

# Forced labour

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According to the ILO [Forced Labour Convention, 1930 \(No. 29\)](#), forced labour is “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (Art. 2). A "menace or threat of a penalty" can include everything from penal sanctions, to the refusal to pay wages as part of a repayment of recruitment fees, or the complete absence of remuneration, to forbidding a worker from travelling freely by, for example, confiscating travel documents or work permits. It may also include the threat to report an “illegal worker” to the immigration authorities.

Forced labour has been prohibited under the Forced Labour Convention 29 since 1930. After the last ratification 178 countries had ratified the convention. It has also been prohibited under a range of other international conventions, including e.g. the International Covenant on Civil and Political Rights. Yet, various forms of forced labour remain prevalent around the globe. According to estimates by the ILO, [around 25 million people were, in 2016, victims of some form of forced labour](#). Forced labour “[is observed in all types of economic activity, such as domestic work, construction, agriculture, manufacturing, sexual exploitation, forced begging, etc. and in every country](#)”.



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Although some may consider it an issue for "developing" states, it is a universal issue with [recorded cases in states with modern legislation](#) designed to tackle the problem. Companies may contribute to



these illicit practices through their own direct operations as well as by allowing or not sufficiently preventing modern slavery practices in their value chains.

In order to address the issue of forced labour, companies should, for example, ensure that all workers always have access to their passports, identity papers and other important documentation, and written contracts, drafted in a language the workers understand, specifying their rights concerning retention of documents, overtime and any other issue related to eliminating forced labour. Companies should make sure that all policies addressing the issue of forced labour not only apply to the company itself but also to the companies within their value chains.

Further, it is important to monitor the [practices of recruitment agencies](#) and other agencies providing contracted workers, to make sure that their [practices are in order](#).

▼ Links to SDGs and targets




Company actions to address and avoid forced labour in supply chains primarily relate to SDG 8 on decent work.

Businesses can contribute to SDG target 8.7 in many ways, e.g. by taking action to ensure that companies in their supply chain always pay their wages in time, that no worker passports or travel documents are being held, and by eliminating recruitment fees borne by workers.

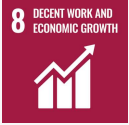
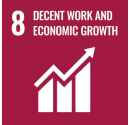
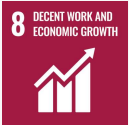
In any case, businesses must ensure that none of its workers or those in their supply chains are subjected to forced labour, including various forms of debt bondage, or that the company is benefitting from human trafficking. Taking such actions can also help to reduce inequalities (SDG 10), if the actions e.g. lead to a decrease in the general level of recruitment costs borne by migrant workers (10.7). While acting to end practices that may constitute forced labour, companies can also help to create decent work in a broader sense (8.5).

*These are merely examples of ways in which actions to address forced labour can contribute to certain SDGs and is not an exhaustive list of such links.*

Cases on Forced labour

Case brief	Goals	Targets	Due diligence
<p><b>Global sourcing principles extend to supply chain</b></p> <p>Marks &amp; Spencer requires its suppliers to comply with its <a href="#">Global Sourcing Principles</a>. The Global Sourcing Principles align with national and local laws and state obligations around forced labour, discrimination, workplace harassment, temporary workers' rights, wages, working hours and health and safety, among other things.</p> <p>To increase transparency for responsible sourcing, Marks &amp; Spencer publishes an <a href="#">interactive map</a> that distinguishes the location, name, type of manufacturer and number of workers across its clothing, food, homeware and beauty suppliers. The company recently published and made publicly available a <a href="#">Modern Slavery Toolkit for Suppliers and Partners (2017)</a> and a Forced Labour Toolkit for International Suppliers and Partners (2018).</p>		<div>8.5</div> <div>8.7</div> <div>8.8</div>	<div>Corporate commitment</div> <div>Integrating and acting upon findings</div> <div>Tracking and monitoring</div> <div>Communicating and reporting</div>
<p><b>Garment manufacturer promotes direct hiring practices</b></p> <p><a href="#">Penguin Apparels</a>, a garment manufacturer located in Tamil Nadu in Southern India, which is known to be high risk in terms of forced labour, only hires workers directly without using any recruiters or labour brokers, in order to mitigate forced labour risks. It also does not pay recruitment fees or</p>	 	<div>8.5</div> <div>8.7</div> <div>8.8</div> <div>10.7</div>	<div>Integrating and acting upon findings</div> <div>Stakeholder engagement</div>

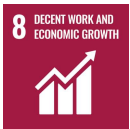
Case brief	Goals	Targets	Due diligence
<p>charge workers in order for them to receive employment. Furthermore, its updated management systems require clear contracts for all employees, in the employees’ local language. The company also works to build the capacity of its partners in order to strengthen their processes in relation to preventing forced labour.</p>			
<p><b>Brand prohibits suppliers from exploiting migrant workers</b></p> <p>HP released its <a href="#">Foreign Migrant Worker Standard</a> in 2014 and collaborated with the fair labour organisation Verité to address the issue of forced labour among migrant workers. The standard prohibits suppliers from outsourcing the migrant worker employment relationship to third-party labour brokers – a major source of vulnerability for migrant workers – as well as requiring that workers hold their own passports and forbidding the practice of charging recruitment fees. The standard also requires written employment contracts in the worker’s language. The company has developed supplier guidance on the standard, and a supplier self-assessment questionnaire. HP continues to collaborate with government representatives and peer companies focusing on high-risk suppliers in Southeast Asia. HP requires its suppliers to:</p> <ul style="list-style-type: none"><li>pay recruitment fees.</li><li>reimburse migrant workers who are legally required to directly pay for costs in their countries of origin (within 30 days of their arrival in the destination country). <a href="#">[IHRB Report]</a></li></ul>	<div><div><div>8</div><div>DECENT WORK AND ECONOMIC GROWTH</div><div></div></div><div><div>10</div><div>REDUCED INEQUALITIES</div><div></div></div></div>	<div><div>8.5</div><div>8.7</div><div>8.8</div><div>10.7</div></div>	<div><div>Corporate commitment</div><div>Integrating and acting upon findings</div><div>Stakeholder engagement</div></div>
<p><b>Global food manufacturers monitor supply chains</b></p> <p>In 2016 the global food manufacturer, Mars, developed an action plan to address human rights violations in its <a href="#">Thai supply chain</a>. As part of the action plan, Mars collaborated with the Issara Institute. Established in 2014, the Issara Institute addresses human trafficking and forced labour throughout Southeast Asia. <a href="#">The Strategic Partners Programme</a>, using Issara’s inclusive labour monitoring method, currently involves seventeen global brands, retailers, and importers, including Marks &amp; Spencer, Nestlé, Tesco, and Walmart, as well as Mars. The model allows continuous monitoring of supply chains via a toll-free, multilingual, 24-hour migrant worker hotline and staff visits to migrant communities. Additionally, the Issara Institute uses data analytics to better understand trends and patterns in migration and gain insight into hotspots of trafficking.</p>	<div><div><div>8</div><div>DECENT WORK AND ECONOMIC GROWTH</div><div></div></div></div>	<div><div>8.5</div><div>8.7</div><div>8.8</div></div>	<div><div>Integrating and acting upon findings</div><div>Tracking and monitoring</div><div>Stakeholder engagement</div><div>Access to remedy</div></div>
<p><b>Initiative achieves seafood supply chain traceability</b></p> <p><a href="#">The Seafood Task Force (STF)</a> is a multi-stakeholder initiative started by seafood processors, feed producers, buyers, retailers, government representatives and NGOs who came together to eradicate forced labour in Thailand's seafood supply chains.</p> <p>So far, the Seafood Task Force has focused on mapping supply chains, enhancing supplier chain transparency,</p>	<div><div><div>8</div><div>DECENT WORK AND ECONOMIC GROWTH</div><div></div></div><div><div>10</div><div>REDUCED INEQUALITIES</div><div></div></div></div>	<div><div>8.5</div><div>8.7</div><div>8.8</div><div>10.7</div></div>	<div><div>Integrating and acting upon findings</div><div>Stakeholder engagement</div></div>

Case brief	Goals	Targets	Due diligence
<p>reducing levels of illegal fishing and engaging with the Thai government and Thai seafood industry. This is done in order to “find where and how incidents of forced labour might occur” so that the risk of forced labour can be addressed. Among the first things that STF set out to do was to map the relevant supply chains in order to ensure traceability of products from vessel to end product. In late 2017 between 60–80% of the supply chain was traceable. To improve the efficiency of its work, the STF is developing a smartphone app to digitize the traceability. [For more in-depth information, read <a href="#">Shift's case study</a>]</p>			
<p><b>Companies use leverage to eliminate forced labour</b></p> <p>The <a href="#">Responsible Labour Initiative</a> (RLI) is a multi-stakeholder collaboration that brings together different sectors to leverage collective purchasing power and eliminate forced labour from supply chains in Malaysia and the surrounding region. RLI originates from the forced labour commitments of the Responsible Business Association (RBA), formerly known as the Electronics Industry Citizenship Coalition, or EICC. [For more information, read Shift's <a href="#">case study</a>]</p>		<div>8.5</div> <div>8.7</div> <div>8.8</div>	<p>Integrating and acting upon findings</p> <p>Tracking and monitoring</p>
<p><b>Production site assessment part of action plan that increases supply chain transparency</b></p> <p>Nestlé partnered with Verité and Achilles Ltd. to map its upstream seafood supply chains in Thailand. Following the mapping, Nestlé commissioned an assessment of six production sites in its supply chain. The <a href="#">assessment</a> focused on forced labour risks in the recruitment, hiring, employment and living conditions of migrant workers. Nestlé then put in place an <a href="#">action plan</a> to increase supply chain transparency and deploy monitoring and remediation systems to ensure good labour standards on fishing vessels. According to an <a href="#">update</a> on Nestlé's action plan, <a href="#">Nestle was able to achieve</a> 99% traceability for wild caught tuna back to the fishing vessel used and 99% traceability for the farmed shrimp back to the farm used. All (100%) of their suppliers' suppliers have signed Nestlé's <a href="#">supplier code</a>, a partnership is in place with Issara Institute to enable 35,000 seafood workers in their supply chain to report on workplace conditions, migrants' rights and other issues of concern and, in partnership with Thai Union Group and Verité, they have sponsored occupational health and safety <a href="#">training sessions</a> for boat owners, captains and crew members.</p>		<div>8.5</div> <div>8.7</div> <div>8.8</div>	<p>Assessing impacts</p> <p>Integrating and acting upon findings</p> <p>Tracking and monitoring</p> <p>Communicating and reporting</p>
<p><b>Company and trade union initiative enforces labour standards</b></p> <p><a href="#">Citizen's Charcoal Institute (ICC)</a> in Brazil is a multi-stakeholder initiative that consists of companies and trade union members. Created by 15 companies – including Vale, Sinobras, Iberica, Cikel and Cosima – and the International Labour Organisation along with other civil society groups, the ICC targets those suppliers</p>		<div>8.5</div> <div>8.7</div> <div>8.8</div>	<p>Integrating and acting upon findings</p> <p>Tracking and monitoring</p> <p>Stakeholder engagement</p>

Case brief	Goals	Targets	Due diligence
<p>implicated in negative and harmful practices, including forced labour, within the charcoal sector of Brazil. The <a href="#">initiative</a> performs labour inspections in charcoal camps and of suppliers that fail to comply with relevant standards relating to forced labour, working hours and wages. If an inspection finds that the standards are not followed, it can lead to the decertification of certain companies, meaning industry group members no longer deal or work with them. The initiative also supports the rehabilitation and training of workers who have been victims of forced labour, in order to prepare them to re-enter the workforce.</p>			

### Industry coalition reduces risk of modern slavery with assessments and audits

The Responsible Business Alliance (RBA), formerly known as Electronic Industry Citizenship Coalition, is a non-profit “industry coalition committed to creating shared value for businesses and the people and communities that contribute to the manufacture of electronic devices around the world”. It is comprised of electronic, retail, auto and toy companies that commit to support the rights and wellbeing of workers and communities worldwide affected by the global electronics supply chain. Among other issues, RBA's [Code of Conduct](#) lists prohibited labour practices such as recruitment fees, unreasonable restrictions on workers' freedom of movement, denying access to identity or immigration documents, working hours etc., which are practices closely linked to modern slavery, including human trafficking, slavery-like practices such as servitude, forced labour and debt bondage. Western Digital, a computer data storage company and RBA member, [reports](#) that it requires annual self-assessments and periodic audits aligned with the RBA code of conduct in order to reduce the risk of modern slavery, including forced labour, in its supply chain. Western Digital also conducts periodic audits of providers of on-site services (eg. cafeterias, cleaning services etc.)



8.5

8.7



8.8

10.7

Corporate  
commitment

Integrating and  
acting upon  
findings

Stakeholder  
engagement

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