range of rehabilitative care, measures to facilitate recovery from adverse impacts and reintegration.	Rehabilitation can include medical or psychological care and assistance for victims of forced labour and trafficking in persons. It can also include legal and social services. In cases involving workplace hazards or dangerous working conditions that result in injury, for example, medical assistance as well as medium- to longer-term vocational training to support reintegration, alternative employment and livelihood opportunities may be necessary.
Compensation	Financial compensation is one of the most commonly sought and granted forms of remedy in relation to business-related human rights abuses. A guiding consideration is that it should be fair and proportional to the gravity of the impact suffered. Non-financial compensation can be provided in addition or in lieu of financial compensation depending on the specific situation.	Financial compensation, for example, may be provided in cases where a victim has experienced adverse impacts that can be economically assessed. In relation to forced labour, this can include the loss of earnings, unpaid wages, overtime, physical or mental suffering, or abuses related to abuse of vulnerability, deception, isolation, intimidation and threats, or abusive working and living conditions. Non-financial compensation may include, for example, provision of additional annual leave to make up for overtime, improvement of workplace/accommodation policies and working conditions to address shortcomings (e.g., safety, hours, workload, accommodation facilities). Non-financial compensation may be most appropriate for less severe breaches of working or living conditions, or may be offered alongside monetary compensation. Non-financial measures are also valuable in addressing systemic issues and creating longer-term improvements.

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Remedy type	Description	Example
Satisfaction	Satisfaction refers to remedial measures that acknowledge the adverse impact and the responsibility of those involved.	Measures related to satisfaction include the cessation of a continuing abuse; an apology, including an acknowledgement of the facts and acceptance of responsibility; declarations that restore the dignity and reputation of the affected individual(s); and other, mostly symbolic remedies, such as commemorations.
Guarantees of non-repetition	Learning lessons from past instances of human rights abuses is an important element of remedy. Taking steps to avoid recurrence or replication of similar abuses and guaranteeing non-repetition can be a useful forward-looking action.	Guarantees of non-repetition can take a variety of forms, including adoption of new corporate policies, management systems and practices that prevent recurrence. They can also include new awareness raising and training campaigns, human resource practices and enhanced compliance or supplier engagement programmes.



Responsibility to enable remedy

Where a company contributes to a forced labour impact through a business partner or supplier, the business partner may be best positioned to take the lead in providing remedy, as they are often closest to where the adverse impact occurred. However, in cases of contribution, the company is also expected to actively participate in the remedy process in proportion to its role in causing or enabling the impact.

Even in situations where the company has not caused or contributed to the forced labour situation, it still holds a responsibility to encourage or require its business partners to take appropriate remedial action in case the business partner is directly linked to the company operations, products or services. In practice, companies have found that to ensure these expectations are effective, they may need to support or incentivize business partners who face legitimate constraints, such as financial limitations or capacity gaps, so that meaningful remedy can be delivered.

Companies should take steps to encourage their business partners, suppliers and others to have effective grievance mechanisms in place and to provide remedy where they cause or contribute to forced labour. Oversight mechanisms should be in place to ensure remedies are effective, sufficient and in the best interests of the individuals concerned.

Take action on actual and potential forced labour impacts

Box 9: Example remedy process: Forced labour complaint

Initiate prompt protection measures, including a thorough inquiry into safety needs, with the informed consent of the individuals involved.

Initiate an investigation into the complaint and, where facts are verified, determine the cause of the complaint.

Develop a plan for remedies involving affected individuals and, where appropriate, third-party subject-matter experts.

Depending on the specific circumstances of the situation, appropriate measures may include:

- ▶ Immediate payment of illegally deducted wages, recruitment-related debt or other withheld wages and benefits, or initiation of a clear repayment plan.
- ▶ Restoration of personal freedom, ensuring that the individual possesses all personal and identity documents and has full freedom of movement and mobility.
- ▶ Access to third-party support for migrant workers with irregular status or whose residency is tied to their employment, provided this is done with the worker's informed consent and aligned with their preferences.
- ▶ Temporary relocation of the affected individual from unsafe worksites or accommodations until identified issues are fully resolved and conditions meet safety and compliance standards.
- ▶ Provision of psychosocial support, along with access to legal and medical services, and livelihood restoration where needed.
- ▶ Compensation and/or reintegration assistance, as appropriate to the individual's situation.
- ▶ Where forced labour is identified, and with the informed consent of the individual(s) involved, the situation should be referred to local authorities.
- ▶ Based on verified information, additional actions may include suspension of the accused individual, or issuing warnings, suspending, or terminating contracts with third-party entities involved in the abuse

To ensure sustainable recovery and systemic change, comprehensive long-term measures focused on the rehabilitation and restitution of victims should be pursued, while simultaneously addressing the underlying root causes of the abuse(s) and preventing recurrence. These long-term actions should be included in corrective action plans (see **Tool 7**).

In situations where initial assessments identified a low likelihood of such abuses occurring, the emergence of a serious or repeated breach must trigger a reassessment of risks and adjustments to the process, scope and methods used to assess risks. It should also involve a re-evaluation of supplier relationships and governance structures to ensure ongoing compliance.

This dynamic approach helps maintain a responsive due diligence system capable of addressing evolving risks and ensuring that adverse impacts are not repeated.

< HRDD Steps

Step 1

Step 2

Step 3

Step 4

Step 5

Step 4

Track effectiveness of implementation of measures

UN Guiding Principle 20 states: *“In order to verify whether adverse human rights impacts are being addressed, business enterprises should track the effectiveness of their response. Tracking should: (a) Be based on appropriate qualitative and quantitative indicators; (b) Draw on feedback from both internal and external sources, including affected stakeholders.”* Tracking should be an ongoing process to assess whether the actions taken are effective, to drive continuous improvement and to prevent the recurrence of risks.



Tool 10: Indicators and measures for monitoring progress

Guidance

This tool is designed to help companies measure progress in mitigating the risks of forced labour and remediation measures. It proposes measurable indicators, evidence of completion and suggested monitoring measures. Over time, the results will provide a clear and quantifiable view of improvements resulting from due diligence efforts.

This information can also support public reporting, for example, through the company's sustainability or human rights report, demonstrating how it addresses the risks of forced labour across its operations and supply chains. Additionally, such reporting may help meet regulatory requirements related to forced labour, trafficking in persons or modern slavery in supply chains.



Tool 10 uses the first example from **Tool 7** to show how progress in mitigating risks of forced labour can be tracked. However, the same format can be used to monitor remediation measures.

Track effectiveness of implementation of measures

Tool 10: Indicators and measures for monitoring progress

Actions required to address the charging of recruitment fees to workers and wage deductions <i>(e.g., (1) from Table 10)</i>	Indicator	Responsible departments	Timeframe <i>(provide timeframe)</i>	Status <i>(ongoing/ completed)</i>	Follow-up date <i>(provide date)</i>	Completion date <i>(provide date)</i>	Evidence of completion	Monitoring measures
Review company policies and process related to recruitment, including contracts with labour recruiters.	Documented policy and process review Completion report	Human resources Legal / compliance					Copy of the policy and process review report or gap analysis.	Periodic review of policies and processes (e.g., every year) to adapt to new legislation or other development in the field
Develop or amend policies and practices in line with international standards and national legislation, where they are absent or do not provide full protections.	Number of policies and practices reviewed that reflect international standards and national legislation Internal approval of revised policies and processes Policies uploaded to intranet and public website	Human resources Legal / compliance					New or updated policies or documented processes	
Ensure that contracts with labour recruiters prohibit any recruitment fees or related costs being charged to workers and that they contain clauses to terminate contracts in case of non-compliance with fee charging provisions	Number/percentage of recruitment-related policies and contracts reviewed. Number or percentage of contracts amended to include no-fee clauses and termination conditions for non-compliance.	Human resources Legal / compliance Procurement					Revised contracts with labour recruiters showing relevant clauses.	Introduce a compliance control system for the systematic review of all labour recruiter contracts, especially new ones
Calculate recruitment fees and related costs paid by workers	Total amount of recruitment fees and related costs paid by workers Payment schedule	Human resources Finance					Internal document or Excel table showing amounts paid by each worker in their recruitment process (table 4c could be used for this purpose)	Interview workers to confirm they have received the agreed reimbursements
Reimburse workers for recruitment fees or related costs. A payment schedule can be established to allow reimbursement over several months.	Total amount reimbursed Number of workers reimbursed	Human resources Finance					Signed payment records or payroll documents showing reimbursements	



Track effectiveness of implementation of measures

Actions required to address the charging of recruitment fees to workers and wage deductions <i>(e.g., (1) from Table 10)</i>	Indicator	Responsible departments	Timeframe <i>(provide timeframe)</i>	Status <i>(ongoing/completed)</i>	Follow-up date <i>(provide date)</i>	Completion date <i>(provide date)</i>	Evidence of completion	Monitoring measures
Conduct further investigation into whether wage deductions created a situation of debt-bondage (further investigation may include worker interviews in case they were not conducted during the risk assessment stage)	Number of workers interviewed to assess their situation	Human resources Sustainability Legal / compliance					Investigation report with analysis of wage deductions and worker testimonies.	Follow-up assessments to ensure any identified situation is remediated and not repeated. Monitoring grievance mechanism submissions related to wage deductions or debt concerns.
Provide assistance to any worker who wishes to terminate their employment (following reimbursement of wages).	Number of workers who received assistance	Human resources Sustainability Legal / compliance					Documentation of any remediation action undertaken, including assistance to terminate their employment following reimbursement of wages.	
Design and conduct training and distribute information materials to managers and workers on workers' rights, including recruitment, wage deductions and available grievance mechanisms.	One training package on workers' rights (visual, written, etc) Number of trainings conducted Number of workers and managers trained, disaggregated by sex, functions and location Number of complaints presented by workers	Human resources Sustainability					Copy of training package Training attendance sheets Training evaluation forms Complaints report	Annual update and delivery of training Ensure compliance mechanism is fully operational and functioning effectively
Ensure copies of payslips are provided to workers with information on hours worked, wages and any legal deductions.	Number of payslips issued with full breakdown of wages and deductions.	Human resources Finance					Workers' payslips	Introduce audits (e.g., biannual) to verify consistency between worker contracts, payslips, and actual payments.

A horizontal navigation bar with five steps. The first step is highlighted in blue and contains a left-pointing arrow and the text 'HRDD Steps'. The other steps are Step 1, Step 2, Step 3, Step 4, and Step 5, each in a different color (teal, red, yellow, purple, green respectively).

< HRDD Steps

Step 1

Step 2

Step 3

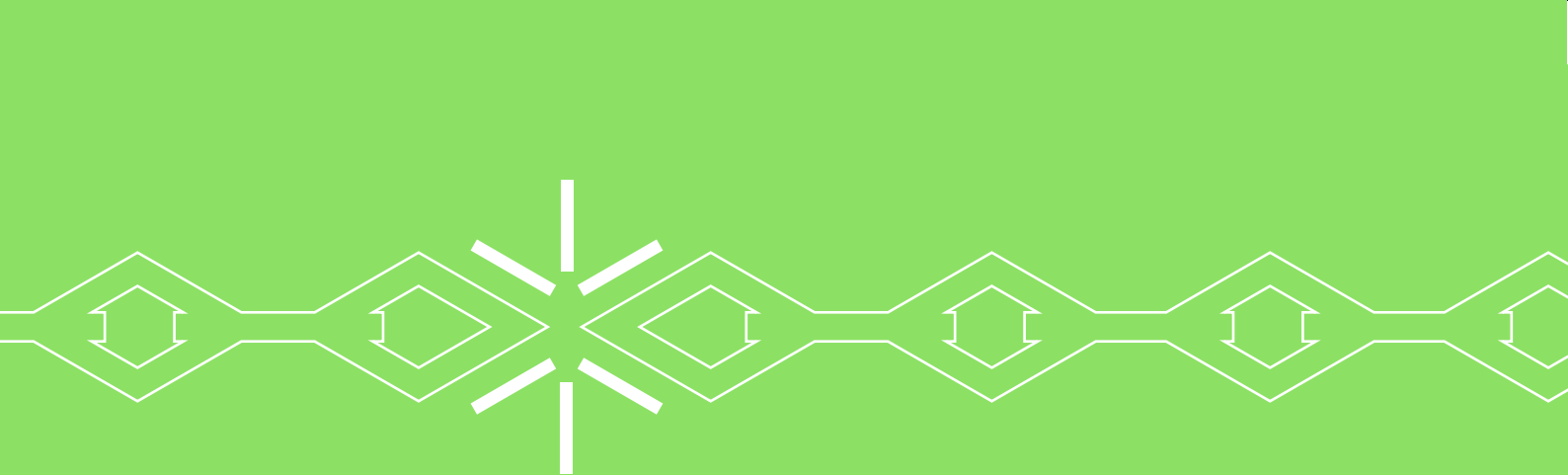
Step 4

Step 5

Good practice: Holcim's Global system to monitor and follow-up findings from human rights risks assessment and mitigating actions plans

Holcim's Human Rights and Social Policy and Human Rights Directive sets out the company's approach, processes and salient risks. Holcim has carried out human rights assessments for more than a decade, led either by Group-level experts or at country level, as a result, every country where the company operates has a human rights assessment process in place with defined action plans. In 2024, 18 impact assessments and 38 self assessments were conducted. All the findings from a human rights assessment and mitigating action plans are recorded in a global system, and are followed up every quarter by the country's and Group's human rights experts.

Source: Holcim, 2024 Integrated Annual Report, 2025.



Step 5

Communicate how actual and potential forced labour impacts are addressed

As per the UNGPs, companies should communicate how actual and potential adverse impacts have been addressed. This tool is designed to support companies in communicating how risks and situations of forced labour and have been addressed and remediated.



Tool 11: Communicating progress

Guidance

This tool provides examples of how companies can communicate information on the way actual and potential forced labour adverse impacts have been addressed, both internally and externally, to different stakeholders. The information should be tailored to each audience and presented in appropriate formats.



Tool 11: Communicating progress

Audience	What to communicate
Senior management	<p>Measures of progress: Measurable metrics related to forced labour prevention (e.g. number of supplier audits, training completion rates, remediation outcomes).</p> <p>Key risks of forced labour: Identification and assessment of specific risks relevant to the company's operations and supply chain.</p> <p>Ongoing cases or disputes: Updates on reported incidents or ongoing legal/ remediation processes.</p> <p>Proposed solutions: Recommendations for further action, policy changes or new programmes.</p>

Communicate how actual and potential forced labour impacts are addressed

<p>Related departments (e.g. procurement, human resources, legal)</p>	<p>Results of forced labour prevention efforts: Data and analysis on the effectiveness of implemented measures.</p> <p>Relevant risks of forced labour: Specific risks pertinent to their department's function (e.g., procurement teams needing to understand risks in certain sourcing regions).</p> <p>Initiatives on forced labour prevention and fair recruitment: Information on current and upcoming projects and plans.</p>
<p>Workers</p>	<p>Complaint mechanisms: Clear instructions on how workers can report concerns, including confidential and accessible channels.</p> <p>Complaints resolved: Examples of how reported issues have been addressed and remediated, demonstrating the effectiveness of mechanisms.</p> <p>Rights and responsibilities: Information on workers' labour rights, company policies against forced labour, and workers' role in prevention.</p>
<p>Shareholder/ investors</p>	<p>Sustainability reports: Comprehensive reports on environmental, social and governance (ESG) performance, including forced labour prevention efforts.</p> <p>Results: Tangible outcomes of prevention and remediation efforts, showcasing impact.</p> <p>New initiatives: Future plans and investments in combating forced labour.</p>
<p>Business partners or suppliers</p>	<p>Changes in requirements related to forced labour: Updates to codes of conduct, contractual clauses or due diligence expectations.</p> <p>New training resources: or upcoming workshops on forced labour and fair recruitment: opportunities for partners to enhance their capacity and understanding.</p> <p>Promising practices on prevention and elimination of forced labour: sharing of successful strategies and tools that partners can adopt.</p>
<p>Other companies or industry associations</p>	<p>Promising practices on prevention and elimination of forced labour: contributions to collective learning and industry-wide collaboration.</p> <p>Lessons learned from prevention efforts: sharing challenges and insights to help others avoid similar pitfalls.</p>
<p>Customers</p>	<p>Results of prevention efforts: demonstrating the company's commitment to ethical sourcing and responsible production.</p> <p>New initiatives for eradicating forced labour and promoting fair recruitment: highlighting ongoing efforts to ensure ethical supply chains.</p> <p>Sustainability reports: <i>(see above)</i></p>
<p>NGOs, reporting platforms, multistakeholder initiatives</p>	<p>Sustainability reports: <i>(see above)</i></p> <p>New initiatives: Updates on current and future programmes.</p> <p>Results: Evidence of progress and impact.</p>
<p>Government</p>	<p>Data and information according to requirements: Compliance with legal obligations for human rights reporting, including forced labour.</p> <p>Modern slavery or human rights reports: Formal submissions detailing due diligence and prevention efforts.</p>

Communicate how actual and potential forced labour impacts are addressed

Box 10: Communication formats available	
Flyers/posters: Useful for reaching workers on-site, especially where digital access is limited.	Newsletter/updates via email: Direct updates to management, departments, suppliers and partners.
Meetings: Face-to-face or online discussions with management, departments or workers.	Internal newsletters/intranet: Regular updates for staff.
Notices: Physical postings in common areas.	MS Teams, WhatsApp or other collaboration platforms: Real-time communication and document sharing.
Workshops/conferences: Sharing good practices and lessons learned with industry peers.	Websites/social media: Publicly sharing progress, initiatives and results.
Annual reports/sustainability reports: Formal documents providing comprehensive overviews of a company's performance, including social and human rights aspects, for shareholders, investors, customers, NGOs and government bodies.	Reporting platforms: Submitting data to NGOs, government or multi-stakeholder initiatives.

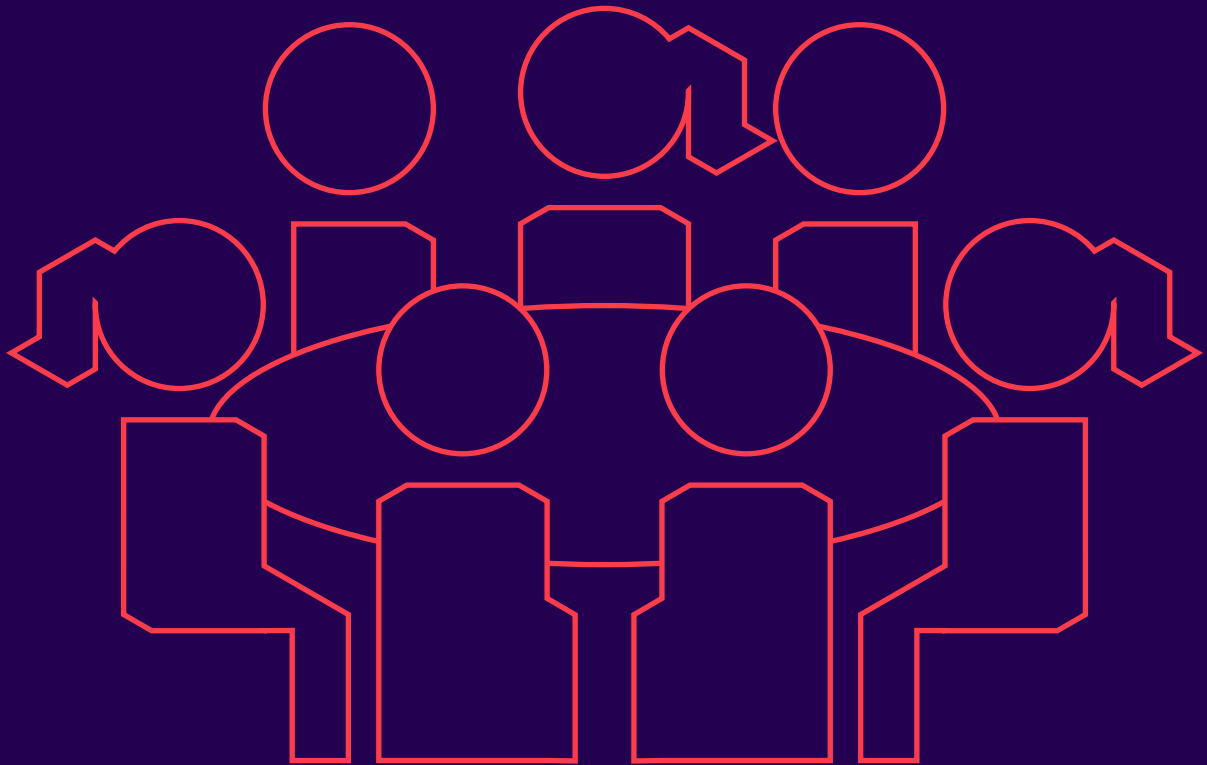
Good practice: Unilever’s Modern Slavery Statement

Through its 2025 Modern Slavery Statement, Unilever reports on how the company identifies and assesses potential and actual forced labour risks, the measures taken to prevent and mitigate such risks, the remediation actions undertaken, and the monitoring mechanisms in place. The statement also provides information on the number of non-conformances related to forced labour identified by auditors at business partners’ sites, along with explanations of the issues involved — for instance, recruitment fees and costs paid by workers and financial penalties imposed when workers left their employment or refused to work overtime.

For more information see: Unilever, [Modern Slavery Statement](#), 2025.

3.

The role of Employers' and Business Membership Organizations



▶ 3. The role of Employers' and Business Membership Organizations

Employers' and Business Membership Organizations (EBMOs), which bring together employers, the private sector and member companies to advance their collective interests, play an important role in combating forced labour. EBMOs can support their members in many ways, including engaging and assisting them in their efforts to identify, mitigate, eliminate and remediate forced labour in their own operations and supply chains. Key areas where EBMOs can contribute include:

Adoption of a policy or code of practice

The adoption of a policy or code of practice on forced labour, accompanied by a strategy or action plan for implementation, enables EBMOs to engage in a systematic and sustainable way while setting clear objectives and actions for their member companies. Such a framework helps clarify the challenges EBMO company members face, identify solutions and create a foundation for broader policy engagement at the national level.



By adopting a policy or code of conduct, EBMOs also lead by example for their members.

Good practices: EBMOs adopting codes of practice and charters

In February 2025, the **Ghana Employers' Association (GEA)**, in collaboration with the National Fisheries Association of Ghana (NAFAG) and other key industry stakeholders, launched the *Employers' Code of Practice for Eliminating Child Labour, Forced Labour, Modern Slavery, and Human Trafficking in the Fishing Sector of Ghana*.¹ The Code serves as a practical tool to guide actors in the industry in adopting ethical labour practices, ensuring compliance with Ghanaian labour laws, and upholding international labour standards.

The **Japan Business Federation (Keidanren)** has adopted a "*Charter of Corporate Behaviour*";² to be complied with by its member companies and which includes respect for human rights and responsible business conduct.

Notes: (1) Ghana Employers' Association (GEA), *Employers' Code of Practice and Action Plan for Eliminating Child Labour, Forced Labour, Modern Slavery, and Human Trafficking in the Fishing Sector of Ghana*, 2024. (2) Japan Business Federation (Keidanren), *Charter of Corporate Behavior*, 2022.

Consolidation and dissemination of information

EBMOs play a key role in helping members access and navigate the vast amount of information on forced labour, including online training. By collecting, analyzing and consolidating national, regional and global resources, such as new legislation, case law and good practices, they can save members time and effort, especially smaller enterprises with limited capacity. They can draw on resources from the IOE, the ILO GBNFL, platforms such as the Forced Labour Observatory, and exchanges with fellow EBMOs to strengthen the support offered to members.

In addition, sharing timely updates on legislative or regulatory changes through newsletters or briefing sessions ensures members receive practical, actionable guidance.



To make information more accessible, EBMOs can develop user-friendly tools such as virtual libraries, links to useful resources and translated summaries of key materials into national languages.

Good practices: EBMO's sharing knowledge

The **International Organisation of Employers (IOE)** has published the *Practical Guide for Employers: A Step-by-Step Approach for Companies of all Sizes to Implement Human Rights Due Diligence for Responsible Business Conduct*,¹ to support companies of all sizes, notably SMEs, and EBMOs, raise awareness and build capacities on the corporate responsibility to respect human rights and the importance of implementing HRDD in line with the UNGPs.

The "*ASEAN Employer's Resource Platform*"² is an initiative by the **ASEAN Confederation of Employers (ACE)** that serves as a knowledge and resource hub for employers in ASEAN, helping them access information, tools and good practices relevant to labour, employment and human resources.

Notes: (1) See: IOE, *Practical Guide for Employers*, 2025b. (2) See: ASEAN Confederation of Employers (ACE), [ACE Migration Platform](#).

Collection of good practices

Good practice examples are a practical tool for raising awareness and supporting learning among members on the prevention and elimination of forced labour. Case studies can help illustrate instances of forced labour more tangible, particularly when examples are local and include enterprises of different sizes, including SMEs. Sharing both successful approaches and lessons learned from challenges helps members strengthen their own strategies.



As such examples are not often submitted voluntarily, EBMOs may need to actively engage with members to collect and disseminate them, thereby enriching peer learning and informing advocacy.

Good practice: Know and Show section of IOE's Newsletter

The IOE publishes its *Business and Human Rights (BHR) Newsletter* three times a year. The newsletter features updates on EBMOs' engagement in BHR initiatives worldwide, presented in the "*Know and Show*" section.

See: IOE, *Business and Human Rights (BHR) Newsletter*, August 2025, 2025a.

Awareness raising and training

EBMOs are well placed to raise awareness and provide training on forced labour, helping members better understand risks of forced labour and equipping them to take action. These efforts not only influence attitudes, behaviours and beliefs, but also build members' practical capacity to identify and address risks. At the same time, they can strengthen the organization's public profile, enhance its reputation and attract new members and partners.

Typical activities include adopting and promoting a membership code of conduct or forced labour policy, offering targeted training sessions, engaging with the media, issuing public position statements and using communications and outreach to keep the issue visible.



EBMOs may organize dedicated events and workshops or integrate awareness-raising and training sessions into other activities to share knowledge, showcase good practices and encourage member commitment to combating forced labour.

Good practice: Training by EBMOs

In May 2023 and 2024, the **ILO Global Business Network on Forced Labour (GBNFL)** and the **Confederation of Industrial Chambers of Mexico (CONCAMIN)** jointly organized two technical workshops on forced labour and fair recruitment,¹ attended by more than 100 representatives from the Mexican private sector. The workshops provided practical training on international labour standards, national legislation and policies related to forced labour and fair recruitment. Through interactive discussions, participants explored sector-specific challenges and identified opportunities for collaboration to combat forced labour.

EBMOs in Honduras, Eswatini, Nigeria, Tanzania, Morocco, Philippines, Viet Nam, and Mongolia have been developing training and advisory services for environmental, social, and governance (ESG) issues. This training includes a focus on stakeholder engagement through a double materiality approach, prioritization of risks, and communicating progress, including through ESG reports. For example, In the Philippines, the **Employers Confederation of the Philippines (ECOP)**, launched a new ESG training programme² by adapting the ILO's *ESG Leadership Essentials* to local needs. Informed by member surveys and workshops, the programme was complemented by practical tools such as a digital ESG risk assessment platform, and a sustainability reporting tool. The initiative is supported by a dedicated sustainability unit and has already positioned ECOP to contribute to national policy debates, including the *Trabaho Para sa Bayan ((Jobs for the Nation) Act* and trade discussions with the European Union and Japan.

Similarly, the **Association of Tanzania Employers (ATE)** strengthened its capacity by developing an ESG training programme tailored to member needs. Based on a mapping of national regulations, surveys, and interviews, ATE produced an *ESG State of Play* report and adapted the ILO's *ESG Leadership Essentials* to the Tanzanian context. After training 14 internal trainers, ATE launched the programme³ with 40 enterprises across eight sectors, integrated it into its 2026 training calendar, and complemented it with promotional materials.

The **Serbian Association of Employers (SAE)**⁴ conducts regular training and drafting support for staff and member companies on HRDD in supply chains, grievance mechanisms and procedures.

Notes: (1) ILO GBNFL, "[Sesión informativa y capacitación sobre trabajo forzoso y contratación equitativa en México](#)", *ILO News*, 16 May 2023; and ILO GBNFL, "[Seminario sobre trabajo forzoso para el sector privado en México](#)", *ILO News*, 16 December 2024. (2) ILO, "[Philippine employers trained on sustainability in 2025 learning series](#)", *ILO News*, 25 February 2025a. (3) ILO, "[The Association of Tanzania Employers is leading the way in sustainability](#)", *ILO News*, 11 July 2025b. (4) IOE, *Practical Guide for Employers*, 2025b.

Provide advice to members

Providing advice is a key starting point in supporting members to address forced labour. By offering clear guidance on relevant policies and legal obligations, EBMOs help companies better understand and meet their responsibilities. At a basic level, members need access to relevant provisions related to forced labour in labour and criminal codes, which can be shared through copies or simple summaries.

Beyond legal compliance, EBMOs can inform members about the expectations of international buyers, consumer markers and CSR programmes. In this way, they help ensure members are both compliant and aligned with evolving market and stakeholder demands.

In addition to legal and policy information, EBMOs can provide members with practical tools to help them

take effective action. This may include guidance on undertaking due diligence on forced labour. This handbook provides practical tools that could be used by EBMOs to support their members.



EBMOs may also establish a helpdesk as a quick-reference resource for their members, offering timely answers to common questions and providing members with practical, accessible support. Additionally, they could also create committees or policy working groups to share knowledge and discuss relevant issues related to BHR.

Good practice: GREPALMA's Sustainability Department providing policy information

The Palm Grower Association of Guatemala (Gremial de Palmicultores de Guatemala - GREPALMA), has trained partner agencies in human rights and fair recruitment; established a mechanism to verify member compliance; tasked its Sustainability Department with responding to policy-related queries; and shares biannual progress reports through relevant communication platforms.

For more information, visit GREPALMA website: <https://www.grepalma.org/en/home/>

Promote knowledge exchange and collaboration

EBMOs can foster peer-to-peer learning by facilitating exchanges between members, documenting and sharing examples of good practice, and creating platforms for businesses to learn from one another and develop joint solutions. Systematic exchange and the dissemination of good practices enable members to make more informed strategic and operational decisions, while also opening opportunities for collaboration and collective action.



Good practices can be shared through websites, publications, podcasts, or by inviting companies and other members to present their strategies at events and seminars.

Good practices: EBMOs active in awareness raising and knowledge sharing

The **Nigeria Employers' Consultative Association (NECA)** has established a Policy Working Group and monthly knowledge sharing series on responsible business conduct. They also foster dialogue with the Economic and Financial Crimes Commission (EFCC) and National Human Rights Commission (NHRC).

The **Federation of Uganda Employers (FUE)** organizes business and human rights awareness webinars. It also has also established the "*Employer of the Year Awards (EYA)*", which includes a dedicated category on business and human rights.

Source: IOE, *Practical Guide for Employers*, 2025b.

Lobbying and advocacy to influence policy

Advocacy is a core function of EBMOs in the fight against forced labour. By engaging with policymakers and other stakeholders, including workers' organizations, in legislative and regulatory reforms, EBMOs help ensure that employer perspectives are reflected in national policies, guidelines and action plans, including those aligned with the ILO Protocol of 2014. Their active role in shaping national action plans on forced labour and trafficking in persons is essential for creating effective and sustainable strategies.



EBMOs can contribute by publishing policy positions and white papers, running campaigns, and participating in stakeholder consultations to influence legislation and policies for the prevention and elimination of forced labour.

Good practice: The Viet Nam Chamber of Commerce and Industry involvement on social dialogue to improve legislation on recruitment

The Viet Nam Chamber of Commerce and Industry played a central role in improving legislation to prevent forced labour. It took leadership in organising tripartite policy dialogue with the government to update a key law that regulates the recruitment of Vietnamese migrant workers. This initiative reflects the guidance of the ILO MNE Declaration on the importance of consultation between national governments and employers' and workers' organizations on matters related to social policy. The revised law represents a significant step towards fair recruitment, introducing new measures to address deceptive recruitment practices that can lead to exploitation and abuse.

For more information see, ILO, [Revision of the Law on Contract-Based Vietnamese Overseas Workers 69/2020/QH14](#), 2020.

Provide advice and support on remediation

Remediation for forced labour situations may take various forms and involve different levels of responsibility, in line with the UNGPs. EBMOs are well placed to explain these responsibilities to their members, including the judicial and non-judicial mechanisms available at the national level, and to support governments in removing barriers that prevent victims from accessing such processes. EBMOs could also explore the development of collaborative grievance mechanisms aligned with the UNGPs, providing trusted avenues for victim-centred resolution.



EBMOs can also be part of the remediation strategies, for example by initiating or participating in programmes that support the rehabilitation and reintegration of former victims of forced labour and trafficking in persons. These may include job placement, apprenticeships, vocational training and skills development. Such initiatives serve both protective and preventive functions by enabling victims to rebuild their lives and reducing the risk of further exploitation.

Good practice: Malaysia Employers Federation's support to members on remediation payments of recruitment fees

The Malaysia Employers Federation (MEF) supports Malaysian employers to fulfil their obligations under the Zero Cost Recruitment Policy. In line with international labour standards and Malaysia's commitment to ethical recruitment, MEF guided and assisted members to make remediation payments covering recruitment costs borne by workers in the source country.

By working closely with employers, MEF ensures that remediation payments are carried out responsibly, transparently, and in full compliance with policy requirements. This approach not only strengthens Malaysia's reputation for fair labour practices but also enhances trust with source countries, international stakeholders, and workers themselves.

MEF remains committed to constructively engage with the Government, employers, and stakeholders to ensure that the Zero Cost Recruitment Policy is implemented in a practical, sustainable, and fair manner that safeguards both employers' competitiveness and workers' rights.

Source: Input provided directly by the Malaysia Employers Federation (MEF).

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— [E-Learning course on Forced Labour](#), online course.

— [Forced Labour Observatory](#), database.

— [Global Business Network on Forced Labour \(ILO GBNFL\)](#), website

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— [Platform on Human Rights Due Diligence in Support of Decent Work](#), website (*forthcoming*)

— [Q&As on Business and Forced Labour](#), webpage.

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— [STREAMS Traceability & Labor Due Diligence Resource Suite](#), website.

— [Supply Chain Traceability Matrix \(STREAMS\)](#), online tool.

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— [Worldwide Governance Indicators](#), website.

► Annexes

Annex 1. Worker interview questionnaire (long version)

This comprehensive worker interview questionnaire is designed to help identify risks and situations of forced labour, based on the ILO 11 indicators, across all stages of employment, from recruitment to separation, as well as other relevant aspects. It supports further investigation into areas of risk identified using the shorter version in **Tool 3c**. For example, if risks are flagged at the employment stage, the interview may focus on the corresponding questions in the questionnaire below.

Note: Companies should refer to the worker interview guidance provided in Tool 3c when applying this questionnaire.

Worker interview questionnaire (long version)

Start

*Before beginning, ensure informed consent and explain the purpose and process of the interview (see **Box 7**)*

- Do you know why this interview is being conducted?
- Do you have any concerns about the interview?
- What language do you feel comfortable conducting this interview in?

Recruitment stage

Questions	Possible red flags	Indicator
Were you provided with clear and accurate information about the job and its tasks from the advertisement or briefing?	The worker reports not receiving accurate information about the job during recruitment, including details about the employer, accommodation, or working conditions.	Deception
Are the working (and living) conditions consistent with what was described to you at the time of recruitment?	The worker reports that the actual terms of employment differ from those described in the contract.	
Were you tricked into accepting a job that is different from or worse than the one agreed or promised at the time of recruitment?	The worker reports that the job would not have been accepted if the real conditions had been known.	
Was the information provided in a language you understand?	The information was not provided in a language the worker understands.	
Do you fully understand your salary and benefits, including pay schedule, deductions and overtime?	The worker states that the terms and conditions are poorly defined and/or the contract lacks details about the employer, salary, working time or other working conditions.	
How much are you paid monthly/hourly? Does this amount differ from what was agreed in the contract?	The worker is paid below the legal minimum wage and/or the amount paid does not match the terms agreed upon in the contract.	
Are you aware of how to terminate your contract?	The worker does not know the conditions for contract termination.	

Questions	Possible red flags	Indicator
Were you asked to sign any additional documents, or documents that lacked information or were left blank?	<p>The worker reports signing blank contracts or contracts with missing sections.</p> <p>The worker expresses concern about contract substitution and/or false promises.</p> <p>The worker was forced to sign a (new) contract after starting work, or someone has altered the contract fraudulently after signing it, in violation of the law.</p>	Deception
Was there a written contract, and do you have a copy?	<p>There is no written contract.</p> <p>The worker does not have a copy of the contract.</p>	
Is the contract written in a language you understand?	The contract is written in a language the worker cannot understand.	
<p>In case of recruitment agency involved: Was the recruitment process clearly explained to you?</p> <p>Were the conditions for repatriation and termination explained?</p> <p>Were you provided with a pre-departure briefing?</p>	<p>The worker states the recruitment process was unclear or not explained in detail.</p> <p>The worker does not know the conditions for termination or repatriation.</p> <p>The worker did not receive a pre-departure briefing.</p>	
Did anyone use pressure or threats to make you accept the job or agree to the contract conditions?	The worker accepted employment due to threats or pressure.	Intimidation and threats
<p>Did you have to take the job to secure a loan from the employer?</p> <hr/> <p>Did the employer offer you a loan?</p> <ul style="list-style-type: none"> ▶ Have you repaid the loan? ▶ What was the total repayment period? ▶ Was interest charged? <hr/> <p>Do you have to work to repay a debt to your recruiter or employer?</p> <hr/> <p>Were you required to deposit any assets (e.g., a property deed) at the beginning of the job as a guarantee, and were you threatened with losing them if you refused or left the job?</p> <hr/> <p>Were you required to pay a substantial "runaway fee" at the beginning of the job as a guarantee, and threatened with its loss if you refused or left the job?</p>	The worker has paid a deposit or owes a debt to the employer, which is extended or inflated to prevent the worker from leaving.	Debt bondage
Do you have to work to repay a wage advance received from the recruiter or employer?	Wage advances are used by employers to keep the workers in the job.	

<p>In case of recruitment agency involved: Did you pay any fees for the job? If yes:</p> <ul style="list-style-type: none"> ▶ How much did you pay? ▶ Who did you pay the fee to? (the recruitment agency, an agent, subagent, relative, a company worker) ▶ Did you have to pay a fee more than once? ▶ When and where did you pay the fee? <p>For what reason did you pay a fee? <i>(Refer to Tool 4c for a comprehensive list of recruitment fees and related costs. You may fill the table with the worker's responses.)</i></p> <p>Were all the fees and related costs reimbursed?</p> <p>Do you have any receipts or proof of payment?</p>	<p>The worker reports having paid a fee/fees which makes it difficult for them to leave.</p> <p>Recruitment costs are covered by the workers, effectively tying them to their jobs. For instance, these fees are reimbursed through salary deductions over the duration of the employment contract, making it difficult for workers to leave their jobs.</p> <p>The worker paid fees but has no written record of the amounts, purpose or recipient.</p>	
<p>Were you forced to take the job through physical force from the employer or someone else (e.g. abduction, confinement during recruitment)?</p>	<p>The worker reports being forced to work through physical force.</p> <p>The worker did not consent to employment and is working involuntarily.</p>	Physical violence
<p>Did you feel you had any other options when accepting this job, or was it the only opportunity available due to your background (social status or caste)?</p>	<p>The worker accepted the job due to lack of alternatives linked to caste or social status.</p>	Abuse of vulnerability
Employment stage		
<p>Can you freely enter and exit the company's facilities (or dormitory/accommodation or worksite) without needing permission (except for safety reasons)? If not, what are the restrictions?</p>	<p>The worker reports that mobility is restricted by the employer or supervisor. Restrictions negatively impact other aspects of life, such as visiting family, socializing, organizing freely, engaging in religious practices, going to an ATM or accessing medical care.</p> <p>The worker expresses fear or being punished for leaving the workplace.</p> <p>The worker states that, after work hours, permission is required to visit a doctor, shops, market, mosque, church, bank or other places of their choosing.</p> <p>The worker complains about curfews.</p> <p>The worker complains about being unable to go to the ATM to withdraw money or send remittances home.</p>	Restriction of movement
<p>Do you observe any differences between groups of workers regarding freedom of movement at the worksite (or dormitory)? (e.g., differences between women and men, or based on contract type or position).</p>	<p>The worker reports that different rules are applied to different groups of workers, which may indicate discrimination or abuse of vulnerability.</p>	
<p>Are you subjected to constant surveillance (including outside working hours)?</p>	<p>The worker reports constant surveillance by the employer or supervisor.</p>	

Are you threatened with or confined at work or after working hours or at your accommodation?	The worker reports being locked in the accommodation or workplace.	
Are you threatened with or denied access to communication tools such as mobile phone or the internet?	The worker reports that the mobile phone was confiscated and/or that there is no access to phone or internet during free time, or only permitted under supervision and monitoring of the employer.	
Are you prevented from moving freely because your personal documents (e.g., work permit or passport) are being withheld?	The worker reports that movement is restricted due to lack of access to personal documents.	
Are you freely able to return home or move during your days off, annual leave or personal leave (including ability to return to origin region or country for migrant workers)?	The worker reports that they are restricted from moving freely on their days off or are restricted from returning home.	
Does your employer or supervisor (or recruiter) intentionally take advantage of you or a co-worker due to factors such as legal status, limited education, contractual status, or other reasons?	Vulnerable workers with limited alternatives (e.g., migrants, workers from minority communities, poorly educated) report having to work under intolerable conditions through threats of loss of pay, loss of shelter, loss of land, manipulation of access to food and water, acts or threats of violence and humiliation. For example, workers on insecure or disguised contracts may also be taken advantage of due to their relative income insecurity.	Abuse of vulnerability¹
Were you threatened with deportation or being reported to the authorities to stop you from refusing certain conditions of work or tasks or quitting?	The worker states that threats of deportation or being reported to authorities are used as disciplinary actions. This is particularly noted when the worker does not have regular migration status, lacks a work visa, or holds a visa tied to the employer.	
Were you threatened with loss of housing to stop you from refusing certain conditions of work or tasks or quitting?	The worker reports that threats of loss of housing are used as disciplinary actions. This is especially the case when the worker and the worker's family depend on employer for housing and have no alternative accommodation.	
Were you threatened with loss of land to cultivate to stop you from refusing certain conditions of work or tasks or quitting?	The worker reports that threats of loss of land are used as disciplinary actions. This occurs when additional earnings derive from cultivating land provided by the employer and no alternative land is available.	
Were you threatened with dismissal to prevent you from refusing certain conditions of work or tasks?	The worker states that threats of dismissal are used as disciplinary actions. This is the case when the worker legal status in the country is tied to job, or when the worker and the worker's family lack alternative means of survival.	

<p>Have you ever been asked to hand over personal documents (e.g., passport, identity document, residence permit, work visa, bank card etc.)? Are you able to access these anytime you want?</p>	<p>The worker reports that identity documents, valuable belongings, work permit, and return ticket are kept by the employer or recruiter, and cannot always be accessed freely.</p> <p>Workers are not in possession of their personal documents and report being unable to leave out of fear of losing their documents.</p> <p>The employer required the workers to sign a standard form authorizing the employer to hold their passports.</p>	<p>Retention of identity documents</p>
<p>In case of accommodation provided by the employer</p> <p>Do you have a secure place to keep your personal belongings and documents?</p>	<p>The worker reports not having a secure place to keep personal documents and belongings.</p>	
<p>Are your wages paid directly to you, e.g., into your bank account?</p>	<p>The worker reports that wages are paid to a third party (e.g., a recruitment agency) or to a bank account controlled by the employer.</p>	<p>Withholding of wages</p>
<p>How often are you paid?</p>	<p>The worker reports not receiving pay at least once a month. Large lump-sum payments (e.g., one payment in six months) are identified as a warning sign of coercion through wage withholding.</p>	
<p>Has the payment of your wages ever been delayed or withheld?</p>	<p>The worker states that the employer has previously withheld wage payments, delayed them, or made unexplained deductions from wages.</p>	
<p>What is your salary?</p> <p>Do you receive your wages in full as agreed in your contract and with a payslip?</p>	<p>The worker reports being paid less than the legal minimum wage, less than agreed in the contract, or only a portion of the wages due, with the remaining amount held until the end of contract.</p> <p>The wage or payment system was not clearly explained. The worker reports not understanding how wages are calculated. The worker does not receive a payslip from the employer.</p>	
<p>Have you ever been given a payslip for salary amounts that you did not really receive?</p>	<p>The worker reports that the payslip does not match the amount actually received.</p>	
<p>Have there ever been any deductions made from your salary? If yes, how much and was the reason for the deduction explained to you?</p>	<p>The worker reports that the employer has made unexplained deductions from wages.</p> <p>The worker is fined for breaking rules, which are arbitrarily conceived and enforced.</p> <p>The worker has no alternative for accommodation, food, tools, or safety equipment other than what is provided by the employer at above-market prices, and the costs are deducted from wages.</p>	
<p>Are overtime, annual leave, holidays, sick leave and maternity leave paid?</p>	<p>The worker reports that overtime, annual leave, holidays, sick leave and maternity leave are either unpaid or not paid at the correct rates.</p>	

Do you have to work for no wages?	The worker reports having worked without receiving wages.	
Were your wages deliberately withheld, and were you threatened with their loss to stop you from refusing to work or quitting?	The worker reports feeling coerced to continue working due to fear of losing unpaid wages if work is refused or employment is terminated. Pay is withheld until workers have worked a pre-determined period of time.	
Have you been given cash advances that are later deducted from your pay with an interest?	The worker reports receiving cash advances that are later deducted from wages with high interest.	
Do you have to meet production targets to be paid? Are these targets un/realistic? Do you have to work overtime to meet the targets?	The worker reports being unable to meet quotas or earn the minimum wage under piece-rate systems without working extra hours.	
Does your employer have access to your ATM card and pin code?	The worker reports that the ATM card and pin code are in the possession of a supervisor.	
Were you asked by your recruiter or a company representative to pay a "deposit" that will be returned to you upon completion of your contract?	The worker reports having paid a deposit or bond, which makes it difficult to leave the job. The worker reports not having been informed about the deposits or bonds that were taken.	Debt bondage
Are you in a situation of indebtedness to the employer or recruiter and threatened with serious consequences if you quit before repaying?	The worker reports being in a situation of indebtedness to the employer or recruiter and being threatened with serious consequences, such as physical harm to the worker or a family member, or serious legal jeopardy, if they quit the job before repayment.	
Were you put (further) into debt through unagreed or excessive charges?	The worker reports being deliberately put further into debt through exorbitant interest charges and/or through unagreed or excessive charges for food, housing, or other goods and services provided by the employer, and being threatened with serious consequences if they quit the job before repayment.	
Were you put (further) into debt through fines?	The worker reports being deliberately put further into debt through fines for supposed workplace violations or failure to reach production targets, and being threatened with serious consequences if they quit the job before repayment.	
Do you have to work in conditions or perform tasks that you think place you at risk of serious injury or illness? Were you given adequate protective gear and/or training?	The worker reports undertaking hazardous work without adequate protective gear and/or training. The worker is suffering illness or injury due to poor conditions. The worker reports unsanitary or dangerous conditions.	Abusive working conditions

Did you have to continue to work even on days or during periods when you felt too sick or too injured to do so?	The worker reports being penalized for refusing to continue working, even when sick or injured.	
Can you take days off when you are sick or injured?	The worker reports not having the right to take days off when sick or injured.	
Are you able to get medical treatment?	The worker reports being denied medical treatment, even when severely injured or sick.	
Are you allowed to refuse an assignment when you feel it is not safe?	The worker reports being unable to refuse unsafe assignments due to threats of punishment, loss of wages, or loss of employment.	
When there is extreme weather, heat or cold, under what conditions do you work? Do you have to continue working even on very hot days or during extreme weather?	The worker reports working in extreme weather conditions.	
Do you have access to food, potable drinking water or toilet facilities at the worksite?	The worker reports not having access to adequate food, potable drinking water, or toilet facilities.	
Do you have to perform tasks that you think are illegal and placed you at risk of serious legal problems?	The worker reports being required to undertake illicit or humiliating activities.	
Do you have to work in conditions that you found degrading, humiliating or otherwise intolerable?	The worker reports being required to undertake degrading or humiliating activities that they found intolerable. The worker reports having to endure working conditions that severely breach labour law and violate human dignity.	
Do you (or a family member) have to perform extra tasks outside your regular job and regular workplace (e.g., in the private household of your employer)?	The worker reports that extra tasks were performed (by the worker or a family member) outside the regular job and workplace, such as in the private household of the employer. This could include illicit activities.	
Do you have to perform extra tasks or tasks that are dangerous or degrading as a form of punishment?	The worker reports being required to perform difficult, degrading, or compulsory work as punishment.	
How many hours a day do you work, and how many days each week?	The worker reports working hours that exceed those agreed in the employment contract, or that go beyond legal working time or without sufficient rest according to national legislation or collective agreements.	Excessive working hours
Are you able to refuse overtime work, without threat or fear of punishment or penalty? What happens if you or other workers refuse to work overtime when asked?	The worker reports being penalized for refusing to work overtime, for example by receiving less than the minimum wage or less than the wage stated in the employment contract.	
Do you have to work excessive overtime hours most days, leaving you with little or no rest or recovery time?	The worker reports that work hours routinely exceed what is written in the contract, legal limits, or company policies.	

<p>Do you have to work without breaks during the working day, leaving you physically and mentally exhausted?</p>	<p>The worker reports being required to work without breaks.</p> <p>The worker appears exhausted or distressed, or report symptoms such as fatigue related to excessive overtime.</p>	
<p>Did you have to work for weeks or months without any days off?</p>	<p>The worker reports being required to work seven days per week with no rest days, despite legal requirement for rest.</p>	
<p>Do you have to meet production targets to be paid? Are these targets un/realistic?</p> <p>Do you have to work overtime to meet the targets?</p>	<p>The worker reports having to meet production targets to be paid. The targets are unrealistic, and overtime work is required to meet them.</p>	
<p>Are you provided housing/sleeping quarters? If yes:</p> <ul style="list-style-type: none"> ▶ Do you have to live in housing imposed by the employer that you find degrading, unhygienic, unsafe, overcrowded, lacking in privacy or otherwise intolerable? 	<p>The worker reports that the dormitory is intolerable due to very poor conditions.</p> <p>The dormitory is overcrowded and lacks privacy.</p> <p>The dormitory is unhygienic.</p> <p>The worker does not have a personal bed but shares it with another person working a different shift.</p> <p>Cooking takes place in the bedroom; there are no separate bathrooms for shower and toilet.</p>	Abusive living conditions
<p>At your accommodation, do you have access to the following, and are these adequate?</p> <ul style="list-style-type: none"> ▶ a bed ▶ food ▶ food storage ▶ potable drinking water ▶ electricity ▶ clothing ▶ sanitary facilities ▶ medical care ▶ social services ▶ emergency services ▶ recreation areas ▶ schools ▶ ventilation, heating or air conditioning 	<p>The worker reports having limited or no access to adequate living conditions and essential needs.</p>	
<p>Are you able to get enough rest to safely perform your job?</p>	<p>The worker reports being unable to get sufficient rest due to poor living conditions, which affects the ability to perform work safely.</p>	
<p>Do you feel safe at the provided accommodation?</p>	<p>The worker reports feeling unsafe or insecure in the accommodation.</p>	
<p>Are you allowed to live independently from employer-provided accommodation?</p>	<p>The worker reports not being free to choose where to live.</p>	

Do you know the exact location of your workplace (and accommodation)?	The worker reports being unaware of the current location, such as the country, city or area where they are living and working.	Isolation
Are you working in an isolated location and denied transport to stop you from quitting?	The worker reports that the employer prevents the use of available transport options, where they exist.	
Are you ever threatened with not being reimbursed for the cost of returning home (such as bus or airfare) to prevent you from refusing or quitting?	The worker reports being threatened with the loss of reimbursement for the transport home.	
Were you restricted from using your phone or the internet?	The worker reports that the mobile phone was confiscated and/or that access to phone or internet is denied during free time or only permitted under supervision and monitoring by the employer.	
Are you restricted from contacting your family or friends (or someone outside from work)?	The worker reports being without social contact, for example due to language barriers, or being prohibited from talking or writing to anyone, including family members.	
Are you restricted from talking to co-workers, social support or trade unions?	The worker reports being isolated from co-workers not having the means to contact social support networks or trade unions.	
Have you ever witnessed verbal abuse, harassment or physical abuse in the workplace? Were you threatened with, or did you experience physical violence?	The worker shows visible signs of maltreatment (e.g., bruises, stab wounds, mouth and teeth injuries, cigarette burns). The worker reports aggression from the employer or supervisor. The worker shows signs of mental confusion, anxiety or fear. The worker reports that violence is used to threaten, intimidate, punish or coerce in breach of law. The worker reports actual or threatened verbal, psychological, physical, or sexual abuse as punishment. The worker is subjected to physically abusive or humiliating forms of discipline.	Physical and sexual violence
Were you obliged to witness a co-worker being subjected to violence?	The worker reports feeling intimidated by the threat of violence against other workers, which affects the ability to leave or refuse work.	
Has a family member been threatened with or experience physical or sexual violence, or social or financial retribution to stop you from refusing or quitting?	The worker reports being led to believe that non-compliance with what has been asked of them would result in physical, sexual, social or financial retribution against family members in the home country.	
Were you threatened with or denied food, water or sleep to stop you from refusing or quitting?	The worker reports being led to believe that non-compliance with what has been asked of them would result in denial of food, water or sleep.	

Are you made dependent on drugs or alcohol provided by the employer to stop you from quitting?	The worker reports being forced to use drugs or alcohol by the employer as a means of control.	
Do you fear or experience harassment from your employer, supervisor, or recruitment agent?	The worker reports actual or threatened verbal or physical sexual abuse, or harassment, either personally or involving a family member.	
Were you or a family member threatened with or did you experience sexual violence? ► Did you (or a family member) have to endure sexual abuse from the employer or their associates?		
Are you or your family threatened or intimidated with violence, humiliation, denial of food/water, denial of rest, additional work or withholding of wages? Have you ever witnessed intimidation or threats in the workplace?	The worker reports being subjected to multiple threats used as means of coercion and control, including physical violence, denial of food or water, additional work, denial of rest or leave, or withholding of wages. Family members are threatened when the worker insists on rights or when the family follows up on behalf of worker.	Intimidation and threats²
Were you threatened with being humiliated by having family or community told about the nature of your work?	The worker reports that threats of humiliation are used as disciplinary actions. This is particularly noted in cases of forced commercial sexual exploitation or forced involvement in illicit activities.	
Question for migrant workers: Have you ever been threatened with deportation?	The worker reports being threatened with deportation as means of coercion and control.	
Employment separation stage		
Did you want to leave the job but were unreasonably prevented from doing so? If so, what were the measures taken to prevent you from quitting? Can you voluntarily quit at any point? What are the conditions for the termination of your job?	The worker reports not feeling free or able to leave the employer and terminate employment. The worker reports obstacles that go beyond a reasonable notification period when attempting to change employers or return home.	Coercion, involuntariness

Notes: (1) The questions address issues included under the indicator on “*intimidation and threats*”, specifically targeting workers in vulnerable situations. (2) Intimidation and threats must be evaluated from the worker’s perspective and perception of the situation.

Other relevant factors to assess		
Questions	Possible red flags	Factor
<p>Do you know how to report any concerns or complaints?</p> <p>Is there a system that allows you to raise a grievance with someone other than your direct supervisor?</p>	<p>The worker indicates not knowing any ways to report concerns or complaints.</p> <p>Workers report that there is no mechanism in place for them to raise a grievance with someone other than their direct supervisor.</p>	Grievance procedures
<p>Do you and your colleagues feel safe to raise a complaint? If not, why?</p> <p>Do you feel you can share concerns without being retaliated against?</p>	<p>The worker indicates not feeling safe to raise complaints.</p> <p>The worker reports retaliation for reporting abuse.</p>	
<p>Is someone available to receive and process grievances and other complaints?</p>	<p>The worker reports that nobody is available to receive and process grievances and other complaints.</p>	
<p>Were you informed about your right to join or form a trade union or worker organization of your choice?</p>	<p>The worker is not informed of this right.</p>	
<p>Do you belong to any worker organization?</p> <p>Are you free to join or form a trade union?</p>	<p>The worker fears retaliation for efforts to organize.</p>	
<p>How are worker representatives chosen? Are they elected by the workers or appointed by your employer?</p>	<p>Worker representatives are appointed by the employer.</p> <p>The employer is perceived as having influence over worker organizations.</p> <p>There is no policy of neutrality from the employer towards organizations that advocate for workers.</p>	
<p>Is any group of workers excluded from the trade union or worker organization for any reason?</p>	<p>The worker reports that some groups of workers are excluded from organizing or voting a representative.</p>	

Annex 2. Relevant international instruments

ILO fundamental Conventions

[Forced Labour Convention, 1930 \(No. 29\)](#)

[Protocol of 2014 to the Forced Labour Convention, 1930 \(No. 29\)](#)

[Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No. 87\)](#)

[Right to Organise and Collective Bargaining Convention, 1949 \(No. 98\)](#)

[Equal Remuneration Convention, 1951 \(No. 100\)](#)

[Abolition of Forced Labour Convention, 1957 \(No. 105\)](#)

[Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\)](#)

[Minimum Age Convention, 1973 \(No. 138\)](#)

[Occupational Safety and Health Convention, 1981 \(No. 155\)](#)

[Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#)

[Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#)

Other ILO Conventions and Recommendations

[Workers' Housing Recommendation, 1961 \(No. 115\)](#)

[Examination of Grievances Recommendation, 1967 \(No. 130\)](#)

[ILO Occupational Health Services Convention, 1985 \(No. 161\)](#)

[Private Employment Agencies Convention, 1997 \(No. 181\)](#)

[Domestic Workers Convention, 2011 \(No. 189\)](#)

[Violence and Harassment Convention, 2019 \(No. 190\)](#)

[Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#)

ILO Declarations

[ILO 1998 Declaration on Fundamental Principles and Rights at Work](#)

[ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy \(MNE Declaration\)](#)

UN instruments

[UN Slavery Convention, 1926](#)

[Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956](#)

[Protocol to Prevent, Suppress and Punish Trafficking in Persons, Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime \(UNTOC\), 2000](#)

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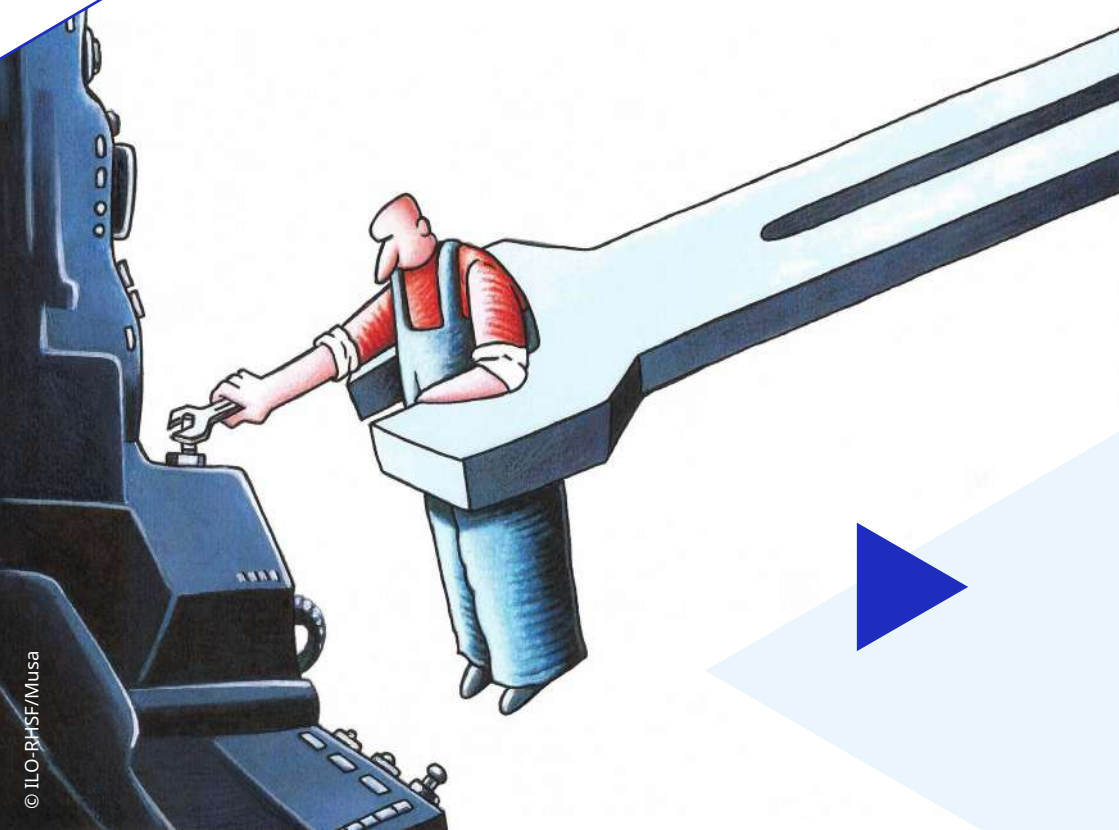
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▶ ILO indicators of forced labour

2025 revised edition

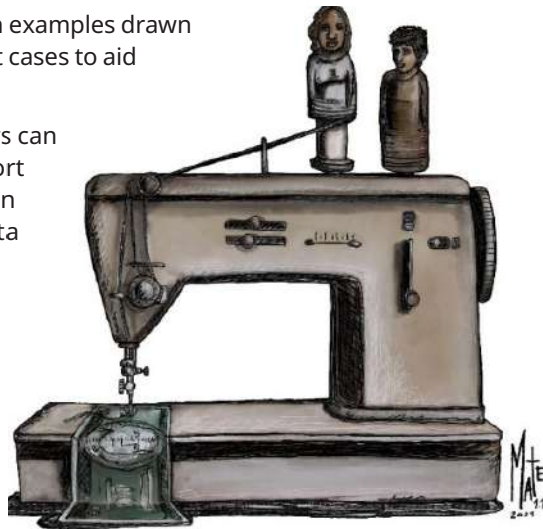


► Introduction

This booklet is designed to support frontline actors in detecting potential victims of forced labour, prompting further investigation. By highlighting the most commonly observed indicators in such cases, it aims to draw attention to red flags that may signal a risk of forced labour. The list of indicators is grounded in decades of ILO research and experience in combating forced labour across regions and sectors. While not exhaustive, it reflects the most frequent signs encountered and can be adapted to suit specific contexts, sectors and legal frameworks.

Each indicator is illustrated with examples drawn from real testimonies and court cases to aid practical understanding.

Beyond detection, the indicators can serve as valuable tools to support referral and formal identification processes, prosecution, and data collection.



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¹ In 2021, the ILO and Human Resources Without Borders (RHSF), in partnership with Cartooning for Peace, co-organized a cartoon competition on forced labour, entitled "[What if your pencil was a tool against forced labour](#)" to raise awareness, inspire action and emphasize the urgent need to eradicate this severe violation of human rights. This booklet features some of cartoons from that competition.

► 1. What is and what is not forced labour?

1.1. Definition of forced labour

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:

1. **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 prostitution or begging.
2. **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.
3. **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.



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► 2. Introducing the indicators

2.1. Purpose

Translating international standards into operational indicators is critical to detecting forced labour in practice. These indicators can be applied during routine inspections to identify potential cases, and also serve to screen individuals who may be victims, enabling their referral for formal identification, protection and potential prosecution of perpetrators. They can be used by law enforcement officers, labour inspectors, trade unionists, employers or legal professionals to recognize and report suspected forced labour cases. They are equally valuable for others who may come into contact with victims, such as healthcare providers, labour attachés, social workers or teachers. Their use is not limited to workplaces; they are relevant in immigration or detention centres, border checkpoints, employer-provided accommodation, transport hubs, religious or community spaces, prisons and migrant centres, essentially, anywhere exploitation might occur.

2.2. Important considerations

The list encompasses the most common indicators observed in forced labour cases. However, it may need to be tailored to specific sectors, such as fishing or domestic work, or adapted for specific forms of forced labour, such as sexual exploitation, bonded labour, vestiges of slavery or compulsory work imposed by a State. Adaptation should also consider national legislation, persons in vulnerable situations, and be developed in collaboration with social partners and relevant NGOs.

It is important to understand that indicators must be interpreted from the victim's perspective: A child, for instance, may be more easily deceived or unable to return home even if taken only a short distance. A migrant worker (national or international) may face greater isolation than a local worker. Someone with limited literacy may be more vulnerable to deception. Threats that seem implausible to

an outsider, such as religious coercion, may be deeply persuasive and terrifying to the victim.

It is also essential to interpret indicators without bias or discrimination. For example, the view of one labour inspector that, *“I wouldn’t accept these working conditions, but it’s fine for these workers because it’s better than what they have in their home country”* must be explicitly challenged.

Last but not least, the presence of a single indicator does not confirm forced labour, but it signals risk and should lead to further inquiry and investigation. Not all indicators will be present in every case, and conversely, their absence should not rule out forced labour. A worker may appear to enjoy decent conditions and free movement, yet still be under coercion. Ultimately, it is the combination of indicators, especially evidence of coercion and the absence of free and informed consent, that point to a situation of forced labour. This list of indicators is not exhaustive and should be treated as a flexible, evolving tool.



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► 3. The ILO indicators of forced labour

3.1. Abuse of vulnerability

►► I had no choice – I didn’t know anyone, didn’t speak the language, and they knew my immigration status was irregular. I slept on a mattress on the floor of the restaurant, and they only gave me leftovers to eat. I worked long hours every day for a wage that wasn’t even enough to survive.

Pakistani waiter, working in Luxembourg
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Anyone can become trapped in forced labour. However, some people are more likely than others to find themselves in situations of vulnerability. For instance, migrant workers are three times more at risk of being in forced labour.

Abuse of vulnerability occurs when an unscrupulous employer or recruiter intentionally **takes advantage of a worker’s vulnerable position**, for example irregular work or residency status, to impose abusive working conditions or tasks the worker would otherwise never accept. In certain cases, they may even deliberately create a situation of vulnerability, for instance by providing drugs or alcohol to workers to induce addiction.

Other factors that increase vulnerability to forced labour include physical or mental disabilities, illiteracy or innumeracy, and systems that tie work or residency permits to a specific employer. Vulnerability can also arise from fraudulent practices that create multiple dependencies, where workers rely on the same employer or recruiter not only for their jobs, but also for housing, food or even the employment of family members.



© ILO-RHSF/Makhmudjon Eshonkulov.

3.2. Deception

►► They promised we'd work in households nearby and see our families, but instead we were taken far away and couldn't leave. We worked every day, got no pay, and were told we'd be killed if we went outside.

A 13-year-old girl in the Philippines
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Deception refers to the failure to deliver what has been promised to the worker, either verbally or in writing.

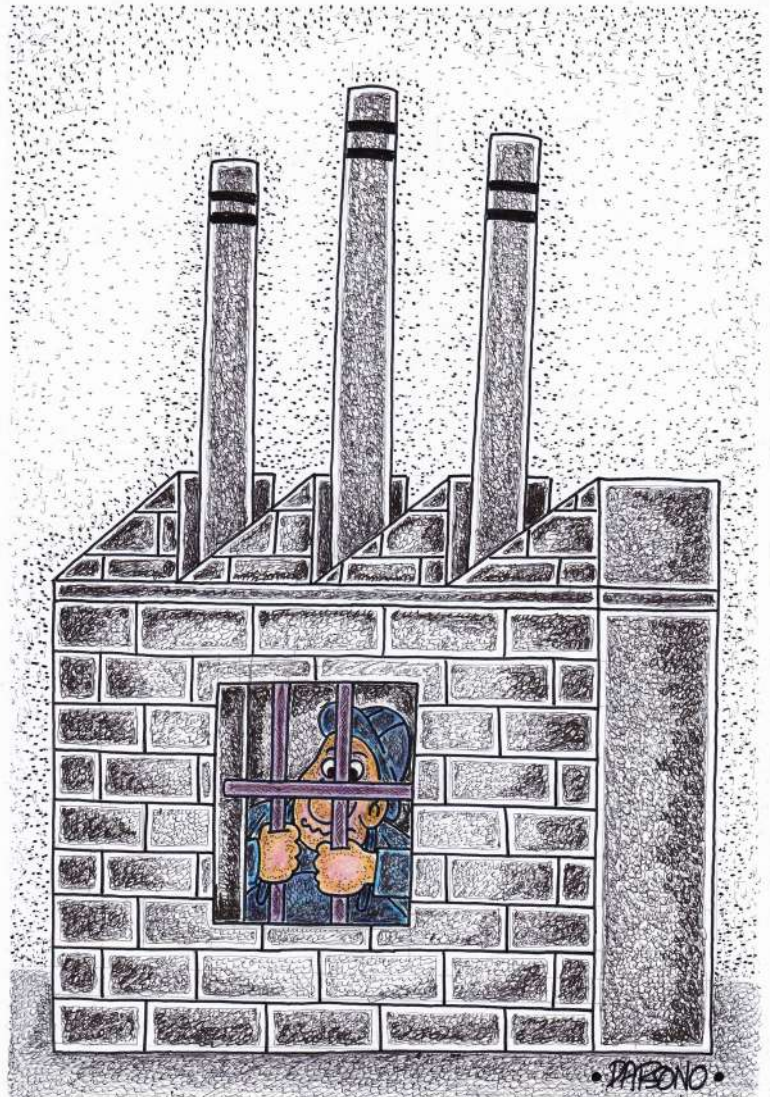
Victims of forced labour are often recruited with promises of decent, well-paid jobs. Once they begin working, however, the promised conditions do not materialize, and they find themselves trapped in abusive situations with no real possibility of leaving.

False promises may concern not only wages and working conditions, but also the nature or location of the job, housing and living conditions, acquisition of regular migration status, the identity of the employer, or even access to education. In such cases, workers have not given informed consent, had they known the truth, they would never have accepted the job.

Children may also be deceived, or their parents misled, with assurances that they will be sent to school.

The risk of deception is heightened in the absence of written contracts or when terms and conditions are poorly defined. It may be more difficult to prove in the informal sector.

Deception can also occur even when a contract has been signed. For example, migrant workers may sign a contract with the agreed conditions before migrating and, once at destination, be compelled to sign a "substitute" contract as a precondition to starting work. This replacement contract may be written in a language they cannot understand, contain far worse conditions, or even assign a completely different job than originally agreed.



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3.3. Restriction of movement

►► I wanted to leave but I was always being monitored and they were always locking me in.

A Togolese domestic worker in Lebanon
(ILO, *I couldn't stand living like a slave*, 2017)

Workers can have their movements restrained during recruitment (e.g. while being transported) and/or at their workplace or employer-provided accommodation.

A clear example is when workers are locked inside the workplace. This not only violates their freedom of movement, but can also put them at serious risk in the event of a fire or other emergency.

There are many other ways to restrain worker's movement, for instance:

- when workers cannot leave the work premises without being accompanied;
- when their absence from the workplace is timed;
- when transportation is arranged from dormitories to the workplace;
- when a curfew is in place;
- when laws prevent migrant workers from leaving the country without permission from their employer.

All of the above circumstances may also make it difficult for workers to seek assistance.

Some legitimate concerns may justify specific measures, such as the presence of surveillance cameras or guards to protect high-value goods or ensure safety at hazardous worksites. However, these measures should be reasonable and proportionate.



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3.4. Isolation

►► The only way out from the estate was by airplane, it was impossible on foot. The supervisor said that the plane would only leave when we had completed our job. Until that time we couldn't get out.

A Brazilian farm worker in the Amazon region
(ILO, *Fighting forced labour: the example of Brazil*, 2009)

Victims of forced labour are often kept secluded to better control them and prevent them from escaping or seeking help.

Isolation can take different forms. Victims may be placed in **remote locations**, unaware of their exact whereabouts and with no means of leaving. The worksite may be far from the nearest village, with no transportation available. This can happen, for instance, in rural areas or in activities such as illegal logging.

Workers can also be isolated within populated areas, for instance, by having their mobile phones or other **means of communication confiscated** to prevent contact with their families or seeking help. Families can also be directly threatened to discourage them from trying to reach the worker. Restricting access to religious services or community centres is another way to maintain social isolation and prevent access to support or advice.

These risks can be especially acute for **live-in domestic workers**, who reside in their employers' homes, settings where movement, communication and visitors can be tightly controlled, and where external oversight is limited.

►► They took my passport and told me I was illegal. I was always watched, never allowed to go out alone, hidden from visitors and forced to stay in the basement during social events.

A Filipino migrant in the U.S.
(ILO, *Forced Labour: Casebook of court decisions*, forthcoming)

Informality deepens workers' isolation: unregistered business premises often escape labour inspections, and workers may be beyond the reach of trade unions.



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3.5. Physical and sexual violence

►► When I couldn't meet their target, they beat me and shocked me with electricity. Sometimes they forced me to do push-ups until I collapsed or even strangled me to make an example.

An Indonesian worker in a scam centre in Cambodia
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Subjecting workers to physical and sexual violence is not acceptable under any circumstance and constitutes a strong indicator of forced labour. In some cases, workers may be threatened with violence against their relatives if they disobey, or be forced to witness violence against co-workers as a way to deter complaints, escape attempts or requests for help.

Sexual violence can be used as a tool of control and humiliation. In cases of commercial sexual exploitation, rape is often used to “break” victims’ resistance, instil shame and silence them from seeking help or disclosing the abuse.

Workers subjected to violence may show visible signs such as bruises or untreated injuries. They may also exhibit psychological effects, including anxiety, fear, submissiveness, stress, or symptoms of post-traumatic stress disorder. Repeated pregnancies or sexually transmitted diseases can be further warning signs of sexual violence.

Abduction or kidnapping is an extreme form of violence that can be used to “recruit” individuals into forced labour.



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3.6. Intimidation and threats

► He said if I stopped working for him, he'd show videos and photos of me to my parents and everyone I knew. He threatened to harm my family, to beat me and to throw me out on the highway. I lived in fear – of what he'd do to me or the people I love.

*A woman in forced sexual exploitation in Croatia
(ILO, Forced Labour: Casebook of court decisions, forthcoming)*

Victims of forced labour may be subjected to intimidation and threats, either when they complain about their conditions, try to leave their jobs, or even pre-emptively to instil fear and enforce submission. Workers may even face intimidation or threats to coerce them into accepting a job in the first place.

Beyond threats of violence, common forms of intimidation include:

- **Irregular work or migration status:** *"I will denounce you to the authorities and you will be deported."*
- **Ignorance of laws and rights:** *"The police will arrest you if you leave the house,"* fostering distrust of law enforcement.
- **Economic dependency:** Threats of harsher working conditions or withheld wages.

Threats may target the workers directly or extend to their relatives or co-workers: *"See what happens if you disobey."*

Intimidation can be part of a broader scheme of psychological violence designed to deepen vulnerability and compliance, for instance, through constant insults, undermining and humiliation.

Importantly, threats must be assessed from the worker's perspective and beliefs. Even if based on superstition (*"You will be cursed"*) or misinformation (*"You will be fired if you speak to a trade union"*, *"You cannot trust labour inspectors here"*), they may still appear credible to the worker and therefore serve as powerful means of coercion.



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3.7. Retention of identity documents

► They took my passport right after I arrived and refused to return it. Without it, I couldn't go to the authorities, couldn't leave the country, and couldn't prove who I was. The employer repeatedly threatened to report me to immigration authorities if I didn't repay the amount of my journey. I was not allowed to rest or to speak to others in my native language.

A Filipina woman working in Peru
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Retention of identity and/or travel documents is a very common means of control, especially for migrant workers.

Without their documents, workers often feel unable to approach the authorities for help, fearing deportation. They may also find it impossible to change jobs, access essential services or leave the country.

Some unscrupulous employers or recruiters withhold workers' identity documents indefinitely, citing alleged security concerns or ongoing administrative procedures, such as visa applications.

What matters in assessing this practice is whether workers can freely access their documents at any time, without needing prior approval.



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3.8. Withholding of wages

►► When I arrived in Seychelles, I expected a good job and fair pay, just like we were promised back home. But everything was very different. I worked every day for four months, doing hard construction work, but I never received any of the money they promised me. When I asked about my wages, he threatened me with a knife. I felt scared and powerless. Without my pay, I had no way to support myself or send money back to my family. They kept my passport and forced me to keep working without any payment.

A construction worker from Bangladesh in Seychelles.
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Irregular or delayed payments of wages do not automatically amount to forced labour. Withholding of wages occurs when payments are deliberately and systematically withheld to compel workers to remain in their jobs and prevent them from leaving. As a result, workers may feel forced to stay with an abusive employer rather than lose the wages owed to them.

The key issue to assess is whether wages are intentionally withheld to restrict workers' freedom to terminate employment or change employer.

Unscrupulous employers may use a range of false justifications to avoid paying workers, such as:

- claiming poor job quality, or under-reporting quantity of work delivered;
- setting impossible production targets;
- paying wages "in kind" instead of money;
- imposing penalties for absence or alleged mistakes;
- making illegal or arbitrary deductions for working tools, food, accommodation or recruitment fees.

Proving wage withholding can be challenging. Payslips and records may be falsified, or workers' bank accounts controlled by employers. In some cases, wages are deposited into workers' bank accounts but are then forced to return the money in cash to the employer or a third party, creating the illusion of compliance.



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3.9. Debt bondage

►► We were working for the landlord to pay off our debt... All we received from the landlord was a sack of rice and a pair of clothes for a whole year of work. We did not have the freedom to leave him.

A woman previously held in bonded labour in Nepal.
(ILO, *A future with hope, free from bonded labour*, 2021)

Debt bondage arises when people are coerced into working against their will to repay a debt to an employer or recruiter, or when the debt is deliberately manipulated to ensure it cannot be repaid.

This can occur when repayment terms are not clearly defined, when workers are forced to pay inflated prices for food and accommodation, when illegal wage deductions are imposed, when accounts are falsified, or when extremely high interest rates are illegally applied.

The result is that workers become tied to an employer or creditor for an indefinite period, ranging from a single season to many years, or even across generations. In some cases, debts are inherited, with children recruited to work in exchange for repayment of their parents' loans.

Debt can initially arise from wage advances or loans to cover recruitment fees or medical expenses in the absence of social protection. **No recruitment fees or related costs should be charged to, or otherwise borne by, workers or job-seekers** (ILO, *General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs*, 2019).



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3.10. Abusive working and living conditions

►► I was recruited to take care of the animals, but I never got any money. I worked outside in the freezing cold with just a thin coat and gloves, and I only got one meal a day. I lost multiple fingers to severe frostbite.

A 56-year-old herdsman in Mongolia.
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

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 forced to live in substandard conditions, which are overcrowded, unhygienic and without privacy.

While poor living and working conditions alone do not automatically constitute forced labour, they are often present in such cases.

This is why further investigation is needed whenever workers face risks, such as inadequate protective gear or training, insufficient sanitation, lack of heating, running water or adequate food, or any other circumstance endangering their health.

The key issue to assess is whether **workers have been coerced into remaining in conditions that others would refuse to endure** and investigate the means through which this was achieved.



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3.11. Excessive overtime

► I worked over 15 hours every day, with no days off, no rest, and I could only sleep after midnight.

Zimbabwean woman working in a household in Kuwait.
(ILO, *Forced Labour: Casebook of court decisions, forthcoming*)

Excessive working hours alone do not automatically constitute forced labour, but they should trigger closer scrutiny, particularly when they exceed limits set by national law or collective agreements.

Determining whether overtime amounts to forced labour can be complex. The ILO Committee of Experts on the Application of Conventions and Recommendations has noted cases where workers accept excessive overtime (beyond what is permitted under national laws) out of fear of dismissal, or where piece-rate and productivity systems oblige workers to work long hours just to reach the minimum wage.

Key factors to assess include whether workers face penalties for refusing overtime, such as dismissal, blacklisting or exclusion from future overtime opportunities.

Forced overtime is especially prevalent in certain sectors. Domestic workers and fishers may be on call 24 hours a day, 7 days a week, with no rest days or breaks. In manufacturing, forced overtime is often linked to unrealistic production targets. The risk increases where working hours are poorly defined or written contracts are absent.

Excessive overtime not only raises concerns of coercion, but also endangers health and safety, exposing workers to higher risks of injury, illness and even premature death.



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► 4. How to use the indicators

Indicators can support the detection of potential victims of forced labour and should trigger further investigation to confirm a case. In practice, this means recognizing early warning signs or red flags. For instance, locked doors, barred windows or fenced areas may raise concerns and key questions should be asked, like whether workers are free to leave the premises. If concerns arise, further inquiry is needed to understand the reasons behind any restrictions and assess their legitimacy. Gathering evidence is essential and may involve separate interviews with workers and employers, inspections of work and living spaces, and searching for additional signs, including during unannounced visits. While some indicators are objective, like physical injuries, others, such as fearful or submissive behaviour, are more subjective and harder to document.

Disseminating the list of indicators can be useful and should be tailored to the audience. Concise formats like pocket cards, may be suitable for migrant workers, while more detailed versions are appropriated for law enforcement officials.

Furthermore, indicators can support data collection efforts in line with ILO guidelines.



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► 5. Particular case: State-imposed forced labour

State-imposed forced labour arises from national laws, policies or practices, and can be more difficult to identify. Unlike in private settings, the obligation is imposed directly through legislation or by State authorities and their agents. As a result, many of the indicators of forced labour, such as deception, retention of documents, or threats by employers or recruiters, may not apply in the same way. Instead, compulsion is embedded in official rules or orders that individuals have no real ability to refuse, making it harder to distinguish.

The challenge is to assess whether the State's requirement to undertake work or provide services goes beyond what ILO Conventions permit, or corresponds to conduct that is prohibited under ILO Conventions.

State-imposed forced labour can take various forms, including:

- compulsory labour as a form of political coercion or punishment for persons expressing political views or views opposed to the established political, social and economic system;
- mobilization of labour for economic development purposes;
- use of forced labour as a means of labour discipline;
- punishment for participation in strikes;
- discriminatory practices involving compulsory labour on racial, social, national or religious grounds.

State-imposed forced labour may also arise when authorities exceed or misuse the narrow exceptions to compulsory labour permitted under ILO Convention No. 29:

- **Compulsory military service:** Convention No. 29 allows compulsory military service only for work of a purely military character. Anything beyond that raises compliance concerns.

- **Normal civic obligations:** Limited civic duties, such as jury duty, are permissible. Using this exception to justify broader public works or economic projects would, however, be a breach.

- **Prison labour:** Prison work may be required, but only from convicted persons under the direct control and supervision of a public authority, and never to produce goods or services for private individuals or enterprises. Extending it to detainees prior to conviction, using privately run prisons, or directing the work to benefit private individuals or enterprises breaches this exception, except if it is guaranteed that the convicted persons express their free, formal and informed consent to the work.

- **Emergency work:** In a genuine emergency, such as war, major disasters (fire, flood, famine, earthquake), serious epidemics or dangerous pest outbreaks, authorities **may** require people to help. However, this exception is narrow. Any compulsory work required in case of an emergency must be strictly necessary, limited in scope and duration, and tied to the emergency. Stretching the definition of "emergency" or continuing compulsory work after the emergency ends, violates the exception and would constitute forced labour.

- **Minor communal services:** Small community tasks that directly benefit the community, like the occasional upkeep of shared spaces, can be acceptable provided that community members are consulted on the need for the services. If the work becomes **substantial** or interferes with regular jobs, the exception no longer applies.

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► **Profits and poverty:**
The economics
of forced labour

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This publication does not necessarily reflect the views or policies of the Ministry of Labour of France or the United States Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the Governments of France or the United States.

► Acronyms

FAO	Food and Agriculture Organization
FLE	Forced labour exploitation
FCSE	Forced commercial sexual exploitation
GDP	Gross domestic product
ICLS	ILO International Conference on Labour Statistics
ISIC	International standard industrial classification
ILO	International Labour Organization
IOM	International Organization for Migration
KNOMAD	The Global Knowledge Partnership on Migration and Development
SDG	Sustainable Development Goals
SNA	Systems of national accounts
UNOPS	United Nations Office for Project Services

▶ Introduction

US\$236 billion. This is the obscene level of annual profit generated from forced labour in the world today. This figure reflects the wages or earnings effectively stolen from the pockets of workers by the perpetrators of forced labour through their coercive practices. It represents money subtracted from the incomes of workers often already struggling to meet the needs of their families. For migrant workers, it is money taken from the remittances they send home to their families and relatives. For governments, these illegal profits represent lost tax revenue, because of the illicit nature of the gains and the jobs that generated them. More broadly, the profits from forced labour can incentivize further exploitation, strengthen criminal networks, encourage corruption and undermine the rule of law.

Understanding and stemming the illegal profits generated from forced labour is critical to wider progress against the phenomenon. This second edition of the *Profits and poverty* report¹ was undertaken with this aim in mind. It provides a new estimate of the illegal gains generated through forced labour, building on the 2014 edition and the 2021 global estimates of forced labour.² What the study reveals is alarming. Total illegal profits from forced labour are not only extremely high but appear to have risen dramatically over the last decade, as a result of both more people in forced labour and higher levels of profit being generated from each victim.

As in the previous edition, this study presents estimates of illegal profits from forced labour at global, regional and sectoral levels. While the core methodology remains the same, some important refinements have been introduced. Illegal profits from forced labour in the services sector are estimated separately for the first time, alongside estimates of illegal profits in agriculture, domestic work, industry and forced commercial sexual exploitation. Critical assumptions made for the 2014 estimates on wages and labour income shares have been relaxed and replaced with observational data unavailable ten years ago. The study also exploits better data to estimate the value added at the sectoral level. Yet even with these improvements, the profits from forced labour remain difficult to estimate with precision because of their hidden and illicit nature.

The remainder of this report is structured as follows. Section 1 provides a background discussion of the forced labour situation in the world today, drawing on the results of the latest global estimates of forced labour. Section 2 describes the methodology employed for the estimation of illegal profits. Section 3 presents the estimation results. Section 4 takes a separate look at an additional illegal profit source not included in the estimate of overall illegal profits – illegal profits arising from the unlawful recruitment fees and related costs that victims of forced labour must often shoulder. The last section concludes. An Appendix provides further technical detail on the methodology and the data used for the estimates of illegal profits.

¹ ILO, *Profits and Poverty: The Economics of Forced Labour*, 1st edition, 2014. Note, the ILO has previously produced estimates of the profits from forced labour in 2005 (Belsler, 2005) and 2009 (Vinogradova, de Cock, and Belsler, 2009; ILO, 2009).

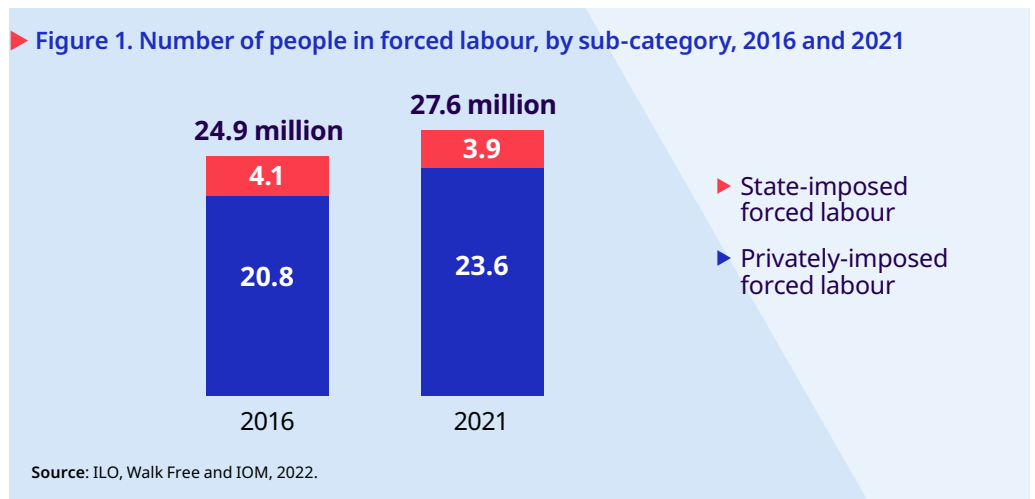
² ILO, Walk Free and IOM, *Global Estimates on Modern Slavery: Forced Labour and Forced Marriage*, 2022.

The image features a diagonal split between a solid blue upper-left section and a white lower-right section. The white section is filled with a repeating pattern of stylized human figures in a light blue color. The figures are arranged in a dense, overlapping manner, creating a textured effect. The blue section contains a single line of white text.

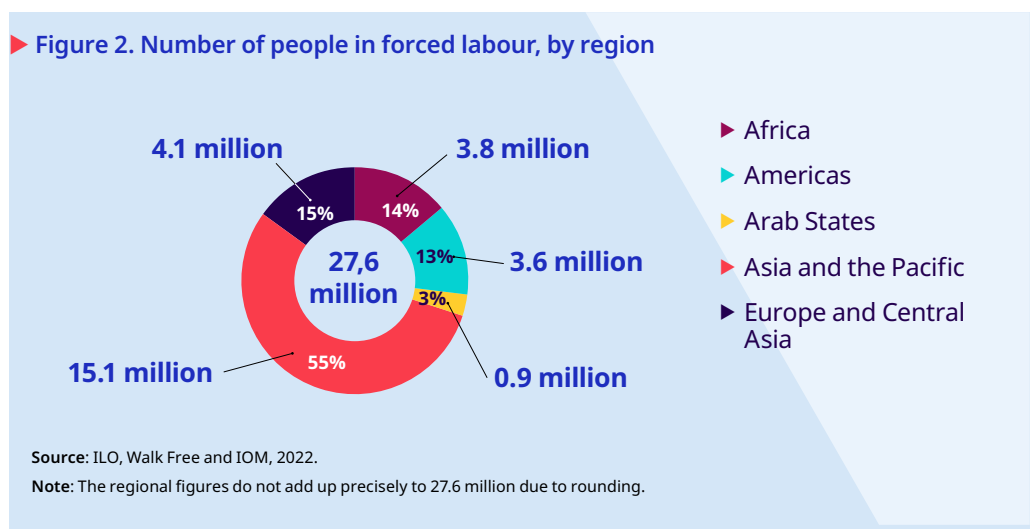
▶ **1. Forced labour in
the world today**

This section provides an overview of the forced labour situation in the world today. It describes the forced labour population from which the illegal profits are generated – their numbers, the forms of forced labour they are trapped in, and the economic sectors and the regions where they are found.³

There were 27.6 million people in forced labour on any given day in 2021. This figure translates to 3.5 people for every thousand people in the world. Between 2016 and 2021, the number of people in forced labour increased by 2.7 million, resulting in a rise in the prevalence of forced labour from 3.4 to 3.5 per thousand people. The overall rise was the product of an increase in the number of people in privately-imposed forced labour.

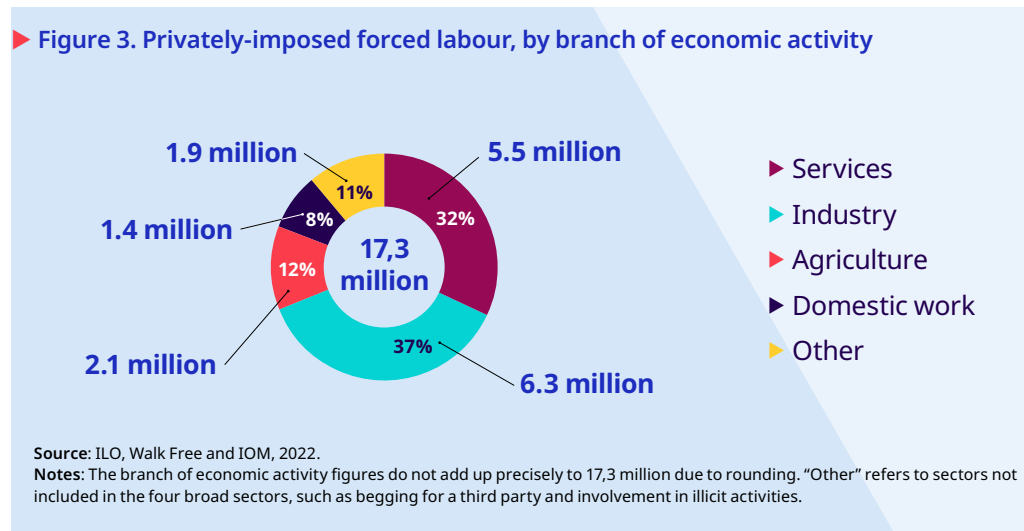


No region of the world is spared from forced labour. Asia and the Pacific is host to more than half of the global total (15.1 million), followed by Europe and Central Asia (4.1 million), Africa (3.8 million), the Americas (3.6 million), and the Arab States (0.9 million). But this regional ranking changes considerably when forced labour is expressed in terms of prevalence (i.e., as a proportion of the population). By this measure, forced labour is highest in the Arab States (5.3 per thousand people), followed by Europe and Central Asia (4.4 per thousand), the Americas and Asia and the Pacific (both at 3.5 per thousand), and Africa (2.9 per thousand).



³ This section is drawn from ILO, Walk Free and IOM, 2022.

Most forced labour occurs in the private economy. Nearly nine out of every 10 (86 per cent) instances of forced labour are imposed by private actors – 63 per cent in forced labour exploitation and 23 per cent in forced commercial sexual exploitation. State-imposed forced labour accounts for the remaining 14 per cent of people in forced labour. The estimates of illegal profits presented in this study do not include profits accruing from state-imposed forced labour.



Forced labour touches virtually all parts of the private economy. Among cases of forced labour in the private economy where the type of work was known, the four broad sectors accounting for the majority of total forced labour (89 per cent) are industry, services, agriculture, and domestic work.⁴ These sectors are defined as follows:

- The **industry** sector includes mining and quarrying, manufacturing, construction and utilities.
- The **services** sector encompasses activities related to wholesale and trade, accommodation and food service activities, art and entertainment, personal services, administrative and support services, education, health and social services, and transport and storage.
- The **agriculture** sector includes forestry, hunting as well as the cultivation of crops, livestock production and fishing.
- **Domestic work** is that performed in third party households.

Other sectors form smaller shares of total forced labour in the private economy but nonetheless still account for hundreds of thousands of people. These include people forced to beg for a third party, and people forced to be involved in illicit activities.

⁴ For the profit estimations, "Other" and unknown sectors were imputed according to the distribution of the sectors from known answers. Type of forced labour was not reported for 2.8 per cent of adults and for children.

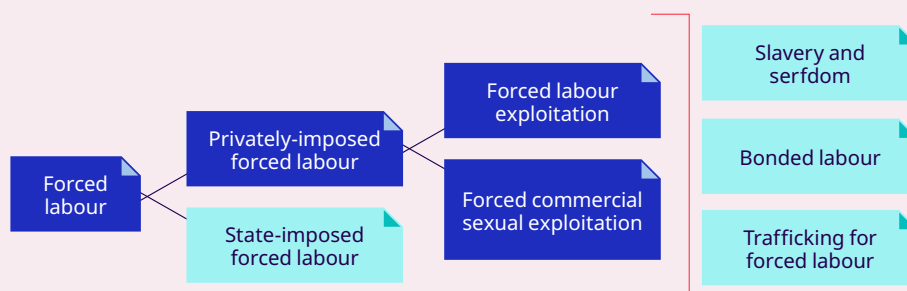
Box 1. What is forced labour? Concepts and definitions

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

Forced labour is defined, for purposes of measurement, as work that is both involuntary and under penalty or menace of a penalty (coercion). Involuntary work refers to any work undertaken without the free and informed consent of the worker. Coercion refers to the means used to compel someone to work without their free and informed consent. Involuntary work and coercion can occur at any stage of the employment cycle – at recruitment, to compel a person to take a job against their will; during employment, to compel a worker to work and/or live under conditions to which they do not agree; or at the time of desired employment separation, to compel a person to remain in the job they wish to leave.

Typology of forced labour

For statistical purposes, forced labour can be divided into two broad categories - state-imposed forced labour and privately-imposed forced labour. Privately-imposed forced labour may take different forms including bonded labour and trafficking in persons for forced labour, as well as work exacted from victims of slavery and serfdom as 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).



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 go beyond the scope of the production of goods and services covered in the general production boundary of the System of National Accounts. For the purpose of measurement, privately-imposed forced labour is commonly divided into two sub-types, both of which are considered in the estimates of illegal profits:

- **Forced labour exploitation (FLE)**: refers to forced labour in the private economy imposed by private individuals, groups, or companies in any branch of economic activity with the exception of commercial sexual exploitation; and
- **Forced commercial sexual exploitation (FCSE)**: refers to forced labour imposed by private agents for the purpose of commercial sexual exploitation.

State-imposed forced labour refers to forms of forced labour that are imposed by state authorities, agents acting on behalf of state authorities, and organizations with authority similar to the state, regardless of the branch of economic activity in which it takes place. This category of forced labour is beyond the scope of the current study.

An estimated 6.3 million people were in situations of forced commercial sexual exploitation on any given day in 2021. Gender is a key determining factor: nearly four out of every five (78 per cent) people trapped in these situations are girls or women. Children (boys and girls) account for one in four (27 per cent) of the total cases.

People in forced labour are subjected to multiple forms of coercion to compel them to work against their will. The systematic and deliberate withholding of wages is the most common (36 per cent) form of coercion, used by abusive employers to compel workers to stay in a job out of fear of losing accrued earnings. This is followed by abuse of vulnerability through threat of dismissal, which was experienced by one in five (21 per cent) of those in forced labour. More severe forms of coercion, including forced confinement, physical and sexual violence, and the deprivation of basic needs, are less common but by no means negligible.



▶ **2. Estimation methodology**

The use of forced labour should be considered a criminal offence,⁵ and any profits gained from it inherently illegal. This study considers the illegal profits from forced labour in the private economy arising from the underpayment of earnings to workers in forced labour.

It is worth underscoring that underpayment - in and of itself - is not forced labour. Indeed, most underpaid workers are not in forced labour, while at the same time, there are people in forced labour who may not be underpaid. Nonetheless, the underpayment of earnings is one of the circumstances that may give rise to involuntary work, as stated in the 20th ILO International Conference on Labour Statistics (ICLS), *Guidelines Concerning the Measurement of Forced Labour*⁶ and among the most prevalent according to the latest global estimates of forced labour.⁷

As with the ILO 2014 *Profits and poverty* report,⁸ the study covers two broad categories of forced labour in the private economy – forced labour exploitation (FLE) and forced commercial sexual exploitation (FCSE) (see box 1 on terminology). Owing to data availability and the differing nature of forced labour exploitation and forced commercial sexual exploitation, separate methods are used to estimate illegal profits resulting from each, as discussed briefly below and in more detail in Appendix 1. The lack of data on the economics of the various forms of state-imposed forced labour, especially the abuse of compulsory prison labour and abuse of military conscription, made it impossible to estimate profits from these forms of forced labour in the current edition.

Owing to data limitations, the illegal profit estimates do not consider the additional profits accruing to employers and intermediaries through illegal recruitment fees and other related costs that forced labour victims often have to shoulder. Illegal profits linked to recruitment are, however, assessed separately for international migrants in forced labour, the only group for which data on recruitment fees and related costs is available, in section 4 of the report. The additional profits to perpetrators from unpaid taxes and social security contributions are also beyond the scope of this study.


For the purpose of the study, the underpayment of wages is measured as the difference between the earnings that workers would receive under normal circumstances and the earnings they instead receive because they are in forced labour. These lower wages could stem from, for example, paying workers less than the statutory minimum wage, the failure to provide overtime pay when required, illegal wage deductions for made-up workplace infractions or the violation of other wage-related regulations (box 2). In other cases, like for forced commercial sexual exploitation, profits result from exploiters pocketing earnings from an illegal or illicit activity. In some instances, people in forced labour are trapped in situations in which they are denied remuneration altogether, or even face “negative wages” in the form of debt manufactured by their employers as a means of control.

⁵ ILO Forced Labour Convention 1930 (No. 29), Article 25.

⁶ ILO, *Guidelines Concerning the Measurement of Forced Labour*, 20th International Conference on Labour Statistics (ICLS), 2018.

⁷ ILO, *Walk Free and IOM*, 2022.

⁸ ILO, 2014.

 **Box 2. Underpayment of wages**

Wages are crucial to a worker's livelihood as they directly affect their daily life. ILO labour standards on wages aim to ensure regular payment, protect wages in case of employer insolvency, and set adequate minimum wage levels. ILO labour standards on wage protection include the following:

The [Protection of Wages Convention, 1949 \(No. 95\)](#) sets out that wages shall be paid in legal tender at regular intervals. It also stipulates that, in cases where partial payment of wages is in kind, the value of such allowances should be fair and reasonable. Wage deductions are allowed only as per national laws, collective agreements or arbitration awards. Workers must be informed of the conditions and extent of such deductions in an appropriate manner (Article 8).¹ "All necessary measures should be taken to limit deductions from wages to the extent deemed to be necessary to safeguard the maintenance of the worker and his family".²

The [Minimum Wage Fixing Convention, 1970 \(No. 131\)](#) requires ratifying states to establish a system of minimum wages. Minimum wage rates should be set in consultation with employers' and workers' organisations, at a level which takes into account the needs of workers and their families as well as economic factors. Periodically reviewing and adjusting minimum wage rates can ensure that workers' wages increase in line with the cost of living.

The [Domestic Workers Convention, 2011 \(No. 189\)](#) provides that domestic workers worldwide who take care of families and households must have access to the same basic labour rights as other workers. This includes the right to enjoy minimum wage coverage, where such coverage is available (Article 11).

Underpayment of the minimum wage is an important issue addressed under Article 2(1) of the ILO Minimum Wage Fixing Convention, 1970 (No. 131): "Minimum wages shall have the force of law and shall not be subject to abatement, and failure to apply them shall make the person or persons concerned liable to appropriate penal or other sanctions".

In situations of forced labour, underpayment of wages can take various other forms in addition to paying workers less than the statutory minimum wage, including failing to provide overtime pay when required, violations of other wage-related regulations and illegal deductions for recovery of recruitment fees and related costs. In some instances, the underpayment of wages involves workers being denied payment of wages altogether. In some forced labour contexts, wages are systematically and deliberately withheld as a means to compel the worker to remain in the workplace and to deny them the opportunity to change their employer.

¹ Specific examples of national legislation regulating the conditions for deductions from wages are described in ILO, [General Survey of the Reports Concerning the Protection of Wages Convention \(No. 95\) and the Protection of Wages Recommendation \(No. 85\), 1949](#), ILC.91/III(1B), 2003.

² ILO, [Protection of Wages Recommendation, 1949 \(No. 85\)](#), Art. 1.

2.1 Method for estimation of illegal profits from forced labour exploitation

Building on the approach used in the ILO 2014 report⁹, a value added approach is used to estimate the illegal profits in forced labour exploitation. Under normal circumstances, the wages of “free” workers are, on average, equivalent to the labour income share of the Gross Domestic Product (GDP), where the labour income share is the portion of GDP allocated to labour compensation.¹⁰ Similarly, in each economic sector, the wages of free workers are, on average, equivalent to the labour income share of the value added of the sector.

Illegal profit per victim of forced labour exploitation is then calculated as the labour income share of the value added minus the wages actually earned by the victim, which in many cases are very low or even zero. This approach is used to estimate the illegal profits from forced labour exploitation in the following sectors:

1. Agriculture (forestry, hunting, and fishing as well as cultivation of crops and livestock production),
2. Industry (including mining and quarrying, manufacturing, construction and utilities),
3. Services (including wholesale and trade, accommodation and food service activities, art and entertainment, personal services, administrative and support services, education, health and social services, and transport and storage), and
4. Domestic work.

The illegal profits from forced labour in each of the above sectors are calculated as the difference between the labour income share of the value added of that sector and the wages paid to people in forced labour. The following formula shows the profits from forced labour exploitation in a specific region r and sector s .

$$\pi_{s,r} = FL_{s,r} [vaLS_{s,r} - w_{s,r}] \quad (1)$$

In the formula, $vaLS_{s,r}$ is the labour share of value added per worker, $w_{s,r}$ are wages paid to each worker in forced labour.¹¹ The component in the bracket represents the profits made per victim, which is multiplied by the number of people in forced labour exploitation in the sector for the region $FL_{s,r}$ to provide the total profits in the sector for the region. The 2021 global estimates of forced labour¹² is the data source for $FL_{s,r}$.

⁹ ILO, 2014.

¹⁰ In contrast, the capital income share of the GDP is earned by asset owners due to their property, such as land, machines, buildings, or patents.

¹¹ The labour income share of value-added per worker in region r and sector s is estimated as: $\left(\frac{\sum_i \omega_{i,s,r} (va_{i,s,r} LS_{i,s,r})}{\sum_i \omega_{i,s,r}} \right)$ where $va_{i,s,r}$ is the value added, $LS_{i,s,r}$ is the labour share, $\omega_{i,s,r}$ is a weight factor that accounts for non-response bias and population weights and the subscript i indicates the country.

¹² ILO, Walk Free and IOM, 2022.

2.2 Method for estimation of illegal profits from forced commercial sexual exploitation

Data on annual revenues generated in forced commercial sexual exploitation is extremely scarce because of the illicit nature of the activity. As with the ILO 2014 report, the estimates of illegal profits from forced commercial sexual exploitation are based on the Global Sex Trafficking Metrics database, 2016,¹³ which remains virtually the only source of comparable data for multiple countries on the economics of forced commercial sexual exploitation and revenues from it. The 2021 global estimates of forced labour are the source for data on the number of people in forced commercial sexual exploitation.¹⁴

Illegal profits from forced commercial sexual exploitation are the difference between the revenues from forced commercial sexual exploitation and the fixed and variable costs incurred, including payment to the victim, if any. Annual revenues include revenues accruing directly from forced commercial sexual exploitation as well as from the sale of goods associated with commercial sexual exploitation.¹⁵

For each region, total annual illegal profits from forced commercial sexual exploitation can be expressed as follows:

$$\pi_{FCSE,r} = FL_{FCSE,r} \times [(p_{FCSE,r} \times rev_{FCSE,r})] \quad (2)$$

Where $FL_{FCSE,r}$ is the total number of people in forced commercial sexual exploitation in the region, $p_{FCSE,r}$ is the regional weighted average profit margin per victim (i.e., as proportion of annual revenues), and $rev_{FCSE,r}$ is the regional average revenues generated by workers in forced commercial sexual exploitation for their exploiter.

More details on the methodology adopted in this study are available in Appendix 1.

¹³ Siddharth Kara, *Modern Slavery: A Global Perspective*. (New York: Columbia University Press, 2017).

¹⁴ ILO, Walk Free and IOM, 2022.

¹⁵ Including from the sale of condoms, alcohol and illicit substances.



▶ **3. Illegal profits from forced labour: estimation results**

Total illegal profits generated from forced labour amount to an estimated US\$236 billion annually, resulting from almost US\$10,000 profit per victim.¹⁶ In the case of workers in forced labour exploitation, these illegal financial gains represent the difference between what the employers are actually paying the workers and what they would be paying them in the absence of forced labour under normal circumstances. In other words, they are the wages that rightfully belong in the pockets of workers that instead remain in the hands of their exploiters as a result of their coercive practices. For forced commercial sexual exploitation, where there are no standard levels of payment, illegal profits represent all but the tiny share of profits that trickles down to its victims. It should be recalled that this estimate of profits, although obscenely high, does *not* include additional illegal profits from recruitment fees and related costs (see section 4) or from avoided taxes and social security contributions. The estimate therefore understates total illegal profits from forced labour.

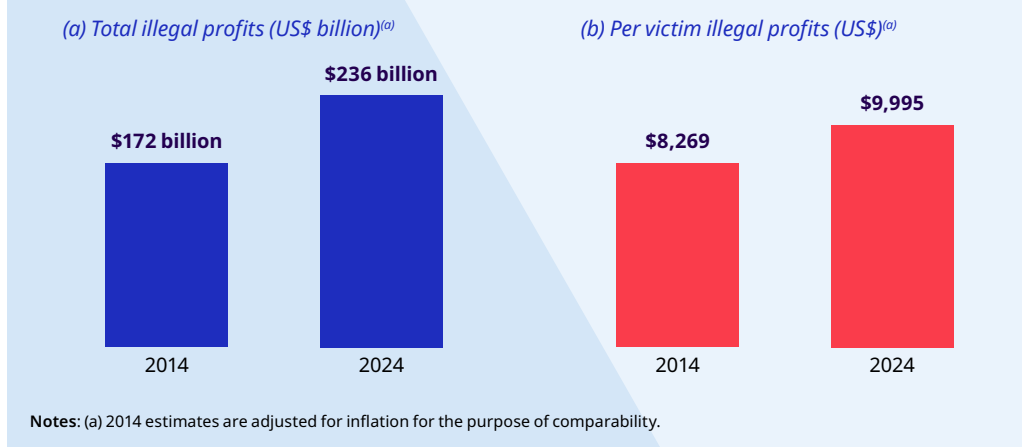


Total illegal gains from forced labour appear to have risen dramatically over the last decade. A simple comparison with the previous estimates of illegal profits published in 2014 (adjusted for inflation) indicates a US\$64 billion rise in illegal profits from forced labour since that time.¹⁷ A closer look at the numbers suggests that this rise in illegal profits was driven by both more people in forced labour and more illegal profit being generated from each victim. Annual profit per victim was estimated at US\$8,269 in 2014 (adjusted for inflation) and US\$9,995 in 2024 (figure 4b), which represents an increase of 21 per cent. At the same time, there are many more victims of forced labour now than ten years ago. The current estimate of illegal profits is based on a total of 23.7 million people in forced labour in the private economy, while the 2014 estimate was based on a forced labour population in the private economy of almost 18.7 million. This represents an increase of 27 per cent in people in forced labour in the private economy in the last ten years.

¹⁶ Profits in this study are inflation-adjusted to 2021 values using 2016 constant prices from the World Bank Development Indicators. The exact value of profit per victim is US\$9,995 annually.

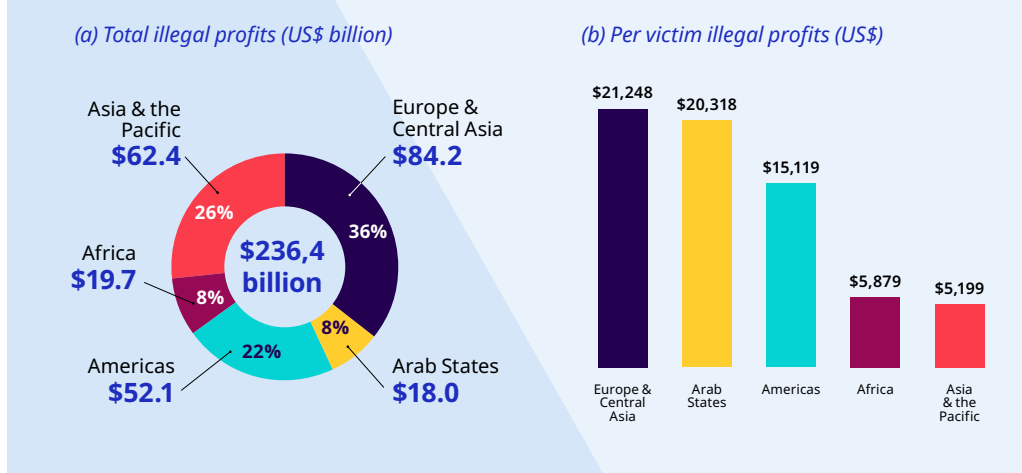
¹⁷ Inflation-adjusted 2014 total profit of US\$150 billion is US\$172 billion in 2021. The inflation adjustment is made using the World Bank Development Indicators, US CPI inflation 2014-2021.

► Figure 4. Illegal annual profits from forced labour, 2014 and 2024



There are important differences across regions in illegal profits. As reported in figure 5a, total illegal profits are highest in Europe and Central Asia (US\$84.2 billion) followed by Asia and the Pacific (US\$62.4 billion), the Americas (US\$52.1 billion), Africa (US\$19.7 billion), and finally the Arab States (US\$18.0 billion). These patterns are driven by underlying inter-regional differences in both the total number of victims (figure 2) and in profit per victim (figure 5b). In Asia and the Pacific, where profits per victim are relatively low, total illegal profits are a reflection in large part of the large number of victims in the region. By contrast, in Europe and Central Asia and the Americas, where the number of total victims is much lower than in Asia and the Pacific, the high level of per-victim profit is a more important driver of total illegal profits. In Africa, both total victims and profit per victim are low relative to other regions.

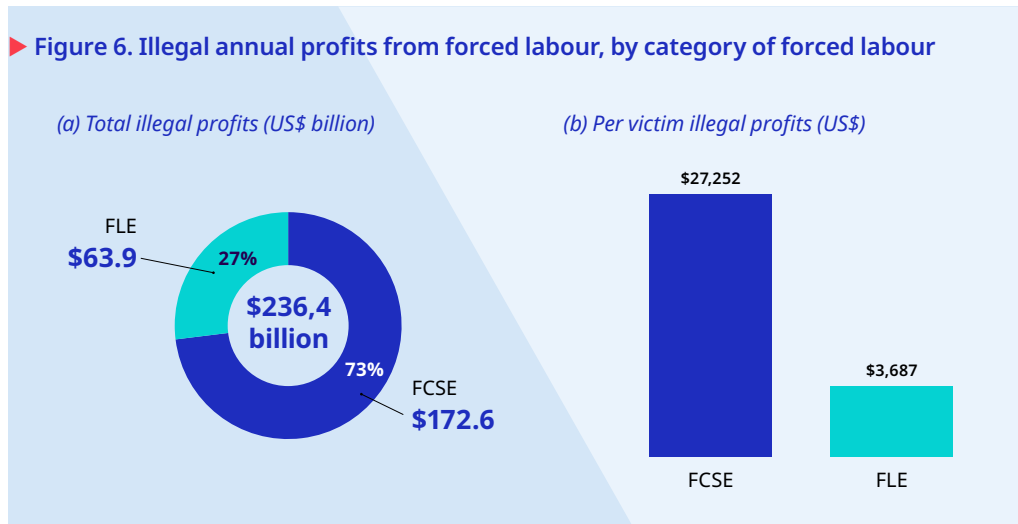
► Figure 5. Illegal annual profits from forced labour, by region



3.1 Illegal profits by type of forced labour

The largest share of total illegal profits is from forced commercial sexual exploitation.

As discussed in section 2, the estimates of illegal profits consider two forms of privately-imposed forced labour – forced labour exploitation and forced commercial sexual exploitation. Although forced commercial sexual exploitation accounts for only about one quarter of all people in privately imposed forced labour, it accounts for 73 per cent of total illegal profits from forced labour (figure 6a). Of the US\$236,4 billion made from the use of forced labour, almost US\$173 billion was generated in forced commercial sexual exploitation. These numbers are explained by the huge difference in profit per victim between forced commercial sexual exploitation and forced labour exploitation – US\$27,252 for the former against US\$3,687 for the latter (figure 6b).

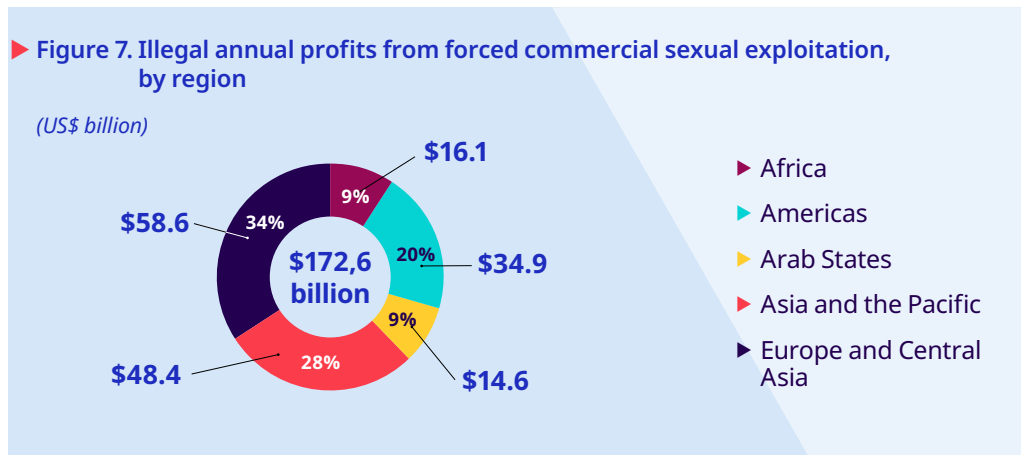


The high profits per victim of forced commercial sexual exploitation are a reflection of the extremely limited share of earnings trickling down to the victims, the vast majority of whom are women and girls. Indeed, the Global Sex Trafficking Metrics database, 2016¹⁸ upon which the profits estimate is based indicates that in most cases people in forced commercial sexual exploitation are paid very little or nothing at all. In some reported cases, victims are denied payment because they must pay off a debt to their trafficker ostensibly incurred as a result of having been trafficked. They may incur new debt when they are passed into the hands of other traffickers. Deductions for food, clothing, rent, alcohol, or exorbitant interest charges are among the other pretexts used by perpetrators for non-payment of victims. At the same time, the fact that commercial sexual exploitation is illegal in most countries means that victims have limited or no recourse to justice.

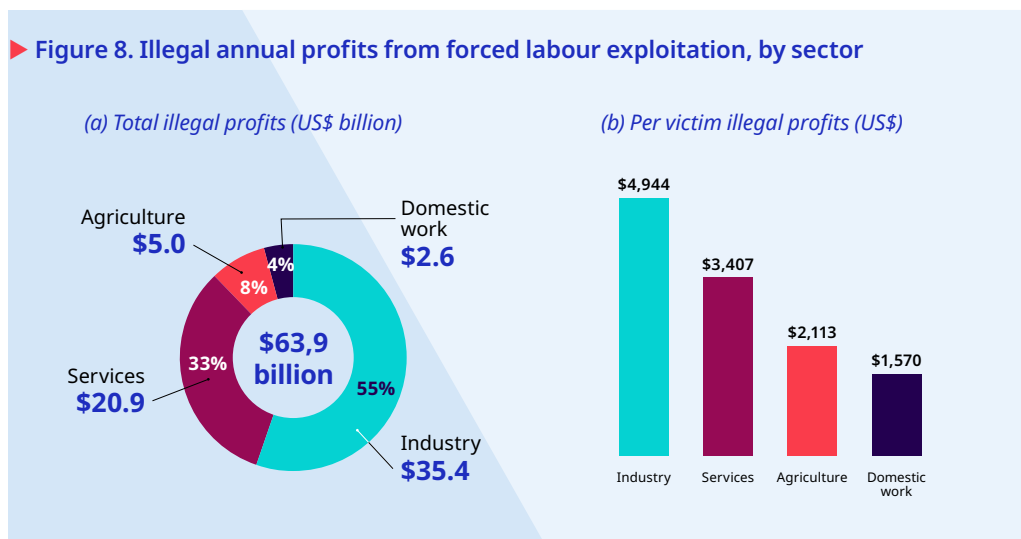
Profits from forced commercial sexual exploitation are substantial across all regions.

As reported in figure 7, annual total illegal profits from forced commercial sexual exploitation range from US\$58.6 billion in Europe and Central Asia, US\$48.4 billion in Asia and the Pacific, US\$34.9 billion in Americas, US\$16.1 billion in Africa and US\$14.6 billion in the Arab States.

¹⁸ Kara, 2017.



Industry is the sector where total and per victim illegal profits are the highest. Forced labour in industry yields annual total profits of US\$35.4 billion and annual per victim profits of US\$4,944. Per total and per-victim profits are next highest in services (US\$20.9 billion and US\$3,407, respectively), followed by agriculture (US\$5.0 billion and US\$2,113) and finally domestic work (US\$2.6 billion and US\$1,570) (figure 8).



The underpayment of wages can operate through a variety of mechanisms across these sectors. Although most cases of underpayment are not forced labour, underpayment is a common feature of forced labour and a critical driver of profits from it. Understanding the mechanisms of underpayment can therefore provide insight into how profits from forced labour are generated. Piece rate payment schemes used in the brick kiln industry are linked in some contexts to wages falling far below minimum wage standards.¹⁹ Piece rate payments are also associated in some contexts with underpayment in agriculture and in other parts of

¹⁹ ILO, The Brooke Hospital for Animals; The Donkey Sanctuary, *Environment, Human Labour, and Animal Welfare – Unveiling the Full Picture of South Asia’s Brick Kilns and Building the Blocks for Change*, 2017.

the manufacturing sector, especially when workers are required to meet unrealistic production targets.²⁰

In the fishing sector, share-of-the-catch payment schemes controlled by vessel owners, skippers or supervisors are manipulated in some contexts to underpay fishers.²¹ Underpayment or non-payment of bonuses, lack of clarity around how bonuses are calculated or paid, illegal deductions (such as for food and water) or excessive deductions for items such as on-board phone calls or cigarettes have also been documented in the fishing sector.²²

In construction, documented forms of underpayment include unpaid overtime, wages lower than what was agreed upon, illegal or excessive deductions, and withholding of wages.²³ In the mining industry, debt bondage may arise when small-scale miners borrow from “sponsors” to buy equipment in exchange for a percentage of the ore they collect.²⁴ Workers often do not earn enough and take additional loans for food. This cycle ultimately results in workers losing their freedom, as they are compelled to continue working to pay back their debts.²⁵

Domestic workers – 8 of 10 of whom are in informal employment²⁶ – are particularly vulnerable to wage underpayment. Unpaid overtime, lack of rest periods, and withholding of wages are among the documented violations linked to the underpayment of domestic workers.²⁷

In the hospitality and recreation sector and in other sectors where informality is common, the absence of formal contracts means less wage transparency and greater vulnerability to wage abuses.²⁸ Wage transparency is also often undermined in such contexts by the absence of payslips detailing basic wages, bonuses and deductions.

Across all sectors, workers classified as seasonal and casual workers are frequently excluded from minimum wage protection granted to regular workers, leaving them especially vulnerable to underpayment.²⁹

²⁰ FAO and ILO, *Child Labour in Agriculture in Lebanon - A Guide for Practitioners*, 2017.

²¹ ILO, *Towards freedom at sea: Handbook for the Detection of Forced Labour in Commercial Fishing*, 2023.

²² ILO, 2023.

²³ Benjamin Harkins et al., *From The Rice Paddy To The Industrial Park: Working Conditions and Forced Labour in Myanmar's Rapidly Shifting Labour Market*. (Myanmar: Livelihoods and Food Security Fund, UNOPS Fund Management Office, 2021).

²⁴ Finance Against Slavery and Trafficking, *Earth Shattering: Opportunities for Financial sector Engagement at the Nexus of Modern Slavery and Natural Resources in Ghana*, eds. Gifty Ampomah et al. (New York/Accra: United Nations University, 2022).

²⁵ Huma Haider, *Modern slavery in the DRC*, K4D Helpdesk Research Report series. (Brighton, UK: Institute of Development Studies, 2017).

²⁶ ILO, *Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years After the Adoption of the Domestic Workers Convention, 2011 (No. 189)*, 2021.

²⁷ Jenna Holliday, *Skilled to Care, Forced to Work? Recognizing the Skills Profiles of Migrant Domestic Workers in ASEAN Amid Forced Labour and Exploitation*. (Bangkok, ILO, 2023).

²⁸ Roundtable Human Rights in Tourism. *Human Rights Impact Assessment. Thailand and Myanmar. A Value-Chain-Focused Human Rights Impact Assessment*, 2020; ILO, *ILO Guidelines on Decent Work and Socially Responsible Tourism*, 2017.

²⁹ ILO, 2021a; Harkins et al, 2021; ILO, *Working and Employment Conditions in the Agriculture Sector in Thailand. A survey of migrants working on Thai sugarcane, rubber, oil palm and maize farms*, 2021.

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- ▶ **4. Illegal profits from recruitment: the case of international migrants in forced labour**

Another critical source of illegal profits from forced labour comes from the unlawful recruitment fees and related costs that forced labour victims must frequently bear (see box 3). These fees may be charged by employers, recruitment, or travel intermediaries, or by corrupt officials demanding bribes or kickbacks. They can even be charged by traffickers for the supposed cost of being trafficked. To pay for the recruitment fees and related costs to secure a job or placement, many workers incur heavy debt, which may lead to situations of debt bondage. Studies show that charging recruitment fees and related costs to workers is widespread across countries and sectors.³⁰

Box 3. Recruitment fees and related costs

The ILO *General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs*¹ state that “no recruitment fees or related costs should be charged to, or otherwise borne by workers or job seekers” and call on governments to “take measures to eliminate the charging of recruitment fees and related costs to workers and jobseekers.”

Recruitment fees and related costs are defined in the principles and guidelines as any fees or costs incurred in the recruitment process for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.

Recruitment fees encompass expenses for recruiting, referral, and placement services. Such services can include advertising, distributing information, scheduling interviews, handling government clearances, verifying credentials, coordinating travel and transportation, and facilitating job placement.

Recruitment-related costs are “expenses integral to recruitment and placement within or across national borders, taking into account that the widest set of related costs are incurred for international recruitment”.² These costs include administrative costs, medical costs, insurance costs, travel and lodging costs, costs for training and orientation, costs for skills and qualification and equipment costs, among others.³

Evidence shows that the expenses incurred by migrant workers during recruitment are a significant proportion of their wages (indicator SDG 10.7.1). According to KNOMAD data used for the analysis of profits (see Appendix 1), migrant workers would require an average of 3.93 months of work to pay off recruitment fees and related costs. However, data show a high heterogeneity across countries, sectors, and data sources. ILO surveys implemented to measure SDG 10.7.1 in selected countries reveal countries with the SDG10.7.1 indicator as high as one year and a half and others as small as less than one month.⁴ No significant trends have been identified by sectors across countries, pointing to the specificity of each context.

1 ILO, *General principles and operational guidelines for fair recruitment & Definition of recruitment fees and related costs*, 2019.

2 ILO, 2019a.

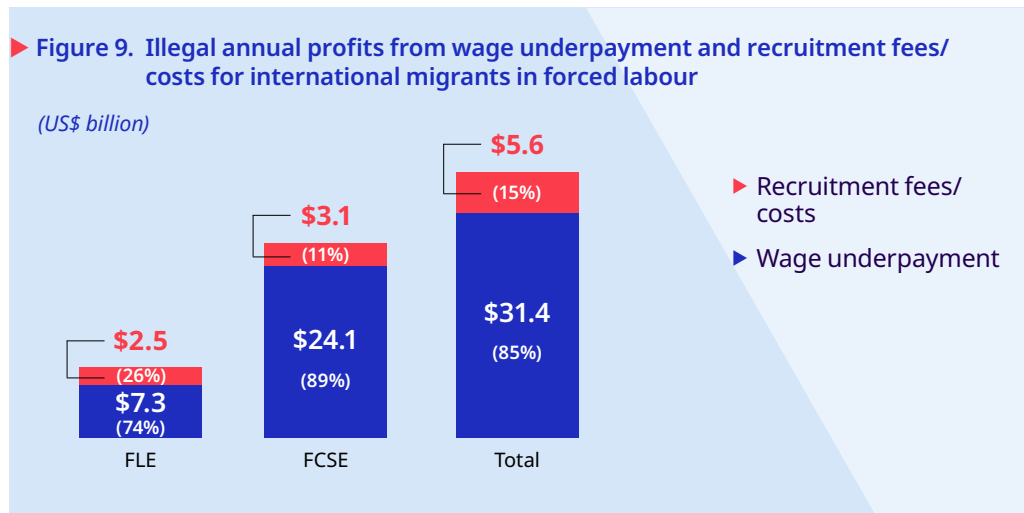
3 ILO, *Operational Manual on Recruitment Costs - SDG 10.7.1*, 2019.

4 Maldives Bureau of Statistics, 2023; ILO, 2021b; Bangladesh Bureau of Statistics, 2021; Ghana Statistical Service, 2020.

30 Maldives Bureau of Statistics, *Measuring SDG indicator 10.7.1 on recruitment costs of migrant workers: Results from the recruitment cost-module in Maldives, 2019, 2023*; ILO, *Measuring Sustainable Development Goal Indicator 10.7.1 on Recruitment Costs of Vietnamese Workers Overseas, 2022*; ILO, *Measuring Sustainable Development Goal Indicator 10.7.1 on Recruitment Costs of Migrant Workers. Results of Viet Nam Pilot Survey 2019, 2021*; Bangladesh Bureau of Statistics, *Cost of Migration Survey. Bangladesh 2020, 2021*; Ghana Statistical Service, *2019 Recruitment Costs Pilot Survey Report-Ghana. Measuring SDG Indicator (10.7.1), 2020*; ILO, 2018a; ILO, *Tricked and Trapped: Human Trafficking in the Middle East, 2013*.

Unfortunately, data on this additional source of illegal profit is only available for international migrant victims of forced labour. Therefore, illegal profits from recruitment practices are not considered in the illegal profit estimates presented in this study.

However, a look at illegal profits from recruitment practices for international migrants in forced labour offers some insight into their broader importance.³¹ Figure 9 reports total illegal profits generated from international migrants from both recruitment fees and related costs as well as from wage underpayment (see methodology in Appendix 1). The results indicate that illegal profits from recruitment fees and related costs are substantial. This source generated US\$5.6 billion in annual illegal profits or 15 per cent of total annual illegal profits from international migrants in forced labour. The relative importance of illegal profits from recruitment fees and related costs is greatest for forced labour exploitation, where they account for 26 per cent of total illegal profits.



³¹ According to the 2021 global estimates of forced labour, international migrants constitute 15 per cent of all adults in forced labour exploitation. Migrant workers are also more likely to be in forced labour than non-migrant workers. Nearly 14 out of every thousand adult migrant workers are in forced labour in the private economy, a prevalence rate that is more than three times higher than that of non-migrant workers (ILO, Walk Free and IOM, 2022).



▶ **Conclusions**

This study highlights the huge illegal profits accruing from forced labour. The underpayment of the workers concerned results in over \$236 billion in profits for their exploiters. Evidence from international migrants suggests that substantial additional profits are generated through the unlawful recruitment practices that forced labour victims are often faced with.

Urgent investment is needed in enforcement measures that stem the profits from forced labour and bring perpetrators to justice. Currently, prosecutions for the crime of forced labour remain very low in most jurisdictions, meaning perpetrators are able to profit from their actions with impunity. Effective enforcement starts with strengthening the legal architecture around forced labour and bringing it into line with international legal standards. Ensuring adequate enforcement capacity is also critical, including through enhanced training programs to equip key enforcement actors with the skills and knowledge needed to effectively identify and prosecute forced labour cases. Extending the reach of labour inspectorates into high-risk sectors and building more effective bridges between labour and criminal law enforcement is also critical in this regard. Improving access to remedies so that perpetrators are obliged to pay compensation to those they have harmed can also serve a punitive function and act as a deterrent for would-be offenders.

Yet forced labour cannot be ended through law enforcement measures alone. Rather, a broad-based approach is needed, with a strong emphasis on addressing root causes and the protection of victims. Efforts in social protection, education, skills training and good migration governance are all critical in this regard. Promoting fair recruitment processes is also crucial, given that forced labour cases can often be traced back to recruitment abuses as well as the apparent importance of unlawful recruitment fees and costs as a source of illegal profit from forced labour. Ensuring the freedom of workers to associate and to bargain collectively is also essential to building resilience to the risks of forced labour. Formalizing the informal economy, where forced labour risks are most pronounced, constitutes a key overarching priority across all these policy areas. The Protocol of 2014 to the Forced Labour Convention, 1930, and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203) provides a strategic framework for comprehensive action against forced labour.



► **Appendices**

Appendix 1. Methodology for the estimates of profits

Methodology of current estimations

This report presents a new estimation of the illegal profits obtained from the use of forced labour using an enhanced methodology. This has been made possible thanks to the latest global estimates of forced labour,³² as well as new household-specific standardized survey datasets and sectoral data on the value added. The data sources and the method used to estimate the different components of the profits, namely, the value added, the labour income share, the wages of people in forced labour and the recruitment fees and associated costs of international migrants, are briefly presented in this appendix.

Wages

Unfortunately, there are no comprehensive and harmonized data on wages and recruitment fees and related costs of people in forced labour. Thus, in this study, the wages earned by workers in forced labour and the recruitment fees and related costs paid by international migrant workers in forced labour are estimated using data from the Global Knowledge Partnership on Migration and Development (KNOMAD) Migration and Recruitment Cost Surveys datasets for the years 2015 and 2016. The datasets include monetary and non-monetary costs incurred by migrant workers seeking jobs abroad.³³

The 2015 surveys included responses from 2,454 migrants covering nine bilateral migration corridors, namely, India-Saudi Arabia, Philippines-Saudi Arabia, Nepal-Malaysia, Nepal-Qatar, Nepal-Saudi Arabia, Kyrgyzstan-Russia, Tajikistan-Russia, Uzbekistan-Russia, and West Africa-Italy (Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Ghana, Gambia, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo).³⁴

The 2016 surveys included responses from 3,149 migrants covering ten bilateral migration corridors, namely, Pakistan-Saudi Arabia, Pakistan-United Arab Emirates, Ethiopia-Saudi Arabia, India-Qatar, Nepal-Qatar, Philippines-Qatar, Vietnam-Malaysia, Guatemala-Mexico, Honduras-Mexico, and El-Salvador-Mexico.³⁵

By their nature, the KNOMAD datasets include information only on international migrant workers. In addition to the country of origin and destination, information collected included country of birth, conditions of recruitment and employment, contract information, recruitment costs, duration of employment, sector of employment and monthly income. However, the KNOMAD datasets do not inform whether a migrant is a victim of forced labour.

Migrant workers surveyed in KNOMAD were classified as potentially in forced labour in the current job if any of the following conditions arose: they did not sign a contract before migrating, the contract they signed changed on arrival, they had their rights deprived, they did not have a rest day, they were irregular migrants, they were not allowed to join an available union, or they were not paid when injured. The wages of people in forced labour are estimated as the average of the net nominal wages of the current job of migrant workers potentially in forced labour. The monthly wages were obtained from the hourly wages assuming 40 hours of work per week to make them comparable with the wages of free workers. Indeed, workers in forced labour may work longer hours and overtime, which may or may not be paid.

³² ILO, Walk Free and IOM, 2022.

³³ ILO and KNOMAD, "[KNOMAD-ILO Migration Costs Surveys 2016](#)," 2016; and "[KNOMAD-ILO Migration Costs Surveys 2015](#)," 2015.

³⁴ ILO and KNOMAD, 2015.

³⁵ ILO and KNOMAD, 2016.

As data on wages of migrant workers potentially in forced labour was not available for all sectors within regions, the complete data available in Europe and Central Asia was used as the base wages. These base wages were then adjusted to account for regional disparities in wages using an adjustment rate based on regional wages of free workers such that:

$$w_{s,r} = \left(\frac{p_{s,r}}{p_{s,ECA}} \right) w_{s,ECA} \quad (3)$$

where $\left(\frac{p_{s,r}}{p_{s,ECA}} \right)$ is the ratio of wages of free workers in sector s and region r ($p_{s,r}$) to the wages of free workers in the same sector in Europe and Central Asia ($p_{s,ECA}$), and $w_{s,ECA}$ is the wages of migrants potentially in forced labour from the KNOMAD datasets wages in the same sector in Europe and Central Asia. The ILO's ILOSTAT database³⁶ was used to obtain the ratio of wages for each region.

The wages of migrants potentially in forced labour from the KNOMAD datasets were used to proxy the wages of people in forced labour, both migrants and not migrants.

Given the lack of evidence on the wages of people in forced labour, in this study it is assumed that migrants and non-migrants in forced labour earn similar wages. This assumption relies on the idea that people in forced labour receive similar payments, regardless of whether they are in their country of origin or abroad, because the involuntariness and coercive conditions that define forced labour make them homogeneous and equally vulnerable. However, there is evidence that migrant workers generally earn less than native workers.³⁷ This assumption, then, may lead to an underestimation of the wages of non-migrants in forced labour and an overestimation of illegal profits from the use of forced labour.

On the other hand, the reported wages of migrant workers potentially in forced labour might overestimate the real wages, or absence of payment, of people in forced labour. People in forced labour are very difficult to capture in standard surveys because of the hidden and illegal nature of the phenomenon, especially those in the worst situations. Thus, migrants surveyed in KNOMAD might not be the workers experiencing the worst working conditions, including inadequate payment. This would lead to an overestimation of the wages of people in forced labour and, thus, an underestimation of profits.

Recruitment fees and related costs

Recruitment fees and related costs are defined as all fees and costs incurred in the recruitment process for the migrant worker and are estimated from the KNOMAD database. This estimate therefore includes any costs paid to a recruitment agency or a third party to secure employment in the destination country, all funding associated with any training required for admission to the job at the destination country, as well as all transport and visa-related costs.³⁸ Given the focus of the KNOMAD database on international migration and the lack of other data sources, the contribution of recruitment fees and related costs to the total profits is estimated only for international migrants (see section 4). The average duration of forced labour in the 2021 global estimates of forced labour is roughly 15 months, therefore, it is assumed that only 80 per cent of migrant victims are new victims during the year of estimation. It is assumed

³⁶ ILO, "Employment by Sex, Status in Employment and Economic Activity, 2022", ILOSTAT database.

³⁷ Islam and Parasnis, for instance, find that migrants in blue-collar occupations in Australia earn about 3 per cent less than their native counterparts with the same education (Islam and Parasnis, 2016). Miller and Neo found that migrants in Australia earned at least 12 per cent less than their native counterparts, while those in the USA earned 24 per cent less than their native counterparts (Miller and Neo, 2003). A very recent study by the ILO finds that migrants in general earn about 13 per cent less than national workers with the gap as high as 42 per cent in some countries (Amo-Adjei, 2020).

³⁸ ILO and KNOMAD, 2015 and 2016.

that victims of forced commercial sexual exploitation are in deceptive recruitment and paid the same recruitment fees and related costs of the other sectors.

Value added per worker

The monthly labour income share of value added for workers is obtained by multiplying the labour income share by the value added per worker, using population and non-response weights to account for the differences in the sizes of the countries and the missing values in the dataset.

Value added (per person and total) data is obtained from UNData.³⁹ Data was available for almost all ILO countries, therefore, the imputation of missing data was not needed.

In this edition, the labour income share is estimated using the method proposed by Van Treeck,⁴⁰ Guerriero⁴¹ and Gollin⁴² to account for considerable heterogeneity in labour shares both across regions and sectors. Data on labour share at regional and sectoral levels are not currently available in any dataset. The ILO 2014 *Profits and poverty* report⁴³ used the two-thirds rule for labour share that assumed that labour income share is 0.667 and constant across sectors and countries.

Therefore, the $LS_{i,s,r}$ component is estimated as:

$$LS_{i,s,r} = \frac{\text{Compensation of employees}_{i,s,r}}{\text{value added}_{i,s,r}} \times \frac{\text{Number of employees}_{i,s,r} + \gamma \text{Number of Self Employed}_{i,s,r}}{\text{Number of employees}_{i,s,r}} \quad (4)$$

where $\gamma = 1$ for upper-middle and high-income countries (including those in Sub-Saharan Africa and South Asia) and $\gamma = 0.667$ for low and lower-middle-income countries in Sub-Saharan Africa and South Asia respectively. This accounts for the fact that the self-employed generally do not earn as much as employees in developing countries. Within these countries, employees are less likely to be in the informal sector and are therefore likely to earn more than those classified as being self-employed who are largely in the informal sector.⁴⁴

To estimate labour share by region and sector, data on the compensation of employees, the total workforce (employees plus self-employed), the number (or share) of employees are needed.

Compensation of employees is defined as “the total remuneration, in cash or in-kind, payable by an enterprise to an employee in return for work done by the latter during an accounting period”.⁴⁵ It has two main components, namely 1) wages and salaries payable in cash or in-kind; and 2) social insurance contributions. This study uses compensation of employees’ data available in the UNData database.⁴⁶ Employee compensation is available in two formats based

³⁹ United Nations, “[UNData Value Added](#),” 2022.

⁴⁰ Katharina Van Treeck, “Measuring the Labor Income Share in Developing Countries: Lessons from Social Accounting Matrices.” *Review of Income and Wealth*, 2020, 66(3): 584–612.

⁴¹ Marta Guerriero, “[The Labor Share of Income Around the World: Evidence From a Panel Dataset](#).” *ADB Working Paper 920*, 2019.

⁴² Douglas Gollin, “Getting Income Shares Right.” *Journal of Political Economy*, 2002, no. 110 (2): 458–74.

⁴³ ILO, *Profits and Poverty: The Economics of Forced Labour*, 1st edition, 2014.

⁴⁴ ILO, *The Global Labour Income Share and Distribution*, 2019.

⁴⁵ European Commission et al., *Systems of National Accounts, 2008*, 2009.

⁴⁶ United Nations, “[UNData ISIC Rev 3](#),” 2022; and “[UNData ISIC Rev 4](#),” 2022.

on the ISIC Revision 3⁴⁷ and the ISIC Revision 4.⁴⁸ The ISIC Revision 4 was used for all countries where such information was made available and replaced with information generated using the ISIC Revision 3 when unavailable. Data imputation methods were needed to increase the availability of data.

Data on both the total workforce and the number of employees is obtained from the ILO's ILOSTAT database.⁴⁹ The data variable used was employment by status in employment and economic activity. Within this database, the workforce was distributed into three groups, namely, employees, self-employed and workers not classifiable by status. Individuals were considered to be employed if they were of working age and were either in paid employment or self-employed. Employees were defined as those in paid employment. Disaggregation by economic activity was based on the ISIC Revision 4. Workforce data was significantly more complete than that of compensation of employees. Most of the unavailable data was for small islands. We therefore decided not to impute the missing data. The labour shares are estimated using equation (4), except the labour income share of the services sector in the Arab States was imputed at the conservative value of 0.667 because data was available only for one country within the region. Labour share of the domestic work sector was imputed to be equal to that of services sector due to the lack of sufficient sectoral data. The labour share estimated were generally lower than the conservative value of 0.667 assumed in 2014.

Profits from commercial sexual exploitation

The Global Sex Trafficking Metrics database 2016⁵⁰ is the only source of comparable data for several countries that can be used to estimate the revenues from forced commercial sexual exploitation. Annual revenues generated by the exploiter account for the sale of sex as well as the sale of other goods, including alcohol, condoms, cigars, snacks, etc. Data in the Global Sex Trafficking Metrics database 2016 are aggregated in regional classification different from the ones used in the 2021 global estimates of forced labour, requiring some data adjustments. Asia and the Pacific region is split into two sub-regions (South Asia and East Asia and the Pacific), as well as the Americas (North America and Latin America) and Europe and Central Asia (Western Europe and Central and Eastern Europe) regions. For this study, the lower values for the regions were used in the case when multiple annual revenues were reported. Data were adjusted for inflation across the different regions.

The number of people in forced commercial sexual exploitation is from the 2021 global estimates of forced labour.⁵¹

⁴⁷ United Nations, 2022a.

⁴⁸ United Nations, 2022b.

⁴⁹ ILO, 2022a.

⁵⁰ Kara, 2017.

⁵¹ ILO, Walk Free and IOM, 2022.

Comparison with previous estimates

The first edition of this report was produced by the ILO in 2014.⁵² In this edition, the estimation of the profits generated from the use of forced labour was based on the *2012 ILO Global Estimate of Forced Labour*.⁵³ However, the ILO first attempted to estimate the profits from forced labour in 2005⁵⁴ and 2009.⁵⁵

Unfortunately, it is not possible to have fully comparable results across different editions due to improvements in methodology and data availability. The methodology to estimate the number of victims of forced labour has been modified and improved since the *2012 ILO Global Estimate of Forced Labour* such that it is not possible to directly compare the number of victims by regions and sectors across estimates. Moreover, to align with the regional grouping used in the global estimates of forced labour since 2017, this report uses the ILO five region classification, that is, Europe and Central Asia, Americas, Arab States, Asia and the Pacific, and Africa. The *ILO 2014 Profits and poverty* report used a different regional grouping, namely, Developed Economies and the EU, Africa, the Middle East, Asia-Pacific, Latin America and the Caribbean, Central and South-Eastern Europe and Commonwealth of Independent States (CIS),⁵⁶ which aligned with the regional estimates of the number of victims in the 2012 ILO global estimates.

In addition to the changes in the methodology of the 2021 global estimates of forced labour, several improvements have been made in the estimation of the profits in this current edition.

First, in this edition, the formula used in the profit estimates has been refined in response to the increasing availability of various datasets at the country level. The 2009 report on estimates of profits in the private sector, excluding forced commercial sexual exploitation, focused on the value added in the agricultural sector.⁵⁷ Agriculture was chosen as it was deemed to be host to the largest number of forced labour victims. The 2021 global estimates of forced labour however finds that the majority of the forced labour victims are not in the agricultural sector.⁵⁸ Thus, using the value added per worker of the agricultural sector as a proxy for the other sectors will lead to a downward bias in the estimate of the profits. Not only are most victims not in this sector, but the value added per worker for the other sectors is also significantly higher than for the agricultural sector.⁵⁹

Secondly, while the estimates of the 2005 and 2009 reports relied on value-added for a small number of selected countries in estimating regional profits,⁶⁰ the 2014 estimates and this current estimate use the regional estimate of the value-added, taking into account all countries within the region, adjusting for non-response.

Third, while the ILO 2014 report made the conservative assumption that the labour share of value-added was two-thirds of the value-added,⁶¹ in this edition, we were able estimate the labour shares at the national level across all regions, something that was impossible to do previously. Moreover, a modified formula of labour share was used to account for the fact that some forced labour victims could be classified as self-employed, especially in cases where piece rate, sharecropping, or share-of-the-catch payment schemes are involved.

⁵² ILO, 2014.

⁵³ ILO, *ILO Global Estimates of Forced Labour: Results and Methodology*, 2012.

⁵⁴ Belser, 2005.

⁵⁵ Vinogradova et al., 2009.

⁵⁶ ILO, 2014.

⁵⁷ Vinogradova et al., 2009.

⁵⁸ ILO, Walk Free, IOM, 2022.

⁵⁹ World Bank, “[World Development Indicators](#)” database.

⁶⁰ Belser, 2005; Vinogradova et al., 2009.

⁶¹ ILO, 2014.

Finally, in this edition, the added value approach is used to estimate profits from the use of forced labour in the services sector, which was not separately estimated in the ILO 2014 report.

Moreover, an attempt was made to estimate the labour share for the domestic work sector given that the new data from the World Bank and the United Nations stratify information based on the ISIC Revisions 3 and 4 and explicitly account for household production.⁶² Eventually, this was not possible because of a large number of missing data at the country level. However, the value-added approach was used for the domestic sector using the labour share of the services sector as a proxy for that of the domestic work sector. This was not possible in the previous estimates in 2014, which assumed that the victims of forced labour in the domestic work sector earned, on average, 40 per cent of the earnings of the non-forced labour domestic workers.⁶³

Data limitations and the way forward

Several data limitations are worth mentioning briefly here.

Today, there is no comprehensive and harmonized data on the prevalence of forced labour and the conditions of work of people in forced labour, including payments and costs associated with the recruitment process.

In recent years, the ILO has worked towards the advancement of statistical standards and guidelines to produce quality data on forced labour. In 2018, the ILO International Conference on Labour Statistics (ICLS) endorsed the first-ever set of *Guidelines Concerning the Measurement of Forced Labour*⁶⁴ to enhance the collection and analysis of forced labour statistics and promote international data comparability. Building on the guidelines and drawing on recent ILO experience in implementing forced labour prevalence surveys, the ILO has recently published the new edition of *Hard to see, harder to count* report,⁶⁵ which provide an updated set of tools for the design, implementation and analysis of quantitative surveys on forced labour. Despite this effort, the number of national statistical offices that have undertaken surveys on forced labour remains limited, and when available, surveys often do not collect data on wages, recruitment fees and related costs. Similarly, the data sources used to provide an estimate of the prevalence of forced labour in the 2021 global estimates of forced labour do not contain information on the payment of workers.

ILO, as co-custodian of SDG 10.7.1, collaborated with the World Bank to develop a methodology for its measurement, resulting in *Draft Guidelines*⁶⁶ and an *Operations Manual*⁶⁷ published in 2019. SDG 10.7.1 focuses on migrant recruitment costs measuring the average expenses incurred by migrant workers during recruitment as a ratio to their earnings abroad. Recently, the ILO has implemented several pilots/surveys to test this methodology and more are in the pipeline.⁶⁸ These surveys, which rely on the *ICLS Guidelines Concerning Statistics of International Labour Migration*,⁶⁹ capture the costs incurred during the recruitment process (pre-travel, during travel, arrival) and earnings on the first month of employment abroad at the individual level and allow for the measurement of indicator SDG 10.7.1. Data from these surveys would be a precious resource for the estimation of the profits from the use of forced labour, especially

⁶² United Nations, 2022a et 2022b.

⁶³ ILO, 2014.

⁶⁴ ILO, 2018b.

⁶⁵ ILO, *Hard to see, harder to count. Handbook on forced labour surveys*, 2024.

⁶⁶ ILO and KNOMAD, *Statistics for SDG Indicator 10.7.1. Draft Guidelines for their Collection*, 2019.

⁶⁷ ILO, *Operational Manual on Recruitment Costs - SDG 10.7.1*, 2019.

⁶⁸ For now, pilots/surveys have been completed in Bangladesh (2020 and 2022), Cambodia (2019), Ghana (2020), Lao PDR (2022), Maldives (2019) and Viet Nam (2021). Surveys are ongoing or planned in Indonesia, Morocco, Nepal, Philippines, the Republic of Korea, Samoa, and South Africa.

⁶⁹ ILO, *Guidelines Concerning Statistics of International Labour Migration*, 20th International Conference on Labour Statistics (ICLS), 2018.

those that have implemented a module to capture whether workers are in forced labour. They also have the advantage of using large samples to provide nationally representative data. Unfortunately, the fact that only a few countries have completed the survey makes this source unsuitable for global estimates such as the one of this report.

A second limitation relates to the information available in the systems of national accounts (SNA).⁷⁰ While some countries report compensation of employees at the sectoral level, a high number only report the bare minimum, that is, a global compensation of employees. This quite significantly limits the ability to estimate sectoral labour shares. Considerable effort has been made in this study to estimate the values of these labour shares. However, an adjustment in how countries report information within the SNA would significantly improve the reliability of regional estimates of sectoral compensation of employees and hence sectoral labour shares.

Finally, although data coverage on forced commercial sexual exploitation has recently expanded⁷¹ it largely focuses on South Asia and is currently only available in aggregated form. More research is needed on the measurement of adults and children in forced commercial sexual exploitation and the economic dynamics of this crime to improve data accuracy. This is essential for effectively implementing policies aimed at reducing its profitability and ultimately eradicating it globally.

⁷⁰ United Nations, 2022a and 2022b.

⁷¹ Siddharth Kara, *Sex Trafficking: Inside the Business of Modern Slavery*. (New York: Columbia University Press, 2009); *Bonded Labour: Tackling the System of Slavery in South Asia*. (New York: Columbia University Press, 2012); and Kara, 2017.

Appendix 2. Composition of regions

Africa			
Algeria	Djibouti	Libya	Sierra Leone
Angola	Egypt	Madagascar	Somalia
Benin	Equatorial Guinea	Malawi	South Africa
Botswana	Eritrea	Mali	South Sudan
Burkina Faso	Eswatini	Mauritania	Sudan
Burundi	Ethiopia	Mauritius	Tanzania, United Republic of
Cameroon	Gabon	Morocco	Togo
Cape Verde	Gambia	Mozambique	Tunisia
Central African Republic	Ghana	Namibia	Uganda
Chad	Guinea	Niger	Western Sahara
Comoros	Guinea-Bissau	Nigeria	Zambia
Congo	Kenya	Rwanda	Zimbabwe
Congo, Democratic Republic of the	Lesotho	Sao Tome and Principe	
Côte d'Ivoire	Liberia	Senegal	

Americas			
Argentina	Costa Rica	Jamaica	Suriname
Bahamas	Cuba	Mexico	Trinidad and Tobago
Barbados	Dominican Republic	Nicaragua	United States
Belize	Ecuador	Panama	United States Virgin Islands
Bolivia	El Salvador	Paraguay	Uruguay
Brazil	Guatemala	Peru	Venezuela, the Bolivarian Republic of
Canada	Guyana	Puerto Rico	
Chile	Haiti	Saint Lucia	
Colombia	Honduras	Saint Vincent and the Grenadines	

Arab States			
Bahrain	Kuwait	Oman	Syrian Arab Republic
Iraq	Lebanon	Qatar	United Arab Emirates
Jordan	Occupied Palestinian Territory	Saudi Arabia	Yemen

Asia & the Pacific			
Afghanistan	Hong Kong, China	Maldives	Singapore
Australia	India	Mongolia	Solomon Islands
Bangladesh	Indonesia	Myanmar	Sri Lanka
Bhutan	Iran, Islamic Republic of	Nepal	Taiwan, China
Brunei Darussalam	Japan	New Caledonia	Thailand
Cambodia	Korea, Democratic People's Republic of	New Zealand	Timor-Leste
China	Korea, Republic of	Pakistan	Tonga
Fiji	Lao People's Democratic Republic	Papua New Guinea	Vanuatu
French Polynesia	Macau, China	Philippines	Viet Nam
Guam	Malaysia	Samoa	

Europe & Central Asia			
Albania	Estonia	Latvia	Serbia
Armenia	Finland	Lithuania	Slovakia
Austria	France	Luxembourg	Slovenia
Azerbaijan	Georgia	Malta	Spain
Belarus	Germany	Moldova, Republic of	Sweden
Belgium	Greece	Montenegro	Switzerland
Bosnia and Herzegovina	Hungary	Netherlands	Tajikistan
Bulgaria	Iceland	North Macedonia	Turkey
Channel Islands	Ireland	Norway	Turkmenistan
Croatia	Israel	Poland	Ukraine
Cyprus	Italy	Portugal	United Kingdom
Czechia	Kazakhstan	Romania	Uzbekistan
Denmark	Kyrgyzstan	Russian Federation	



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► Research Brief

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The Potential of Import Bans to Address Forced Labour*

Part of the ‘What Works and Why Series’

► Introduction¹

While an internationally banned practice, forced labour continues to generate illicit profits. Global profits generated from forced labour are estimated to have risen to USD 236 billion in 2024, compared to USD 172 billion in 2014. Profits per victim have also increased, from about USD 8,300 in 2014 to nearly USD 10,000 in 2024, underscoring the growing financial incentives behind this practice (ILO 2024). Furthermore, the most recent estimates indicate that the number of people subjected to forced labour on any given day rose from approximately 25 million in 2016 to around 28 million in 2021 (ILO, Walk Free and IOM 2022). Over 85 per cent of forced labour cases are attributed to private entities—including individuals, groups, or companies (ILO, Walk Free and IOM 2022). The available evidence suggests that while industries where trafficking for forced labour is more prevalent tend to be less integrated into global supply chains, “a non-negligible part of trafficking for forced labour does contribute to global supply chains” (ILO et al. 2019:15).

Against this background, the idea of addressing forced labour by restricting market access for goods produced under such conditions has gained prominence. This includes the stepped-up application of an existing United States forced labour import ban and the adoption of similar instruments by Mexico, Canada, and, most recently, the European Union (EU). These bans can wield substantial

economic leverage and have the potential to generate important extraterritorial effects, especially in countries where the banned goods are produced. However, the actual impact of forced labour import bans remains unclear.

This brief examines the available evidence, highlighting the implications of import bans for workers and enterprises. It finds that import bans can play a role in addressing forced labour in supply chains, sometimes contributing to the adoption of tangible remedial actions. Furthermore, evidence suggests that company-level social dialogue together with other factors can help to facilitate resolution of the issues that prompted the import ban. However, while import bans can generate momentum for change, they are not sufficient on their own to address the root causes of forced labour and raise important questions about the need for a more synergistic effort. This underscores the necessity for further research.

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¹ This brief draws on previous ILO research published in a two-volume set entitled [Integrating Trade and Decent Work](#) (Ebert, Francavilla and Guarcello 2023).

► Forced labour import bans: What are they and how do they work?

The idea of excluding products made with forced labour from being imported into domestic markets is not new. As early as 1930, a clause banning imported goods derived from forced labour was inserted into the United States Tariff Act,² extending an even older provision that had prohibited imports of goods made with prison labour since 1890 (Armstrong 1975).

Recently, import bans have gained new momentum as a tool to combat forced labour. In the United States, the use of forced labour import bans has increased following the 2015 repeal of the “consumptive demand” clause,³ which had previously constrained the application of the forced labour provision in the Tariff Act (Brewer 2018). Furthermore, the United States Congress has introduced two additional import ban regimes: one targeting goods produced by “nationals or citizens” of the Democratic People’s Republic of Korea, and another covering goods originating from the Xinjiang Uyghur Autonomous Region (XUAR) or produced by entities listed on a designated entity list⁴ (Bhala 2024). In both instances, there is the presumption that the relevant goods violate the forced labour import ban unless the importer can demonstrate otherwise. Following a requirement to this effect in the United States–Mexico–Canada Agreement (USMCA),⁵ Canada modified its customs legislation in 2020, adding a forced labour import ban to a previously existing prison labour import ban.⁶ Mexico adopted a similar measure in 2023 through an interinstitutional agreement between the Secretariat of Labour and Social Welfare and the Secretariat

of Economy.⁷ In 2024, the EU enacted a comprehensive product ban for goods made with forced labour.⁸

All of these instruments prohibit the importation of any merchandise that has been produced wholly or partly with forced labour. As a result, they apply across the entire supply chain of a given good and cover any type of producing companies, including small and medium-sized enterprises. The definition of “forced labour” used in these instruments either draws closely on the definition in the ILO’s Forced Labour Convention, 1930 (No. 29), as in the case of the United States, or explicitly refers to this Convention, as in the case of Canada, Mexico and the EU (Ebert forthcoming).

Nonetheless, there are some important differences (see table below). For example, Canada’s import ban was amended in 2023 to encompass goods made with child labour (Pellerin et al. 2024).⁹ Meanwhile, the EU forced labour ban covers imported products as well as exported products and products made in the EU for domestic consumption (Grado 2025). Furthermore, the public institutions involved in implementing the laws banning imports of forced-labour-produced goods differ. In the United States and Canada, the customs authorities determine whether goods are produced using forced labour, issue a ban accordingly, and enforce the ban at the border.¹⁰ By contrast, in the EU and Mexico, while the bans are enforced by the customs authorities, the actual investigations and decisions about which goods to ban are made by a separate authority.

Additionally, the procedural frameworks through which the bans are implemented vary across the different jurisdictions. The United States customs authorities, either on their own initiative or in response to third-party petitions, can issue a “Withhold Release Order” to prevent imported goods from entering the United States if there is reasonable, though not necessarily conclusive, evidence

² Section 307 of the US Tariff Act of 1930 (19 US Code § 1307).

³ The relevant bill was signed into law by the United States President in February 2016. The consumptive demand clause had prevented enforcement of the forced labour clause when the relevant goods were not produced in the United States in sufficient quantities to meet domestic demand.

⁴ See Section 3 in conjunction with Section 2 of the Uyghur Forced Labor Prevention Act, Pub. L. No. 117–78, 135 Stat. 1525 (2021).

⁵ Both the Canadian and the Mexican instruments were adopted in line with Article 23.6(1) USMCA, requiring parties to ban the import of goods made with forced labour.

⁶ See Canada–United States–Mexico Agreement Implementation Act, S.C. 2020, c. 1, section 204(8) and *Customs Tariff*, S.C. 1997, c. 36, section 136(1); tariff item No. 9897.00.00.

⁷ See Acuerdo que establece las mercancías cuya importación está sujeta a regulación a cargo de la Secretaría del Trabajo y Previsión Social (“Agreement establishing the goods whose importation is subject to regulation by the Secretariat of Labor and Social Welfare”, unofficial translation) of 17 March 2023.

⁸ See Regulation (EU) 2024/3015 of the European Parliament and of the Council of 27 November 2024 on Prohibiting Products Made with Forced Labour on the Union Market and Amending Directive (EU) 2019/1937.

⁹ While the United States Tariff Act covers also “forced or indentured child labor” (19 USC 1307), this formulation does not extend to child labour which does not qualify as forced labour.

¹⁰ In Canada, Employment and Social Development Canada–Labour conducts research on supply chains that may involve forced labour and produces reports identifying goods at risk. These reports are made available to the Canadian customs authorities, which can use them to target and detain imports suspected of being made with prison or forced labour; see CBSA, Goods Manufactured or Produced by Prison or Forced Labour, Memorandum D9-1-6, 28 May 2021, Para. 6.

that the goods were produced using forced labour. If, following a full investigation, a “Finding” is issued that confirms the allegation, the United States customs authorities can seize the goods and start forfeiture proceedings (Syam and Roggensack 2020). By contrast, under Mexico’s, Canada’s and the EU’s respective legal

frameworks, an import ban can only be imposed if the authorities have established that the goods in question have been made with forced labour (Gonzalez De Aguinaga 2025a). All four jurisdictions allow importers to seek judicial review of import ban decisions and offer ways to lift the ban if the original conditions no longer apply.

► **Table. Legal Instruments Governing Import Bans**

	Name of instrument	Entry into force	Areas covered	Goods covered	Burden of proof	Main implementing institutions
United States	U.S Tariff Act	1932	Forced labour and prison labour	Any imported goods	With the authorities	Customs and Border Protection (CBP) ¹¹
	Countering America’s Adversaries through Sanctions Act (CAATSA)	2017	Forced labour and prison labour	Any imported goods made by citizens/nationals of the Democratic People’s Republic of Korea	With the importer	CBP
	Uyghur Forced Labor Prevention Act (UFLPA)	2022	Forced labour and prison labour	Any imported goods originating from the XUAR or produced by entities listed on a designated entity list	With the importer	CBP and Forced Labor Enforcement Task Force (FLETF)
Canada	Customs Tariff (Item No. 9897.00.00)	2020 ¹²	Forced labour, prison and child labour	Any imported goods	With the authorities	Canada Border Service Agency (CBSA) ¹³
Mexico	Agreement Establishing the Goods Whose Importation is Subject to Regulation by the Secretariat of Labour and Social Welfare	2023	Forced Labour	Any imported goods	With the authorities	Secretariat of Labour and Social Welfare (handles investigations) and National Customs Agency of Mexico (handles enforcement)
European Union	Regulation (EU) 2024/3015 on Prohibiting Products Made with Forced Labour on the Union Market and Amending Directive (EU) 2019/1937	2024 (applicable as of 2027)	Forced Labour	Any imported goods as well as goods produced in the EU for export or domestic sale	With the authorities	European Commission (leads investigations into incidents outside the EU), EU Member States’ competent authorities (lead investigations into incidents within the EU) and Member States’ customs authorities (handle enforcement)

Source: Relevant legal instruments and background studies; Gonzalez De Aguinaga 2025a

► What have been the effects of forced labour import bans?

Although it may be too early to assess the effects of forced labour import bans comprehensively, some insights can be

drawn from the experience of the United States.¹⁴ As of mid-December 2025, the United States reported 62 active import bans (54 Withhold Release Orders¹⁵ and 8 Findings). While some of these import bans concerned entire sectors, the majority focused on specific companies or groups of companies.¹⁶

Existing studies suggest wide variation in the outcomes of import bans, although the evidence base remains limited (Fanou 2023; Gonzalez De Aguinaga 2025b). For example, an inquiry by the Remedy Project found that while in some

¹¹ The activities of CBP are monitored by the Forced Labor Enforcement Task Force (FLETF), consisting of seven member agencies and additional observer agencies under the chairmanship of the United States Department of Homeland Security; see at: <https://www.dhs.gov/forced-labor-enforcement-task-force>.

¹² This date applies to the forced labour import ban. The child labour component came into effect at the beginning of 2024.

¹³ CBSA relies on inputs from Employment and Social Development Canada-Labour for obtaining evidence about forced labour incidents relating to certain products.

¹⁴ It is important to note that the findings related to the United States cannot necessarily be generalized given the differences between import ban laws across jurisdictions.

¹⁵ Of these, enforcement of the UFLPA’s rebuttable presumption superseded 11 active Withhold Release Orders while the enforcement of Findings superseded another six active WROs. See at: [Forced Labor | U.S. Customs and Border Protection](#).

¹⁶ See at: [Withhold Release Orders and Findings Dashboard | United States Customs and Border Protection](#).

instances companies or governments implemented remedial measures, there were also cases in which there was no evidence that import bans had led to any tangible improvements (Remedy Project 2023). These findings highlight the need for further research on the contextual factors that shape the impacts of import bans in specific settings.

To provide an additional perspective on the possible implications of forced labour import bans, the following subsections examine the cases of the Malaysian rubber glove sector and an Indian garment company in greater detail.

Import bans as a catalyst for forced labour remediation: The case of the Malaysian rubber glove sector¹⁷

The case of the Malaysian rubber glove industry shows how import bans can contribute to substantial remedial action at the company-level for victims of forced labour and help to address some of the factors driving it.¹⁸ Malaysia is the world's leading producer of rubber gloves, with a 53 percent share of the global market in 2021.¹⁹ Despite the ratification of international treaties and domestic laws prohibiting the practice, the industry has faced forced labour challenges (Hwok Aun & Pereira 2023; ILO 2023). Migrant workers, vulnerable due to exploitative recruitment, legislative gaps, and lax enforcement, have been reported to suffer from debt bondage, restricted movement, poor living conditions, and intimidation, among other concerns (Bhutta et al. 2021; Hughes et al. 2023).

Between 2019 and 2022, the United States customs authorities issued six Withhold Release Orders and one Finding against Malaysian rubber glove producers due to forced labour concerns. This was compounded by aligned responses from the Government of Canada ending public procurement contracts regarding rubber gloves produced in Malaysia (McGregor 2022) and Norway's Government Pension Fund Global placing one company under a two-year observation period (Salim 2022). In response, Malaysian rubber glove companies took significant remedial actions to address some of the underlying issues. Several companies targeted by the import bans reimbursed workers for recruitment fees (Thomas 2020; Kotecha 2024).

One company reportedly paid over USD 30 million in remediation to affected workers and established a USD 5 million fund to settle outstanding claims (Remedy Project 2023). Some affected companies also changed recruitment policies, improved migrant worker housing, and revised human resources policies – introducing new grievance mechanisms and strengthening HR staff capacity to address forced labour issues (Ong 2022; Remedy Project 2023). By the end of 2024, these efforts resulted in the lifting of the aforementioned import bans.

A number of factors help to explain these outcomes, including the heavy reliance of the Malaysian rubber glove industry on the United States market, which is its largest importer.²⁰ The Malaysian Rubber Gloves Manufacturers Association estimated a revenue loss of about USD 800 million from United States import bans (Tan 2022), which created a strong economic incentive for companies to address relevant forced labour issues. This was reinforced by the aforesaid aligned actions from other actors, which added pressure and may have encouraged efforts to address the identified forced labour issues. Another factor contributing to the remedial outcomes may have been the direct engagement of the United States customs authorities with companies whose goods were subject to import bans. Customs Border Protection (CBP) provided guidance to the companies to lay out the remedial steps it would consider necessary for the import bans to be lifted (Brudney 2020). The guidance seems to have helped steer efforts towards the adoption of specific remedial measures. Additionally, the substantial profit margins achieved by the Malaysian rubber glove sector during the pandemic reportedly contributed to mitigating the economic costs associated with the remedial actions taken (Hughes et al. 2023).

The case of Malaysia also highlights certain limitations of import bans in addressing structural factors driving forced labour. While the bans may have helped build momentum to tackle forced labour nationally (Kotecha 2024),²¹ some legal and institutional obstacles persist, including restrictions on migrant workers forming unions and becoming union leaders, and capacity challenges within labour inspectorates (Hwok Aun & Pereira, 2023; ILO, 2023, 2025). Additionally, a 2019 import ban reportedly led to job losses in some of the targeted factories (United States GAO 2021). Furthermore, some companies reportedly relocated production from Malaysia to alternative sites even after the

¹⁷ This case study is based on Ebert, Francavilla and Guarcello (2023, 2025).

¹⁸ Remedial measures were also undertaken by at least one company in the Malaysian palm oil sector following import bans imposed by the United States customs authorities on its products (Remedy Project 2023, Gordon 2025).

¹⁹ See [Gloves other than surgical, of rubber \(HS: 401519\) Product Trade, Exporters and Importers | The Observatory of Economic Complexity](#).

²⁰ In 2020, almost 34 percent of rubber gloves produced in Malaysia were imported to the United States (Rahman et al. 2021).

²¹ Domestic legal and policy reform efforts were supported by ILO projects that aimed, among others, to empower migrant workers and address issues relating to domestic labour legislation and its enforcement (Ebert, Francavilla and Guarcello 2023).

relevant import bans had been removed, which may have been driven by heightened media scrutiny over forced labour (Brown et al. 2024).

Company-level stakeholder engagement: The case of the Dindigul Agreement in India

The case of the Dindigul Agreement illustrates how proactive engagement between workers, employers and other stakeholders to conclude an agreement at the company-level can help to facilitate the timely lifting of forced labour import bans. This case involved a garment manufacturer in Tamil Nadu, India, supplying major Western brands. The company operated a factory where workers reportedly experienced gender- and caste-based violence and harassment, along with anti-union retaliation for organizing efforts and practices classified as forced labour by the ILO's Forced Labour Indicators (Fudge and LeBaron 2024; Gordon 2025). In January 2021, a tragic incident at the factory involving a Dalit worker and trade unionist²² triggered a global campaign led by trade unions and NGOs, which aimed to bring attention to the issues within the company (Fudge and LeBaron 2024; Gordon 2025). By April 2022, a set of agreements – collectively known as “Dindigul Agreement” – was concluded between the supplier, several buyers, the Tamil Nadu Textile and Common Labour Union (TTCU), the NGO Global Labor Justice (GLJ), and the trade union alliance Asia Floor Wage Alliance (AFWA) to address the issues and establish a comprehensive remediation framework (Amita and Anner 2024; Standow, Shivakumar and Rakini 2025).

In July 2022, after the Dindigul Agreement had been adopted, CBP issued a Withhold Release Order concerning the goods of the manufacturer (CBP 2022). This situation, which placed employment at the factory in jeopardy, affected a supplier that had recently taken steps to improve the situation of the relevant workers (Gordon 2025). In response to the Withhold Release Order, GLJ, AFWA, and TTCU submitted extensive documentation, to demonstrate that the import ban was unwarranted as the problematic practices and policies had been addressed (Fudge and LeBaron 2024). The documentation included evidence concerning the Dindigul Agreement's impact in remediating issues related to the relevant forced labour indicators (Gordon 2025). About one month later, CBP modified the Withhold Release Order, allowing relevant imports to enter the United States (CBP 2022). The developments appear to also have strengthened the

relationship between the company and the local trade union (Fudge and LeBaron 2024).

The case of the Dindigul Agreement in India suggests that a company-level agreement – reached through engagement between relevant companies and workers' organizations – can serve as an argument to obtain the removal of forced labour import bans. In the case at hand, the Dindigul Agreement facilitated the lifting of the Withhold Release Order in two ways: (1) by serving as evidence of the company's efforts to tackle forced labour risks and (2) by establishing a framework that helped the parties to work collaboratively toward securing the removal of the import ban (Bhattacharjee 2023).

► Conclusion

The evidence presented in this brief suggests that import bans can contribute to addressing forced labour in supply chains. In some instances, import bans have helped to bring about significant remedial action. In the case of the Malaysian rubber glove industry, this involved notably the reimbursement of recruitment fees and changing company-level recruitment policies. The factors explaining such effects include the dependence of the companies affected by import bans on the receiving countries' markets and the degree to which companies are provided with guidance by the competent authorities on the specific steps required for the lifting of the bans. Meanwhile, the case of the Dindigul Agreement in India suggests that company-level engagement between workers' organizations and employers, along with the involvement of other stakeholders, can facilitate the removal of import bans. This Agreement underscores the potential of social dialogue to contribute to finding creative solutions to tackle labour rights issues within supply chains. Social dialogue-based solutions can mitigate business risks stemming from forced labour import bans while simultaneously supporting local progress on labour rights.

That being said, forced labour import bans by themselves remain unlikely to address the structural factors driving forced labour. Additional measures would be required, which can include changes to domestic laws and their effective implementation. This raises the question of how the momentum generated by forced labour import bans can be effectively leveraged to strengthen the ongoing efforts of domestic labour market institutions, social partners and civil society actors to address the root causes

²² Jeyasre Kathiravel was allegedly killed by her supervisor after a prolonged period of sexual harassment (Fudge and LeBaron 2024).

underlying forced labour. There is also the concern that forced labour import bans will lead to job losses if affected companies need to close or scale down production, or if production is shifted to other countries. These considerations highlight the need for the implications of

import bans to be examined fully, including through impact assessments and consultations with local stakeholders. Additional research is needed to gain a deepened understanding of how these measures may affect workers and enterprises.

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Kosovo, the Serbs and the Albanians alike. That is what we have pledged to do; that is what we intend to do.

But today in the camps in Albania and Macedonia, in the villages and in the hills of Kosovo, where so many innocent people have had to hide and forage for food, among the Kosovar Albanians who have taken refuge elsewhere, including here in the United States, people are getting ready to go home. They will go back to their homes and their lives with safety and self-government.

And the United States will have stood for the proposition that we can't expect everyone to get along; we can't expect people never to fight; but we do expect that when we can stop it, innocent civilians will not be slaughtered, burned out of their homes, have their houses of worship blown up, have their personal records destroyed, have their children abused. We will not tolerate ethnic cleansing and killing. It should not be a part of the 21st century world, thanks to you.

And so let me say just one last time, as you prepare to leave O'Hare, to retire or head for your new homes and duties, the whole world is grateful to you. You have ended this chapter in the history of your Wing and your units on a truly triumphant note. You have helped to end this century, which has seen so much bloodshed and hatred, not with a feeling of helpless indignation at yet another travesty but instead with a ringing reaffirmation of the dignity of all human beings. You did it. It's quite a way to close out your stay here.

Thank you, God bless you, and God bless America.

NOTE: The President spoke at 3:30 p.m. in Hangar 30 at Chicago O'Hare International Airport. In his remarks, he referred to Brig. Gen. Harold E. Keistler, USAF, Commander, 126th Air Refueling Wing; Brig. Gen. Frank D. Rezac, USAF, Commander, Illinois Air National Guard; and Maj. Gen. Richard G. Austin, Illinois National Guard, Adjutant General, State of Illinois.

Executive Order 13126—Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor

June 12, 1999

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to continue the executive branch's commitment to fighting abusive child labor practices, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the United States Government, consistent with the Tariff Act of 1930, 19 U.S.C. 1307, the Fair Labor Standards Act, 29 U.S.C. 201 *et seq.*, and the Walsh-Healey Public Contracts Act, 41 U.S.C. 35 *et seq.*, that executive agencies shall take appropriate actions to enforce the laws prohibiting the manufacture or importation of goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part by forced or indentured child labor.

Sec. 2. Publication of List. Within 120 days after the date of this order, the Department of Labor, in consultation and cooperation with the Department of the Treasury and the Department of State, shall publish in the *Federal Register* a list of products, identified by their country of origin, that those Departments have a reasonable basis to believe might have been mined, produced, or manufactured by forced or indentured child labor. The Department of Labor may conduct hearings to assist in the identification of those products.

Sec. 3. Procurement Regulations. Within 120 days after the date of this order, the Federal Acquisition Regulatory Council shall issue proposed rules to implement the following:

(a) **Required Solicitation Provisions.** Each solicitation of offers for a contract for the procurement of a product included on the list published under section 2 of this order shall include the following provisions:

(1) A provision that requires the contractor to certify to the contracting officer that the contractor or, in the case of an incorporated contractor, a responsible official of the contractor has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any product furnished under the contract and that, on the basis of those efforts, the contractor is unaware of any such use of child labor; and

(2) A provision that obligates the contractor to cooperate fully in providing reasonable access to the contractor's records, documents, persons, or premises if reasonably requested by authorized officials of the contracting agency, the Department of the Treasury, or the Department of Justice, for the purpose of determining whether forced or indentured child labor was used to mine, produce, or manufacture any product furnished under the contract.

(b) *Investigations.* Whenever a contracting officer of an executive agency has reason to believe that forced or indentured child labor was used to mine, produce, or manufacture a product furnished pursuant to a contract subject to the requirements of subsection 3(a) of this order, the head of the executive agency shall refer the matter for investigation to the Inspector General of the executive agency and, as the head of the executive agency or the Inspector General determines appropriate, to the Attorney General and the Secretary of the Treasury.

(c) *Remedies.*

(1) The head of an executive agency may impose remedies as provided in this subsection in the case of a contractor under a contract of the executive agency if the head of the executive agency finds that the contractor:

- (i) Has furnished under the contract products that have been mined, produced, or manufactured by forced or indentured child labor or uses forced or indentured child labor in the mining, production, or manufacturing operations of the contractor;
- (ii) Has submitted a false certification under subsection 3(a)(1) of this order; or

- (iii) Has failed to cooperate in accordance with the obligation imposed pursuant to subsection 3(a)(2) of this order.

(2) The head of an executive agency, in his or her sole discretion, may terminate a contract on the basis of any finding described in subsection 3(c)(1) of this order for any contract entered into after the date the regulation called for in section 3 of this order is published in final.

(3) The head of an executive agency may debar or suspend a contractor from eligibility for Federal contracts on the basis of a finding that the contractor has engaged in an act described in subsection 3(c)(1) of this order. The provision for debarment may not exceed 3 years.

(4) The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs (maintained by the Administrator as described in the Federal Acquisition Regulation) each party that is debarred, suspended, proposed for debarment or suspension, or declared ineligible by the head of an agency on the basis that the person has engaged in an act described in subsection 3(c)(1) of this order.

(5) This section shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a finding described in subsection 3(c)(1) of this order.

Sec. 4. Report. Within 2 years after implementation of any final rule under this order, the Administrator of General Services, with the assistance of other executive agencies, shall submit to the Office of Management and Budget a report on the actions taken pursuant to this order.

Sec. 5. Scope. (a) Any proposed rules issued pursuant to section 3 of this order shall apply only to acquisitions for a total amount in excess of the micro-purchase threshold as defined in section 32(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 428(f)).

(b) This order does not apply to a contract that is for the procurement of any product, or any article, material, or supply contained in a product that is mined, produced, or manufactured in any foreign country if:

- (1) the foreign country is a party to the Agreement on Government Procurement annexed to the WTO Agreement or a party to the North American Free Trade Agreement ("NAFTA"); and
- (2) the contract is of a value that is equal to or greater than the United States threshold specified in the Agreement on Government Procurement annexed to the WTO Agreement or NAFTA, whichever is applicable.

Sec. 6. Definitions. (a) "Executive agency" and "agency" have the meaning given to "executive agency" in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(b) "WTO Agreement" means the Agreement Establishing the World Trade Organization, entered into on April 15, 1994.

(c) "Forced or indentured child labor" means all work or service (1) exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or (2) performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

Sec. 7. Judicial Review. This order is intended only to improve the internal management of the executive branch and does not create any rights or benefits, substantive or procedural, enforceable by law by a party against the United States, its agencies, its officers, or any other person.

William J. Clinton

The White House,
June 12, 1999.

[Filed with the Office of the Federal Register, 8:45 a.m., June 15, 1999]

NOTE: This Executive order was published in the *Federal Register* on June 16.

Letter to Congressional Leaders Reporting the Deployment of United States Military Personnel as Part of the Kosovo International Security Force

June 12, 1999

Dear Mr. Speaker: (Dear Mr. President:)

On March 26, April 7, and May 25, 1999, I reported to the Congress, consistent with the War Powers Resolution, concerning U.S. participation in the NATO air strikes against the Federal Republic of Yugoslavia (FRY) and in supporting operations in the region, in response to the FRY Government's campaign of violence and repression against the civilian population of Kosovo. In my report of June 5, 1999, under section 8115 of the Department of Defense Appropriations Act, 1999 (Public Law 105-262), I noted the FRY had accepted the detailed set of principles for ending the conflict, as presented by Finnish President Ahtisaari along with Russian Special Envoy Chernomyrdin. I also stated that I had authorized the deployment of a significant contingent of military personnel to Kosovo as part of an international security presence (KFOR), provided it became clear that Belgrade had fully adopted NATO's conditions and was withdrawing its forces.

I can now confirm that the FRY has accepted NATO's conditions, and the process of implementing them has begun. On June 9, Lieutenant General Sir Michael Jackson, the NATO commander of KFOR, concluded a Military-Technical Agreement (MTA) with FRY authorities. The MTA specifies the detailed modalities and schedule for the full withdrawal of all FRY military, paramilitary and police forces from Kosovo. The MTA also details the role and authorities of KFOR, confirming that it can take the measures necessary to create a secure environment for the return of the Kosovars to their homes in safety and self-government. Among other authorities, KFOR is empowered to ensure that the withdrawal of FRY forces proceeds on