

**Meeting of Consultants on Methodologies to Estimate the Prevalence of
Forced Labour of Adults and Children
Kathmandu, 30 November-1 December 2010**

**International Programme on the Elimination of Child Labour (IPEC)
Special Action Programme to combat Forced Labour (SAP-FL)**

Summary Record

1. Background

Under USDOL funded project GLO/06/50/USA, ILO's International Programme on the Elimination of Child Labour (IPEC) had initiated in 2008 a series of eight country studies (Bangladesh, Bolivia, Cote d'Ivoire, Guatemala, Mali, Nepal, Niger, Zambia) to develop and test survey tools to estimate forced child labour¹. In parallel, under various TC projects, the ILO's Special Action Programme to combat Forced Labour (SAP-FL) initiated a series of five national surveys of forced labour, including that arising from human trafficking, between 2008 and 2009. Three of these focused on forced labour of adults (Armenia, Georgia and Moldova), while two also targeted the situation of children in forced labour (Niger and Nepal), in collaboration with IPEC.

A 2-day technical meeting of country consultants was organised jointly by IPEC and SAP-FL in Kathmandu on 30 November and 1 December 2010 to bring together a selection of the consultant statisticians and survey practitioners involved in the implementation of the national surveys, as well as other invited experts, to share the results of the surveys and to discuss methodologies (including sampling and estimation methods) for surveys on forced labour of adults and children.

The main objective of this technical meeting was to share country experiences, insights and lessons learnt in the data collection process, with a view to generate specific suggestions to improve the methodologies and tools tested for estimating the extent of forced labour of adults and children at national level. The background document for the meeting, accordingly, was a draft manual containing guidelines on the field implementation of methodologies to estimate the extent of forced labour of adults and children, prepared by ILO on the basis of national surveys in selected countries².

Country consultants and national statistical offices who had been involved in implementing the country surveys on forced labour as ILO's national implementing partners, participated in the meeting and were from Armenia, Bangladesh, Bolivia, Cote d'Ivoire, Guatemala, Mali, Moldova, Nepal and Niger. Invited experts and ILO staff and consultants also contributed to the presentations and discussions.

The meeting provided simultaneous interpretation in English, French and Spanish.

¹ As precursor to this series of country studies by IPEC, in 2007, the set of qualitative research on forced labour of children was published by IPEC based on interviews of non-representative samples of children in 4 countries: Ghana, Haiti, Niger and Pakistan. The findings established the link between forced labour of children, exploitation and coercion, and revealed the main dimensions of what constitutes forced labour of children.

² The draft manual and guidelines on estimation methodology will be revised following the workshop on the basis of the discussions and recommendations of participants, and subsequently published by the ILO.

The list of participants, the programme of the meeting, and the background document are appended, respectively, as Annex 1, Annex 2 and Annex 3 to this report.

The main contents of this report are:

- A. A brief overview of the individual country presentations (in alphabetical order of country name).
- B. A summary record of the discussed issues and suggestions made on possible improvements to the draft manual in a revised version.

2. Overview of country presentations

Armenia

A stand-alone nationwide household sample survey on trafficking for forced labour of adults was implemented by the National Statistical Service of Armenia (NSS) in collaboration with SAP/FL over a 1-month period between 10 November and 10 December 2009 with the objective to estimate the number of victims of trafficking. A short questionnaire was applied to a sample of 5,000 households to estimate labour migration. An individual questionnaire was applied to 309 households with return migrants to obtain information on their recruitment process, travel arrangements, living and working conditions abroad, money transfers, etc. to assess their status regarding exploitation and deception.

The survey estimated that 199,735 Armenian migrants (or 7.9 percent of Armenia's *de jure* 16 years and older population) were working or looking for employment abroad at certain times between October 2007 and December 2009. Returned migrants were estimated at 121,337 persons. The proportion of successful migrants was estimated at 41.8 percent, meaning that six out of ten returnees had experienced significant degrees of deception, exploitation or coercion during their trips. The proportion of returnees who did not experience any elements of deception, exploitation or coercion was as low as 11.6 percent. The proportion of exploited migrants was estimated at 41.3 percent, and almost equal to the proportion of successful migrants. The proportions of deceived and exploited migrants and victims of trafficking for forced labour were estimated at 8.4 percent and 4.3 percent, respectively, suggesting that over 10,000 Armenian labour migrants who returned to Armenia between October 2007 and December 2009 were victims of deception and labour exploitation, while over 5,000 were victims of trafficking for forced labour.

Bangladesh

The Bangladesh Bureau of Statistics (BBS) in collaboration with ILO-IPEC

conducted a survey on children working in dry fish industry in Bangladesh. The dry fish sector was identified in the workshop held in Dhaka in December 2009 as a sector at risk of forced labour of children. The survey aimed at estimating the extent and understanding the (i) mechanisms of recruitments (ii) means of coercion which force children to work and (iii) the link between coercion and exploitation with an effort to identify the children who are most at risk of becoming victims of forced labour.

The survey was designed to capture both quantitative and qualitative information in order to provide an estimate of the number of children victims of forced labour in dry fish industry in Bangladesh. The survey was conducted in five selected districts viz. (i) Bagherhat, (ii) Patuakhali, (iii) Borguna, (iv) Chittagong and (v) Cox's Bazar to provide information of child workers and forced labour of children in the dry fish industry of Bangladesh. A total of 597 establishments were sampled from a total of 2105 establishments and 1738 child were interviewed from a total of 2697 child. According preliminary survey findings, there were 7,700 children in Bangladesh who were working in dry fish producing units, with more boys (80.7 percent) than girls (19.3 percent). Of these, 23.2 percent are found to be working in a forced labour situation. Forced labour concerns mainly boys, as 25.4 percent of boys working in dry fish industry are estimated to be in forced labour, as against 14.1 percent of the girl workers.

Bolivia

The choice of Bolivia as a pilot country to survey forced labour of children was based on the opportunity to use the national child labour survey (NCLS) as a frame into which a specific module on forced labour could be incorporated. Moreover, previous research had shown evidence of forced labour among adults and children in the country. For example, Trafficking in Persons report 2010³ says that "A significant number of Bolivian children are subjected to conditions of forced labor in mining, agriculture, and as domestic servants, and reports indicate some parents sell or rent out their children for forced labor in mining and agriculture near border areas with Peru". Using a NCLS already designed imposed some limitations on the number of questions that could be added and on the sampling strategy, but gave the opportunity to get a global picture and estimate of forced labour nationwide.

The study aimed to estimate the number of child workers, and determine also the potential causes and consequences of forced labour of children. It defined *four* risks of "being in forced labour", namely, 1) being unable to change employer, 2) being unable to keep full salary, 3) being sent to work to repay debt, and 4) being sent to work to overcome negative income shocks. The analysis found that of the child population 5-14 years, 0.8 per cent of working children numbering 4,901 were in forced labour, while for the population 14-17 years, the corresponding numbers were, respectively, 1.9 per cent and 5,172 children. The study found that children in forced labour worked, on average, longer hours, but generally received higher wages.

Cote d'Ivoire

In 2005, the '*Institut National de la Statistique*' of Côte d'Ivoire carried out a Child Labour Survey in collaboration with ILO/IPEC. At that time, 685,195 children, representing 22.5 percent of the children aged 5-17 years, were found to be economically active. Among them, more than 8 out of 10 (83.5 percent) were in child labour. More than one-half (58 percent) of the working children were in the agriculture sector, almost one-quarter (23 percent) in trade and less than 10 percent in industry. Recently, Côte d'Ivoire has been often quoted as a country where forced labour could happen as a result of trafficking in children.

³ US Department of State, Trafficking in Persons report, 2010, Bolivia

It was therefore decided, in collaboration with the relevant national authorities, to use a new '*Enquête Niveau de Vie des ménages (ENV)*' in 2008 in which to embed a module on child labour and more specifically include a set of questions on forced labour. The survey was based on 12,600 households from 630 randomly selected clusters. It was estimated that about 37,359 children comprising 2.2 per cent of the children aged 5-17 years numbering 1.68 million were in forced labour, mostly in rural areas, for the reason that they cannot leave their work freely on their own wish. However, certain dimensions of the forced work could not be taken into account, namely, on recruitment, transportation and underlying desire to migrate (e.g. to re-pay debt or to lead better life) because of the different objectives of the main survey.

Guatemala

Results from the child labour module of the Living Standard Management Study Survey (SIMPOC, 2000) indicate that 21.0 per cent (0.34 million) of boys and 11.0 per cent (0.18 million) of girls aged 5-14 work. Overall, 16.1 per cent (0.52 million) of children in that age group are engaged in economic activity. Among working children 5-14 years, approximately three out of every five are employed in the agricultural sector, 14.0 per cent are employed in the industrial sector and the remaining 23.4 per cent work in services. Recent studies showed that there are many migrant families in search of temporary jobs in agriculture, and it seemed that, in the context of migration, whole families, including children, are recruited to work in farms in exchange of advance of wages. The conditions of recruitment of children, the conditions of work and the possibility to change employers, which are the key elements of what constitutes forced labour, required further study.

Four geographical pockets were identified by key respondents as main destination for migrant workers in agriculture: Huehuetenango, San Marcos, Quetzaltenango and Quiché. In these areas, a focussed study estimated that 26,895 children are in forced labour, due to various criteria, such as, limited freedom (enforced by use of force, induced indebtedness, ID confiscated), forced to work even with illness/ injury, etc.

Mali

In May 2009, UCW ("Understanding Children's Work"), published a report on the situation of child work in Mali. This report was based on several sources, including a national survey on child labour implemented in 2005 by the '*Direction Nationale de la Statistique*' with the support of ILO. It revealed that about 1.4 million children between 7 and 14 years old are economically active, representing slightly more than one out of two children. At the same time, several reports highlighted the phenomena of children begging in the streets of the main cities of the country. Begging is not an economic activity, but can be considered as a worst form of child labour, especially if begging is organised by someone who "employs" the child to beg. The conditions in which these children decide to beg, whether it is for themselves or their family, or for a non-family related adult, have yet to be studied. This is why it was decided to conduct a survey on this issue, with a special focus on the children who have to beg under the coercion of a third party.

The study was based in three cities of the Mali (Bamako, Ségou and Mopti) with the intention of making recommendations for the prevention and the rehabilitation of the begging children. The study aimed to propose a typology of the different forms of begging, to understand the mechanisms that drive the children in this position, the

constraints that weigh on them, describe the characteristics of their conditions of life and of work, to estimate the phenomenon of the begging children in its different forms, and to analyze the link between the degree of coerciveness and the exploitation of the begging children. The survey applied the capture-recapture methodology, which had two constraints. First, it was sensitive to have the begging children (captured for first time) to carry a small band on their arms or feet to be able to identify them to the second capture. Second, the survey was limited only to accessible beggars, that is, those who are active and frequent the targeted zones. In main, two types of begging children were observed, the talibés (only male) and other beggars (one-quarter female). Most of the children were forced to beg by threat of violence, and because it was impossible to leave his master or with difficulty.

Moldova

In 2008, the National Bureau of Statistics of Moldova was the first to test ILO methodology to survey and estimate forced labour and trafficking resulting from labour migration out of Moldova. A specific module on labour migration was designed and embedded in the regular Labour Force Survey. This module included a special set of questions related to the process of recruitment, travel, search for a job and working conditions of labour migrants from Moldova. Anyone (16 and above) who had been working abroad and came back to Moldova in the year prior to the interview was eligible to fill the questionnaire. In order to ensure a large enough number of eligible respondents (returned migrants), the normal sampling of Labour Force Survey was complemented by an additional set of households taken from the sample of 2007 Labour Force Survey. Households which had at least one member who was abroad for work at that time were added to the new sample.

The results show that 12.3 percent of the whole population of working age (15-64 years old) is involved in labour migration, either as been currently working abroad (9.5 percent) or having returned in the past year from working abroad (2.8 percent). Two-thirds of labour migrants are men, coming mainly from rural areas. Most of the migrants found a job in CIS countries, in construction sector for men and household services for women. Using the indicators of deception, coercion and exploitation embedded in the questionnaire, it was possible to show that nearly 60 percent of migrants were successful, 24 percent were exploited, 7.6 percent were deceived and exploited and 9 percent appeared to be in forced labour. Victims of forced labour are younger than the other migrants, with a lower level of education. In most cases of forced labour, employers used the retention of wages to keep the workers with them longer than agreed, which is a strong indicator of forced labour.

Nepal

A survey on Forced Labour of Adults and Children in Agricultural Sector is was carried out by a team of experts affiliated to the Central Department of Population Studies (CDPS), Tribhuvan University during April-December, 2009. The survey aimed to estimate the magnitude of adults and children in forced labour, especially among those working as Haruwa-Charuwa and Haliya in Nepal and examined the situation of workers vis-à-vis living conditions, working conditions, mode of payments and earning, violence, abuse and restriction/coercion. The survey covered 12 districts – seven from central and eastern Tarai and five from far- western hills. The survey used three stage stratified sampling scheme and selected two groups of households i) Haruwa-Charuwa and Haliya or target group and ii) non-Haruwa-

Charuwa and Haliya households or control group. A total of 6,330 households were sampled from a total of 216 village development committees (VDCs) in 12 survey districts (18 VDCs in each district) and 6,295 households (2,060 for target group and 4,235 for control group) were successfully enumerated.

The survey estimated 0.94 million households in the 12 districts, of which 111,149 households (12 percent) were affected by forced labour (meaning that at least 1 household member was working in forced labour). An overwhelming majority of Haruwa-Charuwa and Haliya (90 percent each) and 5 per cent of control group were affected by forced labour. About 13 percent households in the Tarai districts and 5 percent in far-western hill districts were affected by forced labour. Eleven per cent of the total 0.55 million households were affected by debt bondage. A total of 143,000 working adults (9 percent) out of 1.6 million were in forced labour, as defined by the combination of unfree recruitment, impossibility to leave and means of coercion. The number of working children aged 5-17 years was estimated as 89,545, of which one-third were in forced labour situation.

Niger

In 2007, the “Institut National de la Statistique” from Niger implemented a National Child Labour Survey (NCLS) to gather quantitative information on the number of children working, their tasks, attendance to school and other relevant indicators, as a household based survey with a sample of 4,800 households. The survey aimed at collecting information on the economic and non-economic activities of children 5 to 17 years old, on the demographic and socio-economic characteristics of children and on the working conditions, the health and safety issues of working children. A set of questions related to forced labour were embedded in the NCLS questionnaire, and the sampling design was modified to ‘oversample’ the regions where forced labour was more likely to be found. During a meeting of the National Commission on forced labour and discrimination, the national experts highlighted the fact that the situation of the children was highly dependent on that of their parents: if a father or a mother is working in forced labour for another family, it is most probable that the children (or some of them) have also to work for the same employer or for his relatives. In that case, forced labour of children may be hidden in family work. The survey had therefore to be designed to capture all dimensions of forced labour, including the situation of both adults and children.

The survey estimated a total of 59,541 adults in forced labour which is equal to about 1.1 percent of the total number of adults. The percentage of working women in forced labour is slightly higher than working men in forced labour (1.2 and 1.0 percent, respectively). Nearly half of adults in forced labour work as domestic employees in private households and almost one quarter work in agriculture or animal husbandry. In those two activities the proportion of adults in forced labour is higher than in other activities with prevalence of 2.1 percent and 2.4 percent respectively. A total of 54,564 children are identified as being in forced labour, 24,682 girls and 29,882 boys, representing respectively 2.4 percent and 3.3 percent of working girls and boys. Multivariate analysis shows that the likelihood of being in forced labour increases for a children when households have a lower monthly expenditure and when the head of household is a woman. Children in households where some of household members are in a domestic activity also have higher risk of being in forced labour. The fact of moving from rural to urban areas and deterioration in the socioeconomic status of the

household as a result of natural disasters or bad harvest or loss of a household member etc. increases the likelihood of children being in forced labour. The possibility of the household securing credit decreases the risk of children to be in forced labour.

3. Summary of suggestions on revision of the draft manual

The presentations on the text of the draft manual were based upon, and as well followed, the text of the background document, which is appended as Annex 3 to this report, and are therefore not elaborated. Only the observations and suggestions on the revision of the draft manual are contained in this section of the report.

For the sake of clarity in understanding the remarks made by participants and experts at the meeting, and in order that this report be useful for revising the draft manual, the observations by participants are consolidated and presented according to the outline of the background document (draft manual), regardless of the working session during which the observation was made.

General

The guidelines in the draft manual respond to a real need for specific tools to estimate forced labour of adults and children. Thus, as with the draft manual, for the revised manual also the emphasis will remain on **points specific to surveys of forced labour**. All classical techniques of survey design and implementation, if directly applicable to surveys on forced labour, won't be recalled in the guidelines, and references might be provided where required.

Some clarifications should be added to specify who are the **target group** for the manual and guidelines.

It is necessary to develop the section explaining why and how the results of surveys made with these tools can be **useful** to design, implement and monitor **policies and programmes** related to forced labour.

The rationale should also make it clear what forms of forced labour can be estimated with the tools proposed, and **what forms of forced labour are not covered**.

Given the complexity of the problem studied and the known and highlighted limitations of the tools presented, it is suggested to rename the guidelines as **provisional guidelines**.

1. Preparation phase

In the section presenting the preparatory work, more emphasis should be put on the necessary **qualitative survey** which should be run before the design of any quantitative survey. In particular, in the context of forced labour, qualitative research is useful to provide relevant information on the areas, the groups of people and the sectors of activity more at risk of forced labour, the forms of forced labour existing in the country, the means of recruitment and coercion used by recruiters and employers. This information is necessary for designing first, an appropriate and efficient sampling, and second good questionnaires. Moreover, a qualitative research may also aim at collecting first hand testimonies of a whole range of people, such as victims or ex-victims of forced labour, parents or relatives of victims, recruiters, employers, workers working or having worked with people in forced labour, NGOs or other

social services in direct contact with victims or ex-victims, etc. These testimonies can later be used in the report presenting the estimates in order to provide explanations to the figures presented.

Another important element of the preparation phase is to determine the **right period for the survey**. Forced labour can be seasonal, in the sense that it increases or decreases in some periods of the year. This is the case when forced labour is related to agriculture, for example. Another reason for giving attention to the right choice of the survey period is the availability of respondents. In the case of children, one obvious parameter is the school timeframe which directly impacts on the children's activity and availability. In the case of forced labour resulting from migration, the researcher must take into account the seasonality of migration, where this is relevant. If the objective is to survey the migrants in their working place, at destination, the period should be chosen around the peak season for migration. If, on the contrary, the survey aims at questioning returned migrants, that is, migrants back to their place of origin, the survey should take place during the main festivals in the place of origin (main traditional festivals, or religious celebrations, or new year events, etc.)

Another important element of the preparation phase is related to the **national legal framework**. The legal context frames the whole design of indicators and analysis of forced labour in a country. Therefore, the guidelines should present more in detail the possible sources of national legal information which should be looked at while preparing the survey.

2. Indicators of forced labour

There are currently two sections on indicators: one for adults and one for children. This can stay but their presentations should be **harmonised**.

The question of **degree of severity of the indicators** is closely linked with the question of minimum set of indicators or questions which should be taken into account in a national survey. Further statistical work still needs to be done on the various available datasets to determine the most discriminant indicators, or, in other words, the most relevant indicators. This is a long term research, which should first be made on the basis of existing datasets, but later completed by research done outside the ILO or in other countries.

Meanwhile, the revised version of the guidelines should give some guidance on this topic, including the impact of the choice on the analysis. The issue is to clarify the recommendations regarding the use of various **degrees of severity** of the indicators. In the Delphi indicators of trafficking (quoted in the guidelines), there are three degrees of severity (strong, medium and weak), whereas the indicators of forced labour of children do not have degrees of severity. There are four possibilities to harmonize the indicators:

- To transfer the degrees of severity from Delphi indicators to the indicators of forced labour presented in the guidelines
- To simplify to two degrees of severity (as is done in the case of adults)
- To let each country decide on the degree of severity of each indicator
- Not to use any degree of severity and to treat all indicators as equally severe

Some suggestions in the revised manual should be presented for consideration by users.

3. Sampling design

The section on the selection of the type of survey and sampling design will be enriched by incorporating the **presentation given** during the workshop.

Moreover, this section should give clear indications on the **matching between the different sampling methods and the pattern of forced labour to be studied**. In other words, the reader should be able to understand when (in which cases) and why he should select one type of sampling as the most appropriate for the national context of the survey to be designed.

The presentation of sampling methods will give **pros and cons** for each sampling methods, including, if possible, some indications of the costs and requirements for each method. If possible, **examples** of implementation of these techniques for estimating forced labour or other similar phenomena will be given.

Special attention will be given on the computation of **margins of error** related to each sampling technique.

Because forced labour is not only a rare phenomenon but can also be hidden, special attention should be given to propose specific sampling techniques to survey the **hidden forms** of forced labour.

The presentation of the various techniques will be completed by a list of useful **references** to which the people in charge of designing sampling can refer for more in-depth information.

4. Questionnaire design

The main addition will be a new section presenting the **minimum set of questions** related to the various types of possible results, from a single figure of a national estimate, to an in-depth analysis of profiles of victims, causes and consequences. For each dimension of forced labour, a **selected number of key questions** will be highlighted, so that the reader can be guided on what questions he should incorporate in his questionnaire, according to the desired results.

This section will be **restructured in order to avoid confusion** between the questions which are necessary to “fill” the indicators of forced labour (and therefore to identify the victims and compute an estimate), and the questions which are recommended to allow an in-depth analysis of the causes and consequences of forced labour on adults or children.

In particular, the **answers to model questions** which match the indicators will be highlighted, while all other possible answers will remain as examples of answers which do not qualify to identify forced labour.

A short section of questions related to **work history of respondents** before they became victims of forced labour will be added. They will be used in the section

presenting the possible analysis of profile of victims and determinants of forced labour.

5. Field work (preparation and actual)

Challenges that field workers may face during the data collection will be presented in a new section.

This will be used to give more details on topics that should be addressed during the **training of interviewers and supervisors**. In particular, more emphasis should be put on the necessity to select and train interviewers capable of understanding some specific rules related to some sampling techniques (such as stopping rules for snowball methods).

Some guidelines on the most appropriate way to **run interviews on sensitive topic** with **vulnerable respondents** will be added.

Pros and Cons of **selecting interviewers from the areas** where the survey is taking place will be presented.

6. Analysis

The guidelines for the identification of respondents of forced labour will be revised to take into account the **degrees of severity of the indicators**, if relevant.

A section will explain or suggest how to deal with **contradictions between answers from parents and children**, if relevant. On the same line, in the context of surveys on forced labour of migrants, some indications will be given for comparing answers from migrants and answers from their relatives.

This section will insist on the necessity to present the final estimate of forced labour among with **margins of error** and explanations on the reliability of the estimate.

More explanations will be given on the possible tools to look for **determinants of forced labour**, with examples of outputs of such analysis.

7. Possible follow-up

Some suggestions were made by the participants on possible follow-up to the publication of these guidelines:

- to study the modifications which should be made to the guidelines in order to cover more comprehensively the measurement of trafficking of adults and children;
- to use these tools to survey domestic work, in particular to detect and estimate the extent of forced labour among domestic workers (adults and children);
- to add, if necessary, specific guidance on sampling tools, indicators and questions in order to survey employers, recruiters and possible traffickers; and
- to present these guidelines to other ILO departments potentially interested in collaborating on further research (MIGRANT, STAT, INTEGRATION).



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Kathmandu, 30 November-1 December 2010
(Venue: Hotel del' Annapurna, Durbar Marg, Kathmandu)

Programme of the Meeting

Tuesday, November 30th

8.30 - 9:00	Registration
9:15	Welcome and Introduction Welcome by Mr. Shengjie Li, Director, ILO Country Office for Nepal Introductory remarks by Mr. Frank Hagemann, Chief of Policy and Research, IPEC and Ms. Caroline O'Reilly, Head of SAP-FL Presentation of the participants
9:45	Working Session 1: Measurement framework Chair: Mr. Farhad Mehran <u>The Challenge of Developing Statistics on Forced Labour of adults and children</u> , by Ms. Michaëlle De Cock, Consultant, ILO <ul style="list-style-type: none"> ➤ Operational definitions for measurement of forced labour ➤ Mapping the knowledge, Sampling, Indicators, questionnaires and ethics Open Discussion
10:30	Tea/ Coffee Break
10:50	Working Session 1: Measurement framework [Continued]
12:30	Lunch Break
13:30	Working Session 2: Presentation of national surveys (10 minutes each) Chair: Caroline O'Reilly <u>Forced labour of children</u> : Bolivia, Côte d'Ivoire, Mali Open discussion <u>Forced labour of children (contd.)</u> : Bangladesh , Guatemala Open discussion
15:30	Tea/ Coffee Break
15:50	Working Session 2: National presentations (10 minutes each) Chair: Frank Hagemann <u>Forced labour of adults and children</u> : Nepal, Niger Open discussion <u>Forced labour of adult migrant workers</u> : Armenia, Moldova Open discussion
18:00	End of Day 1

Wednesday, December 1st

9:00	Working Session 3: Survey design Chair : Bijoy Raychaudhuri, ILO Technical introduction on survey design, by Mr. Farhad Mehran, Consultant, ILO <i>Open Discussion</i>
11:00	Tea/ Coffee Break
11:20	Working Session 4: Questionnaire design and survey implementation Chair: Caroline O'Reilly Technical introduction on questionnaire design and survey implementation, by Mr. Bijoy Raychaudhuri, ILO/IPEC <i>Open Discussion</i>
13:00	Lunch Break
14:00	Working Session 5: Analysing the results Chair: Mr. Farhad Mehran Technical introduction on analysis of data on forced labour, by Ms. Michaëlle De Cock, ILO Consultant <i>Open Discussion</i>
16:00	Tea/ Coffee Break
16:20	Working Session 6: The way forward: how to improve the draft guidelines on measuring forced labour? Working Session 7: Lessons learnt from surveys and their use for policy and programmes Co-Chair: Frank Hagemann and Ms. Caroline O'Reilly Remarks from Co-Chairpersons Comments from Country Consultants <i>Open discussion</i>
17:45	<i>Closing Remarks</i> Ms. Caroline O'Reilly, SAP/FL Mr. Frank Hagemann, IPEC
18:00	End of Day 2

Annex 2

Meeting of Consultants on Methodology to Estimate the Prevalence of Forced Labour of Adults and Children Kathmandu, 30 November - 1 December 2010

List of Participants

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How to estimate the extent of forced labour of adults and children in a country

DRAFT

Lessons learnt from eleven national experiences in 2008-2010

**Armenia, Bangladesh, Bolivia, Côte d'Ivoire, Georgia, Guatemala, Mali,
Moldova, Nepal, Niger, Zambia**

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Introduction

The need to estimate the extent of forced labour and trafficking at national level is recognised worldwide. As for any other problem, the dynamic between data collection, analysis and action planning is the heart of a sustainable action. Reliable statistics are necessary to understand the nature and the extent of the problem, and from that to underpin causes and consequences of forced labour. The results of such analysis are precious input for policy makers and for all stakeholders involved in the fight against forced labour. In addition, regular data collection can provide an answer to the need to assess progress and achievements in the framework of dedicated prevention projects.

Apart from qualitative data which require specific tools to collect, store and analyse, there are two types of quantitative data that can be collected: first, individual data on victims or perpetrators collected through interviews with identified persons, and second, statistical data collected through anonymous population surveys on the basis of which extrapolation can be made. The objective of both methods is to understand the scope of the problem though the first differs fundamentally from the second. Much work has recently been dedicated by international actors to the harmonization and improvement of quality of the first type of data on human trafficking. To mention only a few of them, we can refer to the Institute for International research on Criminal Policy from Ghent University which presented in 2006 standardised templates for EU-wide collection of data on missing and sexually exploited children and trafficking in human beings. In 2008, ICMPD published a handbook on anti-trafficking data collection in South-Eastern Europe. In 2009, IOM launched a publication resulting from an EC project on harmonisation of data collection on human trafficking. The UNODC report, first published in 2009, is focused on law enforcement responses and thus sexual exploitation, with the presentation and analysis of reported cases of trafficking in persons, victims, and prosecutions in 155 countries.

All these guidelines are designed to harmonise the design of databases of identified victims or traffickers. Common sets of variables are proposed so that countries can publish comparable statistics on the number of existing cases, victims or perpetrators of human trafficking, including trafficking for forced labour for some of them. These are useful tools but cannot be used in the context of anonymous statistical surveys, for which no tools were available in spite of the need for national statistics.

In response to similar requirements in many other social issues, survey tools have been designed, tested and implemented. But forced labour and trafficking are difficult to survey for many reasons: it is a hidden phenomena, the concept is not self explanatory in spite of the only international definition given in the ILO Conventions C29 and C105 on forced labour, there are many abuses of language worldwide and victims may be unable to qualify their situation and to recognise themselves as victims. In addition, victims of forced labour constitute a rare population, which means that specific sampling techniques must be used to capture them in a statistical survey. Last but not least, ethical issues are crucial: workers who are suffering or have suffered from deception, violence or other means of coercion should be interviewed with cautiousness. They may be reluctant to answer to questions or, on the contrary, may want to take the opportunity of an interview to claim for help.

In its 2005 Global Report, the ILO estimated that there are 12.3 million people in forced labour around the world, of which 2.4 are victims of human trafficking. Children represent half of the victims. Regional breakdown of figures was presented. The results show that a

majority of 80 percent of modern forced labour is in the private economy. In 2009, the ILO used these regional and global figures as a basis for estimating the “Cost of coercion”, i.e. the difference between victims’ actual income from forced labour and the income that is foregone because they are not free. Taking into account wages in selected sectors of activity, deductions imposed to workers and forced overtime, the cost of coercion was estimated to be 21 billion USD.

The interest emerged from these global figures raised the demand for survey tools that could be used by countries willing to better understand the situation of forced labour within their borders. It is also expected that such statistical surveys will bring an answer to the global polemics about the number of victims, more precisely about the discrepancy between the number of identified victims and the current estimates, usually published without the methodology used to produce them. In short, these survey tools are designed to explore for the first time the hidden part of trafficking or forced labour.

This brochure aims at sharing the experience gained by ILO between 2007 and 2009 in developing and testing sampling techniques and specific survey modules to estimate trafficking and forced labour at country level. Eleven countries decided to test and adapt the tools designed by ILO to survey forced labour of adults and/or children and: Armenia, Bangladesh, Bolivia, Côte d’Ivoire, Georgia, Guatemala, Mali, Moldova, Nepal, Niger and Zambia. In two countries, Nepal and Niger, the surveys were designed to capture the situation of both adults and children. Notwithstanding the huge differences between the types and mechanisms of forced labour in these countries, all surveys were designed and implemented with a consistent approach.

Objectives of this handbook

This handbook, developed on the basis of ILO theoretical work and field experience in data collection on forced labour of adults and children, aims at:

- Presenting an operational definition and associated indicators of what constitutes forced labour, with or without trafficking.
- Detailing a process with a list of steps to be followed by countries willing to implement a survey on forced labour.
- Specifying sample techniques suitable to survey specific situations of forced labour
- Proposing a minimum set of questions necessary to assess trafficking and forced labour. These questions could be embedded in questionnaires or form a specific module.
- Providing some hints for the analysis of surveys designed to capture forced labour and trafficking
- Providing an example of the outline of what should be found in a national report on forced labour

This handbook is specifically aimed at national statistical offices and private research institutes or individuals in charge of designing and implementing quantitative surveys on forced labour and trafficking. Nevertheless, the concepts presented here, particularly the information related to indicators and the design of questionnaires can also be used for qualitative research and for the design and processing of databases. Using the same approach and theoretical model for all data collection systems implemented by various stakeholders within a country significantly improves consistency between these complementary approaches.

For each topic, the general explanation (in green boxes) is followed by an implementation example (in orange boxes).

The first part of the handbook is a presentation of the methodology designed and tested in the context of surveys of forced labour of adults. Although most of the tools presented could be adapted to survey forced labour of children, it appeared necessary to design tools specific to the definition, mechanisms of coercion, and social characteristics of children in forced labour. They are presented in the second part of the handbook.

Part I: Forced labour of adults

International legal framework

This section presents the international definitions underlying the context of national studies on forced labour and trafficking. National laws may rely on slightly different definitions which must be taken into account when designing a national survey.

Forced labour

ILO Convention No. 29, adopted in 1930, defines forced or compulsory labour as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (Art. 2.1). The Convention provides for certain exceptions, in particular, with regard to military service for work of purely military character, normal civic obligations, work as a consequence of a conviction in a court of law and carried out under the control of a public authority, work in emergency cases such as wars or other calamities, and minor communal services (Art. 2.2). A subsequent ILO Convention, No. 105, adopted in 1957, specifies that forced labour can never be used for the purpose of economic development or as a means of political education, discrimination, labour discipline or punishment for having participated in strikes.

Forced labour, as defined by the ILO, encompasses situations such as slavery, practices similar to slavery, debt bondage or serfdom – as defined in various international instruments, in particular, the League of Nations’ Slavery Convention (1926), and the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956). Other ILO Conventions rely on, or complement, Convention No. 29, without modifying this definition. In particular, ILO Convention No. 182 on the elimination of the worst forms of child labour, adopted in 1999, considers that the worst forms of child labour include, among others, “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour ...” (Art. 3). In the context of these surveys, child labour is considered as forced labour only when coercion is applied by a third party to the children or to the parents of the children, or when a child's work is the direct result of the parents being in forced labour.

Forced labour and trafficking in persons.

Forced labour can be in some cases the result of human trafficking. According to the 2000 UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol), trafficking in persons refers to the recruitment or transfer of persons, by force, abduction or deception, for the purpose of “exploitation”. The U.N. protocol further specifies that “exploitation” includes “forced labour or services, slavery, or practices similar to slavery” as well as other matters – which are not the subject of the present paper – such as “the removal of organs”

Although the Palermo Protocol is specifically linked to the U.N. Convention Against Transnational Organized Crime, trafficking can take place both across or within borders. An example of internal trafficking involves casual workers who are recruited by labour intermediaries who promise good pay for hard work. Workers are then transported into distant places and greeted by a group of armed people, who force them to work for little or no pay in agriculture. Examples of international trafficking include women moved abroad

and deceived into forced domestic workers or forced prostitution, or migrant males deceived by traffickers and tricked into forced work in destination countries.

Migrant worker

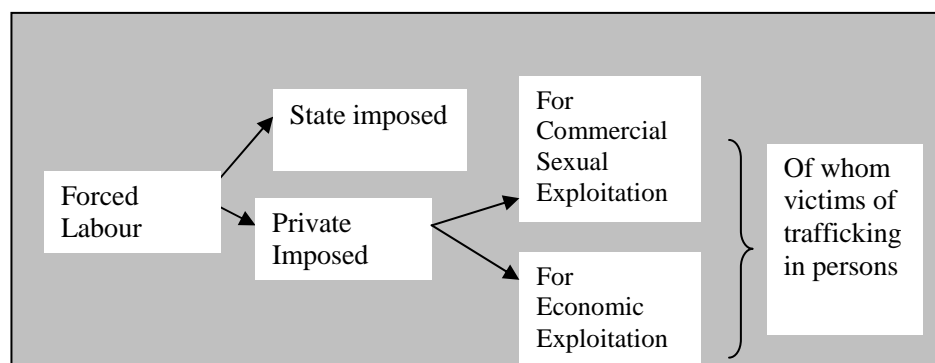
The ILO Convention No.143 (1975) on migrant workers defines a migrant worker as “a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker”.

Typology of forced labour

Forced labour can be found in practically all countries and all sectors of activity. The typology below was constructed for the needs of the global estimate as figures were computed for each of the three main groups:

- Forced labour imposed by the State (exacted by the military, compulsory participation in public works and forced prison labour)
- Forced labour imposed by private agents for commercial sexual exploitation
- Forced labour imposed by private agents for economic exploitation, including bonded labour, forced domestic work, work imposed in the context of vestiges of slavery of forced labour.

In addition to this broad typology, a distinction can be drawn between workers in forced labour who have been trafficked and those who have not.



The tools presented in this handbook are designed to estimate forced labour imposed by private agents for economic exploitation, with or without trafficking.

They could be adapted if needed to the two other groups of victims, namely victims of forced labour imposed by the State or victims of forced commercial sexual exploitation.

Where were the tools tested

Sampling techniques and questionnaires were tested in three sets of countries: first Armenia, Georgia and Moldova which are known to be sources of labour migration and therefore potentially sources of trafficking, second, Niger and Nepal where more traditional forms of forced labour are believed to exist and third countries where mixed forms of forced labour of children could be found: Bangladesh, Bolivia, Côte d'Ivoire, Guatemala, Mali and Zambia. Details on surveys on forced labour of children are given in the second part of this handbook.

Trafficking of human beings for forced labour is a process which involves some movement, within or between borders, from a point of origin to a place of destination where the exploitation takes place. In theory, the measurement of the phenomenon could take place at any point between the source and the destination, including during the transit phase. Practically however, we decided to estimate trafficking for forced labour in the countries of origin for two main reasons, one political and one technical: firstly, these countries have implemented action plans to fight trafficking and surveys provide information relevant for their project design, and secondly, in this geographical context, the target population (labour migrants) shows a higher prevalence in the countries of origin than in the countries of destination. To be more precise, existing estimates of the percentage of households involved in labour migration (where at least one member of the household is currently working abroad or recently returned from working abroad) vary from 10% to 15%, which is quite significant. Moreover, it was expected, and this was later proven, that it is easier to obtain truthful replies to questions related to recruitment and working conditions from workers who had left the exploitative working situations rather than from worker who are still suffering from them. It then was decided that the universe for estimating trafficking would be the group of people of working age who had recently returned from working abroad and that the survey would be household based.

Traditional forms of forced labour in Nepal and Niger have previously been studied qualitatively and local experts know in which districts/provinces they can be found. In both cases, workers who may be in forced labour live with their family and come back to their household every night. Based on this information, it was decided to test the tools using a household survey from which the sampling would be designed on the basis of previous knowledge.

In spite of the fact that the tools for adults were only tested in five household surveys, it is believed that they can easily be adapted to other types of surveys, such as establishment surveys, as it was done in the case of surveys of forced labour of children.

Indicators of forced labour

In a court, the prosecutor in charge of a case of alleged forced labour will examine the case in depth: he will interrogate the victim(s) and the perpetrator(s) to assess the situation, to understand the conditions of recruitment and conditions of work and will look for evidence to prove the coercion applied by the perpetrator on the worker. In a statistical survey, the set of questions is fixed a priori and is the same for all respondents. Questions must capture all necessary information to assess the involuntariness and the coercion applied to the worker.

This is why, for the purpose of data collection, international legal frameworks must be translated into operational indicators. They are intended to provide a clear and common definition of the basic elements of forced labour. Each indicator is a measurable variable. Although indicators were designed to be associated with numeric values, it was decided, in the context of this first pilot research, to limit indicators to Booleans. In short, each indicator can take the value “1” if the element associated exists, or “0” if it is not present. Thus, two sets of indicators were derived from the convention on forced labour: a first set to recognize the element of Involuntariness of a situation of forced labour and a second set to assess the **penalty or menace of a penalty** imposed on a worker to force him/her to work or to prevent him/her from leaving the employer. Both sets are presented in the next pages.

These indicators of forced labour derive from the set of indicators of trafficking for labour exploitation which was designed in 2009 by ILO in collaboration with the European Commission⁴. During this project, the Delphi methodology⁵ was used to build a consensus among European experts on what constitute the basic elements of trafficking. Six dimensions of the offence were identified (deceptive recruitment, coercive recruitment, recruitment by abuse of vulnerability, exploitative working conditions, coercion and abuse of vulnerability at destination) and approximately a dozen indicators were associated with each dimension. In reality, experts know that not all elements of coercion are equally important: if the situation of a worker abducted and then locked in a room and forced to work under constant surveillance is clearly a case of forced labour, the majority of cases are not so clear cut. This is why it was decided to qualify each indicator as strong, medium or weak according to the severity of the abuse. The strength of each indicator was also established by consensus among the experts.

This framework of indicators was adapted to assess situations of forced labour (independently from the existence or absence of trafficking) for the purpose of data collection. Indicators of forced labour however have only two levels of strength: strong or medium. The surveys aims at assessing the existence or absence of each indicator for each worker.

<u>Indicators of involuntariness</u>	<u>Indicators of penalty (threat or actual)</u>
<i>Strong indicators</i> Abduction of the worker Birth/descent into « slave » or bonded status Confinement in the workplace or dormitories (armed guards, locked doors) Confiscation of documents Recruited as collateral or towards reimbursement of a debt Deceived about the nature of the job Sale of the worker	<i>Strong indicators</i> Denunciation to authorities Impose even worse working conditions Punishment Religious retribution Removal of rights or privileges (including promotion) Sexual violence Physical Violence Withholding of assets (cash or other) Withholding of wages
<i>Medium indicators</i> Deceived about conditions of work Deceived about content or legality of employment contract Deceived about housing and living conditions Deceived about legal documentation or obtaining legal migration status Deceived about the job location or employer Deceived about wages/earnings Deceived through promises of marriage or adoption Induced addiction to illicit substances Induced indebtedness (by falsification of accounts, inflated prices, reduced value of goods or services produced, etc.) Multiple dependencies on employer (job for relatives, housing, etc.) Physical isolation, lack of transport Pre-existence of a dependency relationship with future employer Psychological compulsion Recruited under false promises of education Reduced freedom to terminate labour contract after training paid by employer Under strong influence of employer or people related to employer Violence (sexual or physical)	<i>Medium indicators</i> Dismissal Exclusion from future employment Exclusion from community and social life Extra work for breaching labour discipline Financial penalties Inform family, community or public about current situation of the worker

⁴ Operational indicators of trafficking in human beings, ILO-EC, March 2009.

http://www.ilo.org/sapfl/Informationresources/Factsheetsandbrochures/lang--en/docName--WCMS_105023/index.htm

⁵ On Delphi methodology, see: Harold A. Linstone and Murray Turoff, Editors Linstone & Turoff (1975). The Delphi Method: Techniques and Applications

Measurement framework

Indicators will be applied to different working situations encountered during the survey in order to detect whether or not the individual is working in a situation of forced labour. The following situations are examples of cases in which coercion may be applied on workers to extract work from them against their will. It is particularly difficult to detect because this can happen in any kind of situation, including “normal work”, where coercion is applied only to prevent the worker from leaving. The workers may be forced to:

- Fulfil tasks that were not part of the worker’s contract
- Fulfil hazardous tasks without protection
- Work overtime beyond the legal limits
- Provide sexual services
- Work in sub standard conditions
- Work for an other employer without the worker’s consent
- Stay longer than agreed in order to receive all wages due
- Commit illicit/criminal activities

In each of these situations, the indicators presented above can be used in data collection in order to detect forced labour. The way to combine the indicators to assess forced labour is the following:

Identification of forced labour and trafficking

In the context of data collection exercises, such as statistical surveys, all workers for whom exist indicators of involuntariness AND indicators of penalty (or threats of penalty), with at least one strong indicator, can be qualified as victims of forced labour.

If the working situation in which the worker is in forced labour takes place in the context of labour migration, i.e. as a result of a movement planned to find a job and facilitated by a third party, then the worker is classified as a victim of trafficking for forced labour.

Examples of use of indicators for measurement purpose

- A worker who was abducted, brought in a working place and forced to work under the menace of physical violence is a victim of forced labour (one strong indicator of involuntariness, one strong indicator of penalty)
- A worker who is recruited by force as a collateral for a debt and works under the menace of exclusion from community and social life is a victim of forced labour (one strong indicator of involuntariness, one medium indicator of penalty)
- A worker who was deceived about wages associated to his job and who cannot leave his employer because his wages are withheld by employer is a victim of forced labour (one medium indicator of involuntariness, one strong indicator of penalty)
- A worker who is dependent on his employer for housing and food and is subject to financial penalties from his employer if he refuses to do additional tasks which are not part of his contract is not a victim of forced labour (one medium indicator of involuntariness, one medium indicator of penalty)
- A worker who is found working in sub standard working conditions but who can leave his employer as soon as he finds a better job is not a victim of forced labour.
- A migrant worker who was deceived about the nature of the job promised and then cannot leave his employer because he is under the threat of denunciation to the authorities can be called victim of trafficking for forced labour (migrant worker victim of forced labour as a result of labour migration)

It should be noted that indicators may vary according to the form of forced labour to be proven. For example, the indicators to assess forced overtime must be consistent with the recommendations from the ILO Committee of experts on that topic⁶.

This measurement framework is a general framework which must be adapted to the national context and national laws of the country in which a survey is implemented.

Preliminary work at country level

A key challenge facing researchers or national statistical offices wanting to survey forced labour is identifying clearly and precisely the national legal framework of the research. This can be achieved by initially reviewing the legislation⁷, and then using the legal definitions to build the national framework with the operational definitions and correspondent indicators of forced labour to be used in the survey. Moreover, as survey tools are tailored to specific forms of forced labour, researchers must have some preliminary knowledge of the forms of forced labour existing in the country, in terms of sector of activity, population and geographical areas where forced labour may be prevalent. Based on this information, priorities for the survey can be determined and some forms of forced labour excluded from the scope of the research if so desired.

First steps:

1. Set up the conceptual framework with legal and operational definitions
2. List known forms of forced labour with available details on workers, sectors of activity and geographical areas
3. Design the national list of indicators
4. Decide on the scope of the survey

Suggestions for implementation:

1. Make a review of national legislation, constitution and any other legal instruments where forced labour is mentioned
2. Identify main national stakeholders involved in the area of forced labour
3. Run a literature review and/or qualitative survey including interviews of key respondents to map existing forms of forced labour in the country
4. Invite main stakeholders for a two-day workshop to :
 - Present the result of the qualitative survey
 - Build together a national list of indicators
 - Decide on the scope of the survey
 - Set-up a steering committee responsible for overseeing the survey, from the selection of implementing agency to the publication of the results. Ministry of Labour, Ministry of Migration (if relevant), National Statistical Office, other UN agencies, NGOs will be invited to send someone to participate in the steering committee,
5. Based on the results of the workshop, write precise terms of reference for the survey.

⁶ “The ILO Committee of Experts on the application of Conventions and Recommendations has specified that overtime can never be forced as long as it stays within limits permitted by national legislation and collective agreements. Beyond that the criterion of “vulnerability” of the worker is key. Overtime is forced where workers in practice have no choice to refuse overtime because of fear of dismissal or if working normal daily working hours would not give them the minimum wage (e.g., where remuneration is based on productivity targets).” From Mini Action Guide, Forced labour, ITUC, May 2008

⁷ The legal framework is not limited to criminal law but should also include constitution, labour law and trafficking legislation where relevant.

Desk review and Qualitative survey

Desk reviews and qualitative surveys are used to collect all necessary information to prepare the quantitative survey. In particular, they should focus on providing clear evidence of:

- Areas in the country where some forms of forced labour are likely to take place
- Groups of people more at risk of being in forced labour (such as an ethnic minority, age group, vulnerable group, etc)
- Sectors of activity and occupations where forced labour exist
- Means of recruitment of victims of forced labour
- Principal means of coercion used by recruiters/employers

This information will be collected both through interviews of key informants and through classic methods of qualitative interviews of respondents such as focus groups.

The data regarding areas and people at risk of forced labour will be used to select the type of survey and design the sampling.

The information collected on the means of recruitment, means of coercion and types of exploitation will be used as the main source to identify the most relevant indicators to be used in the questionnaire used for the quantitative survey.

In the process of the qualitative research, some testimonies of victims should be recorded, in order to interpret some of the findings of the quantitative survey and provide more insight into the experiences of victims of forced labour.

Interviews or discussion with recruiters and employers will provide the researcher with valuable information on the context in which forced labour is likely to be found.

Building the national list of indicators

The purpose of the mapping of forced labour nationwide and the qualitative research is to reveal the various forms of recruitment and means of coercion used against the victims. Based on this knowledge, the implementing agency will map these elements with the standard set of indicators and select those which are relevant for the survey. As explained in the chapter on the design of questionnaires, each indicator will be subsequently translated into one or several questions in a language applicable to the local context.

There are basically two approaches to build the national set: either bottom-up or top-down.

Setting up the national list of indicators

Bottom-up approach: in a context driven approach, all existing forms of forced labour are analysed and all elements of involuntariness or penalty are reported. Then, each element is matched with the indicator from the global list.

Top-down approach: the starting point is the global list of indicators. They are reviewed one by one and their relevance is assessed. At the end of the process, only those who have not been discarded appear in the national list.

Example of bottom-up implementation

Country X wants to estimate the extent of forced labour resulting of trafficking of its citizens to foreign countries. Qualitative studies have shown evidence of recruiters promising good jobs to women to work as domestic in private houses where they would have their own room. It seems that on arrival, women are forced to accept jobs as waitresses in bars and hotel and to live with other workers in a storage room provided by the employer. Other type of deception happens for men who are sent to remote places at destination instead of the capital city which was promised.

In view of these reports, the team responsible for the design of the survey recognises these elements as similar to the strong indicator of involuntariness: **“Deception about the nature of the job”** and to the medium ones: **“Deception about living conditions”** and **“Deception about the job location or employer”**.

Standalone survey versus incorporation of a module in an existing survey instrument

Once the objectives and the conceptual framework of the survey have been clarified, the next step is to decide on its structure: will it be a standalone survey, designed with the specific purpose of estimating forced labour or will it be incorporated in other surveys?

Standalone vs. modular surveys

Standalone	Modular
<ul style="list-style-type: none">+ Sampling is specifically designed to be the most efficient for the scope of the survey+ Questionnaires are specifically designed, length is controlled and vocabulary is specific+ Training of interviewers can focus on the issue of forced labour- The topic of the survey may appear clearly and cause difficulties in the data collection process due to the sensitivity of the topic- Cost is entirely for the forced labour survey	<ul style="list-style-type: none">+ Forced labour, which is a sensitive topic, can be hidden in a larger questionnaire+ Cost is reduced as shared with the main questionnaire+Background questions may bring interesting info for the analysis of causes of forced labour-Limited possibility to adapt the sampling designed for the main survey-Interviewers can minimize the importance of the module on forced labour and pay insufficient attention to information provided by respondents.

Examples of surveys

In **Moldova**, a special module on labour migration including working conditions abroad was inserted in the standard Labour Force Survey but the sampling was revised to capture more cases. An additional module to assess forced labour among returned migrants was added after a filter question asked to all adults.

In **Niger**, questions related to forced labour were inserted in various parts of the questionnaires of a Child Labour Survey. Sampling was adapted.

In **Armenia, Georgia and Nepal**, a standalone survey was designed and implemented.

Selecting the type of survey

The type of survey must be decided in light of both the purpose for which the data is required and the form of forced labour selected as the priority for the study.

As the manual focuses on surveys aimed at estimating the extent of forced labour, we will limit the presentation to purely quantitative surveys⁸. The focus here is put on the relevance of the choice of one type of survey in relation to the objective of estimating a particular type of forced labour. General information can be found in manuals of statistics, or more specifically on the ILO websites for labour force surveys (www.ilo.org/stat) or child labour surveys (www.ilo.org/ipec/ChildlabourstatisticsSIMPOC)

Household surveys

- This type of survey can be used when workers (who may be or have been in forced labour) live in households which are registered. This allows a probability sampling which makes possible to extrapolate the results to the larger population. It excludes national or foreign migrants living in tents or temporary shelters who would never be sampled out of a national census.
- The respondents can be the heads of household (or their proxies) for all questions regarding the household itself, and all members of the household in the age range defined by the survey. Typically, for a survey on forced labour, all members within the working age as defined in the country can be selected as respondents.
- Many subjects can be incorporated in an household survey, such as the education of respondents, their working history, their current employment/unemployment (recruitment, working conditions, wages, etc.), their history as labour migrant, etc.
- The impact of the forced labour of adults on their relatives, including children, can also be surveyed by the inclusion of question regarding the status of all household members.
- Last, and every important, workers interviewed in their household are free to talk about their working conditions as there is normally no presence of employers or colleagues.

Establishment surveys

- Whenever the priority for the survey is linked to one sector of activity, such as farms, restaurants, hotels, etc. the researcher should consider using establishment surveys to estimate forced labour.
- If the sampling is based on an existing directory of establishments, such as a census of all farms, or all restaurants, extrapolation to entire country may be possible. Wherever it is relevant, strata can be defined according to the size of establishments for example, if the link between the size of establishment and the type of forced labour has been shown.
- Establishment surveys allow studying forced labour from the demand side by interviewing employers along with employees.
- On the negative side of establishment survey, there may be some reluctance of workers to answer to interviewers, even if the interviews take place outside the working place. The fact that the employer knows that a survey is taking place may create a climate of fear and suspicion. Workers may be threatened by employers if they participate in the survey or if they reveal the truth regarding their working

⁸ Other types of surveys such as rapid assessment, baseline studies or community-level inquiries can easily adapt some of the tools presented here, especially the use of indicators.

conditions.

Establishment and households surveys

- Whenever it is not possible to implement full establishments surveys, especially in case of risk for workers to answer questionnaires within the workplace, some mixed methods can be used: the establishment survey is limited to questions related to the working place itself (type of production, number of workers, social rights, etc) and it is followed by a household survey in the surroundings where workers are interviewed.

Street children surveys

- Only very specific types of forced labour can be surveyed through street surveys, such as informal sector when workers live and work in the street, begging, prostitution, drug or arm selling or some forms of illicit activities.
- Some statistical methods, such as purposive sampling or capture-recapture can be used to derive an estimate from the survey.

Other

- In situations where workers in forced labour are difficult to reach in both their working and living places, alternative types of surveys should be designed. Qualitative studies are required to locate places where workers can be found, such as medical centres, churches or other places of worship, leisure centres, etc. Once such meeting places have been identified, specific surveys can be designed.

Examples of implementation

In Niger and Nepal, a household based survey was designed to estimate forced labour primarily in rural areas.

In Armenia, Georgia and Moldova, an household based approach was used to survey workers who had migrated in the past and came back to their country in the 12 months prior the interview.

In Guatemala, an establishment survey of farms was implemented by ILO/IPEC to survey forced labour among migrant families working temporarily in farms.

In Senegal and Mali, child beggars were surveyed and their number estimated through a street survey implemented by ILO/IPEC using the capture-recapture methodology.

Sampling techniques

Forced labour in the private economy can be found in all parts of the world but is a statistically rare phenomenon. There is no country where the prevalence is believed to exceed a few percent of the working population. Where it exists, forced labour is usually limited to pockets, or to sub-groups of the population. Moreover, the status of the workers interviewed regarding the fact of being or not in forced labour can only be assessed after the data analysis and not by a simple filter question from the questionnaire because victims are usually not capable of identifying themselves as victims of forced labour.

In order to avoid very large sample sizes which lead to identification of only a small number of victims, the sampling must be designed specifically to increase the ratio of workers in forced labour among the sampled population. The requirements for sampling design are: firstly every member of the population must have a non-zero probability of being selected and secondly, the sample must be large enough to ensure that the margin of error of the final estimate is reasonably low. There are several ways to achieve this result among which the following were tested.

Over sampling of some areas

When qualitative studies, previous quantitative surveys or census have shown that the risk of forced labour is null in certain areas, or on the contrary very high in others, the sampling will be designed accordingly. A small number of respondents will still be sampled from areas with a low chance of forced labour, but a higher number will be sampled from the areas with more chance of finding forced labour. Extrapolation factors will be computed accordingly. This technique makes it possible to identify a maximum number of respondents from the target group while keeping the possibility of extrapolating to the national level.

Use of previous surveys

Existing surveys can provide information useful to design a new sample in two ways: either the previous survey was on the same topic, and results can be used directly to design an appropriate sample, or the existing survey is on a topic which is related to the scope of the new survey. In both cases, it is possible to:

Use the global results of the existing survey to select areas with a probability of higher prevalence of forced labour. The over sampling can be directly deducted from the previous results.

Go back to specific households which, by their characteristics, are more likely to have members in forced labour. Answers to the survey can either directly indicate the forced labour situation of some members or indicate a high probability of it.

Snowball sampling

The use of this method relies on the assumption that people in forced labour in a given area, or in a given activity, are likely to know other workers in the same situation as theirs. As the status of forced labour is only determined after the final analysis (and not by self-identification), the snowball has to rely on a characteristic which is likely to lead to forced labour. In order to keep the constraint to be able to extrapolate results from the survey, the snowball technique is used in addition to and derived from a probability sampling. In other words, people randomly selected from the main sample are asked to indicate other respondents potentially in forced labour. The extrapolation weights for the additional sample are calculated using the generalized weight sharing method designed for surveys based on indirect sampling such as snowball sampling.

Other indirect sampling techniques can be explored for situations where there is no existing sampling frame for the target population., and for which it is replaced by a sampling frame of a population which is indirectly related to the target group. These methods, known as Indirect sampling⁹, present a great potential for surveying people in forced labour.

Selection of an easily identifiable target group

If forced labour is likely to happen within a specific target group which is easily identifiable

⁹ Pierre Lavallée, Indirect Sampling, 2007, Springer ,ISBN-13: 978-0387707785

by a filter question, sampling is made using two strata: stratum I with units with a high concentration of the target population, and stratum II with units with low concentration. The number of sample units in the first stratum is chosen to be higher (e.g double) than the units from the second stratum. A second stage sample selection can be made with a simple random sampling procedure (SRS) to select sub-units among which the third stage sample selection will provide the list of households to be surveyed. The household stratification can be made using a classical Household Listing Schedule procedure.

In all countries where a survey has been implemented, the sampling aimed at capturing at least 100 respondents in forced labour so that extrapolations could be made. As there was no previous estimate of the prevalence of forced labour in any of these countries, we had to make some assumptions based on the preliminary research.

Examples of sampling implemented to estimate forced labour

In **Niger**, the sampling was adapted from the normal sampling designed for the national Child Labour Survey in 2009. It includes 4'800 households with 20'108 persons including 8'220 children. Questions related to forced labour were asked to all working adults and children.

In **Moldova**, a total of 12'430 households took part in the survey of which 2'084 respondents from the target group answered to the full questionnaire on labour migration and risk of forced labour. The total sample was formed by the combination of the basic sample of Labour Force Survey for the second quarter of 2008 and an additional sample derived from the sample of LFS 2007 (only households which had at least one member working abroad in 2007).

In **Armenia**, a sample of 5'000 households was built using a two-stage stratified area sample. It was completed using a snowball technique which led to 309 additional households, all with at least one respondent eligible for the target group to assess forced labour.

In **Nepal**, the survey was not a national survey as its focus was on forced labour among special target groups which only live in 12 districts of the country representing 22.7 percent of the total population. The survey used a three stage stratified sampling scheme and selected a target group (households in a special relationship with landowners) and control group. A total of 6,330 households were sampled.

Selection of respondents

The choice of respondents is critical and determines the success of the survey. No single rule can be applied to all situations, but we have noticed that the person in forced labour is usually the most knowledgeable respondent but may be difficult to reach. Nevertheless, the following remarks can be made:

- self-identification of victims of forced labour is not possible as the concept is too complex. Even in countries where awareness campaigns have raised the issue nationwide using a specific vocabulary (such as slave labour in Brazil for example), it is not possible to select the respondents with a filter question using self-

identification as most victims do not recognize themselves as victims of forced labour or trafficking;

- the case of migrant workers has been widely discussed in literature. ILO experience and test surveys have shown that families of migrants are not aware of the real situation of their relative working abroad, and therefore can not reliably assess the possibility of forced labour.
- In some cases, the main indicators of forced labour can be found in the situation of the household itself (in cases of inherited debts, of housing provided in exchange of labour from the whole family, etc.) This is why it is recommended to design a special module related to the situation of the household to which the head of the household (or an other knowledgeable member) will answer.
- The recruitment of an adult may be conditioned by the obligation for spouse and/or children to provide free labour for the family of the employer. To detect such cases of forced labour, all family members must be interviewed.
- There are special cases where forced labour of children can only be detected by the interview of their parents/guardians, such as in cases where the child is recruited as a collateral for a debt between the parents and the employer.
- In the case of establishment surveys, employers should also be interviewed, in addition to the employees. This provides information on the demand side, which is an important element to globally understand the phenomena of forced labour.

In **Armenia, Georgia and Moldova** relatives of migrants were interviewed to estimate extent of labour migration but forced labour was estimated using exclusively the answers of workers who had themselves been working abroad.

In **Nepal and Niger**, both forced labour of adults and children was estimated and therefore all members of working age from the selected households were interviewed.

Designing questionnaires

Many guidelines exist which present recommendations for designing good questionnaires. They usually refer to length, clarity, reliability (answers should not depend on the interviewers), quality of wording and accuracy of translation into local languages, gender sensitivity, etc. Our aim here is not to repeat these general considerations but to focus only on what is specifically related to forced labour. Questions presented below can be inserted in various sections of a questionnaire. They do not need to be grouped all together. On the contrary, by disseminating them in various sections (the most appropriate), it prevents the respondent from feeling himself in danger of talking about sensitive issues.

A first set of questions will be designed to capture information related to the household:

- Household composition
- Household characteristics (if relevant)
- Housing (ownership status of dwelling, land, etc)
- Major events in the reference period (family events, economic crisis, natural disasters, etc)
- Household economic status

- Debt history of the household
- Migration history of the household
- Level of education of all household members
- Current occupation of all household members

Answers to these questions will be used to compare the situations of households affected by forced labour with households which are not affected.

The next step is to translate the indicators of involuntariness and penalty into a set of specific questions. A single question could be asked directly for each indicator but most probably, other elements will be collected in the same module. In addition to involuntariness and penalty, data on working conditions are important in order to analyse the link between exploitation and coercion. In summary, the indicators presented above can be translated into the three following groups of questions:

1. The process of recruitment, initially and for new assignments
 - Deception, false promises
 - High amounts paid to intermediaries to obtain information, travel or Identity documents
 - Job imposed as a condition for other agreements (for example recruitment of a relative imposed by landowner as a condition for authorization to cultivate some land)
 - Forced recruitment, Kidnapping
 - Organisation of the travel (if relevant)
 - Change of job/tasks imposed without the possibility to refuse
 - Violence or threats of violence in case of refusal
2. The conditions of work
 - Hours of work
 - Leave days
 - Hazardous tasks
 - Lack of adequate protection
 - Delays in payment of wages
 - Salary compared to minimum wage or average wage in the same sector of activity
 - Social benefits (insurance, pension, etc.)
 - Violence by colleagues/customers
3. The coercion used to force the employee to work more or to limit the possibility of leaving the job/the employer
 - Retention of salary
 - Debt manipulation
 - Abuse of vulnerability caused by illegal status
 - Retention of Id documents by the employer (not disposable on demand from worker)
 - Close monitoring of movements
 - Impossibility to leave the work premises
 - Violence or threats of violence from employer
 - Threats on families/employee in case of leaving
 - Threats of denunciation/deportation

Answers to this second set of questions related to recruitment, working conditions and coercion will be used not only to assess forced labour but also to measure the link between exploitation and coercion.

Example of questions to capture deception during recruitment

Deception can be considered as an element of involuntariness in all cases where, had the worker known the reality he will have to face while abroad, he/she would not have accepted the job. A possible way to translate the general indicators of deception in a questionnaire is the following. In order to distinguish deception from disillusion, answers to two questions must be combined.

A first question aims at understanding the level of information and promises that the worker received from recruiter/employer. It can be formulated as follows: *“For each of the following topic, can you tell me what was your level of information at the time of your recruitment:”*

	Not talked about with recruiter/intermediary/future employer	Promised/agreed	Written in contract	Not relevant
Living conditions				
Legal status				
Nature of the job				
Location of the job				
Employer				
Wages				
Quantity of work (per day,/week/month/year)				
Social benefits				

The second question can be formulated as: *“Can you compare the job you discovered on your first days of work with the information received before:” (with a filter to eliminate those who did not receive any promise/contract or not relevant)*

	Much worse	Worse	As promised /agreed	Different but equally good	Better than promised	Much better
Living conditions						
Legal status						
Nature of the job						
Location of the job						
Employer						
Wages						
Quantity of work (per day/week/month/year)						
Social benefits						

Examples of questions related to forced recruitment

Who took the decision that you should work: Yourself/a relative/ a third person/ the employer

Who chose the employer: Yourself jointly with the employer/a relative/ a third person/ the employer alone

Were you free to refuse to work for this employer: Yes/no. If no, what did you risk:

- Nothing, but there are few opportunities of work
- The employer would have prevented other employers in the area to hire me
- Other people from my family would lose their job
- Whole family would lose access to land

Examples of questions related to conditions of work

The main elements of exploitation during work which are taken into account are related to: wage and salary (amount and regularity of payments), hours of work (usual and extra), leave day, hazards and related protection, sick leave, social benefits.

Wages

Is your salary equal or higher to minimum wage?

Are there deductions from your salary imposed by employer for illegitimate reasons?

Are you paid the same salary (or higher) as local workers doing the same job? (for internal or international migrants)

Are you paid regularly on due dates?

Hours of work

How many hours do you usually work: per day? Per week?

How many leave days do you have (per week/month)

Social benefits

In your job, are you entitled to:

	Yes	In theory but it was refused when I applied	No
<i>Health insurance</i>			
<i>Paid sick leave</i>			
<i>Contributions to pension fund</i>			
<i>Compensation for work accidents</i>			
<i>Unemployment insurance</i>			

Examples of questions related to coercion, threats and penalty

During your job, does it occur that the employer forces you to:

	Never	Sometimes	Regularly
Fulfil tasks that were not part of your contract			
Fulfil hazardous tasks without protection			
Work overtime without being paid			
Work overtime and being paid for			
Provide sexual services			
Work for another employer without your consent			
Stay longer than agreed in order to get your due wages			
Commit illicit/criminal activities for him			

What means does the employer use to force you?

Physical violence

Non payment of due wages

Threats against you

Threats against your family

Isolation, confinement or surveillance

Punishment (deprivation of food, sleep, etc)

Id or travel documents confiscated

Threats of denunciation to authorities

Debt manipulated by employer

Fines/financial punishment

Can you leave your employer?

Yes, at anytime as long as the contract is respected

No, because of the lack of jobs available in the area

No, the employer wouldn't let me go (Go to next question)

I don't know

What do you risk?

Employer would ask other employers from the area to boycott me or my family

Violence for employer or recruiters

Violence on my family

Deportation/denunciation to authorities

Other members of my family would be dismissed

Loss of some rights for the family/other members of family

Ethical rules

Forced labour is recognised as a crime in a majority of countries and therefore research on this topic may put both interviewees and interviewers (and supervisors) at risk. Perpetrators, who can be recruiters, intermediaries, employers, or people hired by employers to control

workers are usually aware of the unlawfulness of their actions and can be strongly opposed to any contact of their workers with the outside world and particularly with any researcher.

In addition to usual ethical rules regarding the informed consent of the respondent, gender issues, the right to refuse to answer to the survey or to any particular question, the strict rules of confidentiality, the following remarks are especially relevant for surveying workers who are exploited or subject to coercion.

- The interviewer must find a safe and neutral place for the interview. In theory, the respondent should be alone, as he may feel freer to answer without the presence of witnesses, as even relatives may be unaware of his real working conditions. Nevertheless, if the worker himself/herself asks for other workers or relatives to be with him/her, the interviewer should accept. It is essential to make sure that no employer/supervisor/guard can overhear the conversation. Should this be the case, the interviewer can either skip sensitive questions or write that the interview took place in presence of a third party.
- It has already been stated that the keywords related to forced labour and trafficking should not be used during the interview. Nevertheless, given the fact that many people have heard of compensations given by courts to victims of trafficking/forced labour, it is essential to clarify the objective of the survey (research) so that no false expectations are raised with the respondents.
- Some interviewers may face situations where they find workers in very dangerous situations and in need of immediate help. They should be familiar with that type of situation from their training, and researchers must be ready to propose some solutions to the workers.
- Some workers may take the opportunity of meeting with someone from outside his environment to ask for help, or to ask where they can complain. Interviewers should have cards (easy and discrete to distribute) or documents with addresses and/or phone number of governmental or non-governmental offices in the area, capable of providing support to workers in forced labour.(including medical centres)
- If the preliminary research has demonstrated a risk of sexual violence on workers, or forced prostitution imposed on women, a special attention should be given to the gender balance in the teams of interviewers.
- Interviewers must be fully knowledgeable of the national laws related to forced labour and trafficking, especially on the procedures to complain and the rights of victims.
- Interviewers may be threatened while entering into a village or in the vicinity of an enterprise or farm. Their training should include procedures to evacuate a place in case of danger and they should be equipped with mobile phones in order to be able to reach their supervisors at any point of their work.
- During the interview, workers may start talking freely about their experience of forced labour and give indications of means of coercion, threats, penalties which were not listed in the questionnaires. It is very important to let the worker talk and to take note in free text of these elements of forced labour.
- Given the potential danger to which field workers may be exposed during the survey, they must be allowed to withdraw at the end of the training without any penalty if they realise that the task may be too difficult for them.

Preparation of data collection and pilot test

Pre-testing the questionnaires

The necessity to pre-test the draft questionnaire is the same as for any other survey. Special attention will be given to the sensitive questions. In case of a high number of respondents refusing to answer, questions should be reworded and tested again.

Selection and training of interviewers

Given the sensitivity and the complexity of the topic addressed in forced labour surveys, a special attention must be given to the selection and training of all field workers. This training must be designed in collaboration with a forced labour specialist. In addition to all usual recommendations, it is important to note the following:

- Interviewers will have to ask all the questions from the questionnaire to assess forced labour without using the main key words related to this concept. It is therefore crucial that they understand the concept of forced labour in depth and are aware of the necessity to be silent on the main objective.
- It is usually recommended to hire interviewers from the area where the survey is taking place. Nevertheless, as the perpetrators (recruiters or employers of people in forced labour) may be from the same villages, the selection of interviewers must address the question of potential conflicts of interest.
- Ratio of men/women in the team of interviewers must be decided according to the topic addressed, the respondents, and the place of interviews.
- Some role games may help interviewers to learn how to react should they face strong negative reactions from employers or if they are faced with workers or families in need of urgent help.
- There may be a few open questions in the questionnaire, such as on the means of coercion. Interviewers must be specially trained to capture the main key words used by respondents.

Problems of translation

As the forms of forced labour and the means of coercion are usually very specific to a given context, or based on traditional relationships between various ethnic or social groups, there may be a precise vocabulary which cannot easily be translated in a European language. If the survey takes place in areas with different dialects, a special attention will be given to the translation of those specific terms so that information is not lost.

Data analysis

There are three levels of analysis:

- the first level consists in combining the data to generate estimates of forced labour/trafficking,
- the second level is a descriptive analysis of the victims of forced labour that will provide information on their socio-economic profile, on the conditions of recruitment and work, and on the means of coercion used by employers, and, whenever it is possible,

- a third level of statistical analysis should give information on the causes/determinants of forced labour in the country.

These three results will be used by various actors to design policies and programmes to prevent, detect and rehabilitate victims of forced labour. These three analyses are based on the identification of respondents who are victims of exploitation and/or forced labour.

Identification of respondents in forced labour

It is recommended to assess involuntariness and penalty separately and to generate two dummy variables to record the information for each respondent. If necessary, the sub-categories of involuntariness (such as deception, forced recruitment, tasks imposed) can be assessed and recorded separately.

The plan of analysis:

1. For each indicator, all combinations of answers to questions which validate it are described in a file and translated into set of commands in the language of the software in which the data is processed.
2. If the respondent has at least one strong positive indicator of involuntariness, involuntariness is marked as strong. If not, if the respondent has at least one medium positive indicator, involuntariness is marked as medium. If not, involuntariness is marked as None.
3. The same rule is applied for penalty (strong, medium, none)
4. All respondents suffering from involuntariness and penalty, with at least one of them being strong, are marked as victims of forced labour.

Example of command for one indicator

Indicator	Command
Deceived about the conditions of work (Medium indicator)	If ("Quantity of work" has been "promised/agreed" OR "written in contract") AND ("Quantity of work in reality" is "Worst" OR "Much worst" than agreed), then the indicator is positive

Calculation of an estimate of forced labour

Once the respondents have been identified and marked in the dataset as victims of forced labour, the extrapolation factors can be applied and the estimate generated with the level of desegregation which was decided during the design of the sampling.

Descriptive analysis of the victims of forced labour

Two types of tables are generated: firstly, tables which describe the socio-economic profile of the victims of forced labour, and secondly tables which present their recruitment, living and working conditions and other relevant variables. Tables will show the results separately for the victims of forced labour and for other workers in order to highlight the differences.

It is suggested to include a third category of workers in the analysis, namely those who are exploited without suffering coercion. This will illustrate the continuum of situations between decent work and forced labour. This is the reason why examples of indicators of exploitation have been presented earlier in this handbook.

It has already been explained that the “strength” of the indicators can be translated into a system of ratings, where each indicator is associated with a number of “points” according to the severity of what it is related to. It is therefore possible to use the three main dimensions (involuntariness, penalty and exploitation) not only as binary variables (yes or no) but to rate them according to the number of existing indicators. For each respondent, the sum of the ratings of all indicators of each dimension is computed. This provides the researcher with new quantitative variables for further analysis. In particular, one can also use these numeric variables to demonstrate the existence of a positive relationship between coercion and exploitation.

Search for determinants of forced labour

Researchers are invited to run a multivariate analysis on the dataset to look for causal relationships. In the framework of the pilot surveys, a regression analysis was done taking as dependent variable the dummy variable “Forced labour” created during the processing of data for the identification of victims. (it could equally have been made separately with deception and coercion). The independent variables were selected in the dataset according to the local context. Variables related to the socio-economic profile of workers are usually included, such as sex, area of origin, level of education.

Outline for final report on forced labour and trafficking

The following outline is provided as an example of what is expected from a report:

1. Preface
 - a. Acknowledgements
 - b. Contents (including lists of tables, boxes, figures)
2. Executive summary
3. Introduction
 - a. National context related to forced labour and trafficking
 - b. National legislation
 - c. Justification for the survey
 - d. Objectives of the survey
4. Conceptual framework with operational definitions and national sets of indicators
5. Methodology and data collection
 - a. Type of survey implemented and description of master survey if relevant
 - b. Scope and coverage of the survey
 - c. Target groups
 - d. Questionnaires
 - e. Sampling design
 - f. Pilot test
 - g. Training of interviewers and supervisors
 - h. Data collection
 - i. Data processing
 - j. Response rate and weighting
 - k. Reliability of estimates
6. General characteristics of the population covered by the survey
7. For each form of forced labour surveyed:
Characteristic of forced labour
 - a. Incidence of forced labour (by sex, area)

- b. Description of the mechanisms of forced labour (with a comparison between the groups of successful workers, exploited and victims of forced labour)
 - i. Recruitment
 - ii. Exploitation
 - iii. Means of coercion
 - c. Profiles of victims of forced labour with tables comparing the groups of successful workers, exploited and victims of forced labour)
 - i. Socio-economic background of the victim
 - ii. Level of education
 - iii. Previous work experience
 - iv. Process of recruitment
 - v. Sector of activity
 - vi. Location
 - d. Consequences of forced labour
 - i. Current status of victims
 - ii. Health
 - e. Determinants of forced labour
 - i. Results of regression analysis
 - 8. Recommendations for action programmes
 - 9. Conclusion

Part II: Special case of children

Forced labour of children is a special case of both forced labour and child labour. It is a special case of forced labour because the notion of “offering oneself voluntarily” must be interpreted specifically in the case of children, given the fact that children rarely decide by themselves to work. It is also a special case of child labour, as it is one of the worst form of child labour which is not characterized by the nature of the job, nor by the tasks performed by the child, contrary to hazardous work, commercial sexual exploitation, work in illicit activities, or all work related to armed conflicts. Any type of economic occupation can become forced labour if some coercion is applied to the child worker to force him/her to take a job, to perform some tasks, or to prevent him from leaving the employer. It is specifically to detect this involuntariness and the coercion applied to the children that the tools presented below were designed.

All tools presented in the first part of this report remain valid but are not sufficient to measure forced labour of children. Specific legal framework, operational definitions, indicators and standard questions designed purposely for children are presented in this section. These tools are derived from tools developed and tested in the context of pilot surveys on forced labour of children implemented in eight countries.

Where did were the tools tested

Between 2008 and 2010, eight countries implemented a survey to estimate the extent of forced labour of children, nationally or regionally: Bangladesh, Bolivia, Côte d'Ivoire, Guatemala, Mali, Nepal, Niger and Zambia. The details of the surveys are given in the table below.

	Bangladesh	Bolivia	Cote d'Ivoire	Guatemala	Mali	Nepal	Niger	Zambia
Date of the survey	February - June 2010	April - June 2008	April 2008	October 2009 - May 2010	June 2009	April - December 2009	May - June 2009	
Selection of geographical areas	4 districts in the Bay of Bengal	National	National	4 provinces	3 main cities (Bamako, Mopti, Segou)	12 districts	National	National
Target group	Children in dry fish industry	All working children	All working children	Children working in farms with or without parents	Child beggars	Families from groups at risk (Haliya and haruwa/Charuwa)	Working children and their parents	All working children
Age group	5-17	5-17	5-17	5-17	5-17	5-17 for children	5-17 for	15-17

						and >17 for adults	children and >17 for adults	
Type of sampling						2/3 HH from control group, 1/3 from target group	Normal CL survey with over sampling of some areas	
Number of house-holds			12,600	1,028		6,295		
Respon- dents			All family members (above 5 years old)	All family members (above 5 years old)		All family members (above 5 years old)	All family membe rs (above 5 years old)	
Number of respon-dents for assessing forced labour						3,901	4,792	
Imple- menting agencies			NSO	NSO and consul- tant		Private research centre linked with university	NSO	

In three of them, Bolivia, Côte d'Ivoire and Zambia, we tested the possibility to add a minimum set of questions to a national survey, respectively Child labour survey, Budget and expenditures survey, and Labour Force Survey. In these three cases, the module on forced labour was designed in collaboration between the NSO and ILO, without following the full process of identification of indicators relevant for the national context, selection of groups of children at risk, selection of sectors of activity or occupations at risk of forced labour. In this case, the result is a national estimate of children who "at risk" of forced labour, the wording "at risk" being used here to emphasise the fact that there is some evidence of forced labour, but not enough to affirm with certainty the degree of f

In the other five countries, the methodology was presented and discussed with the National Statistical Offices or implementing agencies, national lists of indicators were built, along with their associated grid of analysis.

The tools presented below result from the lessons learnt while designing and implementing these pilot surveys.

Legal and measurement frameworks for forced labour of children

In addition to the two ILO Conventions related to forced labour, C29 and C105 presented in the first section on forced labour of adults, forced labour of children is quoted under the convention C182 (1999) on the worst forms of child labour. Article 3 (a) states that the term “worst form of child labour” shall include “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and **forced or compulsory labour**, including forced or compulsory recruitment of children for use in armed conflict”.

As there is no specific mention of what constitutes forced labour of children in this convention, we refer to the ILO conventions C29 and C105 for the definitions. The concepts of “Involuntariness” and “Penalty/Menace of a penalty” are later operationalized to be significant for the case of children. Specific indicators are proposed, which take into account the psychological and physical vulnerability of children.

Operational definitions

Forced labour of children will be defined, in the context of this research, as work by children under coercion applied by a third party to the children (other than by their parents) or to the parents of the children, or when a child's work is the direct result of the parents being in forced labour.

The coercion may take place during the recruitment to force the child or his parents to accept the job, or when the child is already employed, either to force him/her to do tasks which are not part of his/her contract or to prevent the child from leaving the employer.

A direct consequence of this operational definition is that even children working with and for their parents can be considered as being in forced labour if the parents themselves are in forced labour and the children's work is linked to the situation of their parents.

The dimensions of forced labour which enter in the operational definition are detailed below:

Forced recruitment is recruitment during which constraints have been applied to the child or his parents to force him to work for a given employer. Poverty (and the need for a supplementary income for the family) is not recognised as a mean of coercion.

Deceptive recruitment is recruitment made by the use of false promises to the child or his parents. It is an element of involuntariness as had the child or his parents known what the child would have to meet as working conditions they would not have agreed. In addition, in order to consider deceptive recruitment as forced labour, it must be associated with some penalty which forced the child to keep this job.

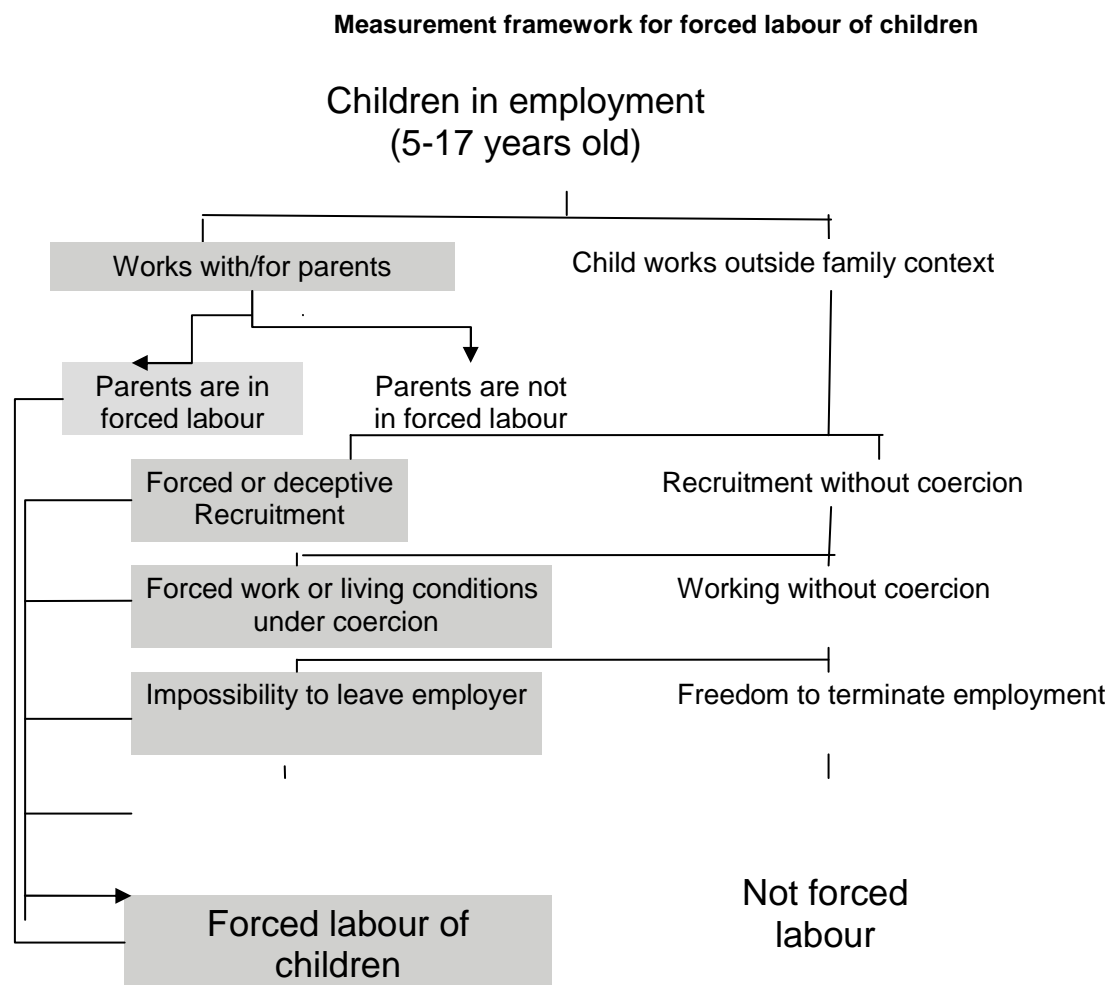
Work under coercion covers situations of work imposed to the child by use of force, penalty or threat of penalty. It can be excessive quantity of work or tasks which are beyond what should be expected reasonably in the context of the job.

Life under coercion encompasses all the limitations of freedom imposed by employer on the child worker. Some strong dependency imposed by employer can come under this indicator.

Impossibility to leave employer is a special case of limitation of freedom but is treated separately as it is a key element of forced labour.. The difficulty to leave employer is characteristic of forced labour if there is a penalty or risk linked to it. While the retention of wages is a recognised element of coercion (the child stays as if he leaves, he will have lost all his due wages), the need for money or lack of alternative are not recognised as elements of coercion.

Coercion can take several forms, according to the place and time where it takes place. For operational reasons, we group them in five sub-categories: 1) Threats and violence will group all means of coercion which are related to some kind of physical, sexual or psychological violence. 2) Retention and promises for future benefits covers all the situations where the promise of some due benefit (in kind or cash) is always postponed to keep the child working. 3) Isolation and confinement groups all situations where the child is physically prevented from leaving. 4) Debt manipulation and threats on family covers the threats related to the advance of salary or loan given to parents, as well as other threats directed to family members. 5) Abuse of lack of alternatives is limited to clear situations where the employer uses the vulnerability of the child to coerce and force him/her to work more or prevent him from leaving.

The schematic presentation of the operational definition of forced labour of children is the following:



Typology of children in forced labour

Using the operational definitions presented above, we can classify the situations of children in forced labour according to the root causes of their situation. We will therefore distinguish the following four categories:

- Tradition, birth in a family affected by traditional forced labour
- Debt bondage
- Deceptive recruitment and trafficking
- Employer's pressure(abuse of power)/cultural practices

Children forced to work because they are born in a family affected by forced labour, parents being themselves in forced labour, or belonging to a sub-group of the population (ethnic, religious, etc.) which, by tradition, is forced to work for another sub-group will be grouped under this first type.

Children recruited by force as collateral or in exchange for a loan or advance given to parents will be found under the "debt bondage" category.

Deceptive recruitment and trafficking will cover all the situations where children are recruited and displaced to be exploited as an answer to false promises made to themselves or their parents.

Situations where an employer is in a position of power for cultural reasons and abuses this situation to recruit children and force them to work for him will form the fourth group of children in forced labour.

Estimates of forced labour of children should be presented according to this typology, as prevention measures are specific to each of them.

Indicators of forced labour of children

We present below some indicators of forced labour, which aim at identifying the main elements of forced labour of children as described in the previous chapter, outside the case of children who work with their parents who are themselves in forced labour. This table should not be considered as a final set of indicators, as each indicator can and should be reformulated according to the context in which the survey is taking place. For each dimension of forced labour (forced and deceptive recruitment, work and life under coercion and impossibility to leave employer) the left column lists the most common indicators of involuntariness, while the right column presents indicators of coercion which are usually associated.

Indicators of unfree recruitment	
<p><i>“Unfree recruitment” is characterized by the combination of at least one indicator of involuntariness and one indicator of coercion.</i></p>	
Indicators of involuntariness	Indicators of coercion (penalty imposed in case of refusal)
<p><u>Tradition, birth</u></p> <ul style="list-style-type: none"> ➤ Child is born in a bonded family and is forced to work for his parent’s employer <p><u>Debt bondage</u></p> <ul style="list-style-type: none"> ➤ Recruitment as a collateral for a loan for parents/relatives ➤ Recruitment of the child part of the agreement when parents/relatives got a job for the same employer ➤ Recruitment in exchange of money given to parents as an advance <p><u>Cultural practices/Use of power from employer</u></p> <ul style="list-style-type: none"> ➤ Child sent by previous employer without the child’s consent or parents’ consent ➤ Recruitment of the children part of the tradition imposed by powerful people <p><u>Deceptive recruitment</u></p> <p>Deception about:</p> <ul style="list-style-type: none"> ➤ Access to education ➤ Living conditions ➤ Frequency of visits to/from parents ➤ Nature of the job ➤ Location of the job ➤ Employer ➤ Wages ➤ Quantity of work ➤ Social benefits 	<ul style="list-style-type: none"> ➤ Family would lose privileges (land, housing, etc.) ➤ Other family members would lose their job ➤ Exclusion from future employment in the area ➤ Exclusion from future employment in the area for family members ➤ Violence on child ➤ Violence on family ➤ Exclusion from access to loans for family members ➤ (Deception and) movement ➤ (Deception and) isolation ➤ (Deception and) advance of salary/loan to parents ➤ (Deception and) threats ➤ (Deception and) violence

Indicators of life and work under coercion	
<i>“Work and life under coercion” is characterized by the combination of at least one indicator of involuntariness and one indicator of coercion.</i>	
Indicators of involuntariness	Indicators of coercion (penalty imposed in case of refusal)
<u>Forced work</u> <ul style="list-style-type: none"> ➤ Forced overtime ➤ Forced to work on call (day and night) ➤ Forced to work for employer’s private place or family ➤ Forced to work when sick ➤ Forced hazardous tasks without protection ➤ Forced absorption of drugs, alcohol, illicit substances ➤ Forced illicit activities ➤ Forced sexual relationship <u>Limited freedom</u> <ul style="list-style-type: none"> ➤ Limited freedom outside the workplace ➤ No possibility to leave the living place ➤ No freedom to talk to other children or adults in the neighbourhood ➤ No freedom to contact parents, family, friends ➤ Impossibility to practice own religion <u>Dependency</u> <ul style="list-style-type: none"> ➤ Employer decides on topics related to private life (marriage, education, health, religion) ➤ Food and housing are provided by employer in exchange for work instead of salary 	<ul style="list-style-type: none"> ➤ Physical violence ➤ Psychological violence ➤ Sexual violence ➤ Punishment (deprivation of food, water, sleep, etc.) ➤ Fines ➤ Deduction of wages ➤ Threats of dismissal ➤ Threats of reporting to authorities ➤ Threats on family ➤ Punishments imposed to other children in front of child workers ➤ Locked in living place ➤ Under constant surveillance ➤ Isolation ➤ Contacts with family are forbidden ➤ Id documents are confiscated

Indicators of impossibility to leave employer	
<i>“Impossibility to leave employer” is characterized by the combination of the limited or absence of freedom of leaving the employer with at least one indicator of coercion.</i>	
Indicators of involuntariness	Indicators of coercion (penalty imposed in case of refusal)
➤ No freedom to change employer	<ul style="list-style-type: none"> ➤ Family would lose benefits (land, housing, etc.) ➤ Other family members would lose their job ➤ Exclusion from future employment in the area ➤ Exclusion from future employment in the area for family members ➤ Threats/Violence on child ➤ Threats/Violence on family ➤ Exclusion from access to loans for family members ➤ Punishment (deprivation of food, water, sleep, etc.) ➤ Due wages not paid ➤ Threats of reporting to authorities ➤ Id documents confiscated ➤ Punishments imposed to other children in front of child workers ➤ Threat of sending the child to worst working conditions or prostitution

In the table above, indicators of penalty were listed in detail, but they can be classified in five categories:

1. Threats and violence which encompasses all types of punishment or threat of punishment which puts the child in a position of subordination
2. Retention of salary or other benefits, which forces the child to accept to work as imposed by the employer or to stay longer than agreed or wished because there are some expectations in terms of money or other benefits (employer will organise the wedding, employer will provide the child with tools to set up his own workshop, etc.) . By postponing the delivery of the promised benefits, the employer forces the child to work more.
3. Isolation, imprisonment refers to all the situations where it is physically impossible/too dangerous to leave the work or living place. It can be locked doors, but also constant surveillance, confiscation of Id documents, or the fact that the child is sent to a remote place, far from his place of origin, in a place where he doesn't know anyone and cannot call for help.

4. Threats on family related or not with the family debt. The child's employer or recruiter who knows the child's family may pronounce threats on the family in front of the child. It can be physical threats (of violence) but also moral threats, such as the loss of housing, the end of granting a land, the end of granting loans, etc, all moral pressure to which the child will be sensitive.
5. Abuse of lack of alternatives can become a mean of coercion in a limited number of cases where employer knowingly uses the vulnerability of the child to force him or her to work. For example, in a context of domestic work, if the child is isolated from his family and totally dependent from the employer for his survival, the employer may use the threat of dismissal (saying that the only alternative is prostitution) to constrain the child to accept his conditions.

Survey design and implementation

The survey design consists in a series of steps which are similar to those presented in the first part of the survey. This section only highlights what should be specifically planned and implemented in the case of children.

Preliminary work at country level

During the second step, a special attention should be given to forms of forced labour which may concern whole families. When identified, all elements related to the potential impact on children of the situation of parents should be collected and brought to the knowledge of the participants to the workshop.

In addition to the four steps identified for surveys of adults, an additional one must be added which encompasses the review of forms of child work or labour known in the country. This review should include the quantitative information available but also all qualitative elements which indicate if there is a risk of finding forced labour. Trade-unions, NGOs, UNICEF are essential partners for this identification.

First steps:

1. Set up the conceptual framework with legal and operational definitions
2. List known forms of forced labour with available details on workers, sectors of activity and geographical areas
3. List known forms of child labour with a risk of finding forced labour
4. Design the national list of indicators
5. Decide on the scope of the survey

Desk review and qualitative survey

Here also, the scope of the research must be enlarged to include the areas, sectors of activity and groups concerned by child labour. The topics addressed are the same: recruitment process, conditions of life and work and means of coercion.

More important is the involvement of children themselves in this phase, through focus-group or in-depth interviews. Before deciding to implement these discussions, the

researcher must ensure that it is absolutely safe for the children. All ethic rules must be strictly observed.

A third element is the meetings with parents in forced labour. They are the most valuable source of information regarding the impact of their situation on their children. Threats, conditions imposed by employer or landowner can be listed on the basis of these meetings. It is also the opportunity, if relevant, to discuss about the debt mechanism prevalent in the area: causes, alternatives, management of the reimbursement, etc.

It is also important to meet with parents of children in forced labour, who will be able to talk about the causes and the recruitment process. This is the case for parents of children who have been recruited in exchange for an advance or a loan, but also for children who are recruited by intermediaries in view of migration. All details about mechanisms, deception can be collected during those meetings, individual or collective.

Last, but not least, interviews of young adults who have been previously in forced labour can be a unique source of information. By in-depth interviews or focus-groups discussions, the researcher may learn a lot about the mechanisms of forced labour set up by employers. The fears of the children, the impact of isolation, the threats on family may be explained with less difficulty by those who have left the abusive situation rather by those who are still suffering from it.

Building the national list of indicators

The result from the qualitative research is key for the design of indicators, especially regarding the means of coercion. Elements brought by children (or ex-children) must be taken into account very seriously. This is especially true for the situation of children who are far and isolated from their family. What is only a difficult situation for an adult can become a real mean of coercion for a child: unable to know how to escape, or how to go back to his place of origin, the child may be forced to stay in abusive situations in places that an adult would have left without difficulties.

More difficult to take into account is the fear of the reaction of the parents, in case of dismissal or escape. In case of an advance given to parents for example, it may be difficult to differentiate between the real risk of negative impact on the family in case of the child escapes, from the simple fear of making parents unhappy. While designing the list of indicators, and in this example before deciding if the “Threat of dismissal” should be retained, experts will take into account all information available on that topic from the results of the qualitative survey and listen to the advice of people working with children.

Stand-alone versus use of an existing survey

There is no specific rule on that topic for surveys of children. The only limitation concerns the use of national surveys where the questions are the same for adults and children. Given the specificity of means of coercion applied to children, and the need for an appropriate vocabulary while interviewing children, the same criteria apply for the choice as for surveys of adult.

Selecting the type of survey

The case of street survey is particularly relevant for children who may be found in forced labour while working and/or living in the streets. This is true for child beggars, children in

informal activities, but also for homeless children who may be forced to work during daytime while sleeping outside.

The survey of child beggars in Mali used a capture-recapture methodology to estimate the number of children begging.

In the case of establishment surveys, employers of children should be approached with precaution in order not to provoke any negative reaction from employers who could take revenge on children. The two establishment surveys implemented by IPEC for this research, in Guatemala and Bangladesh, provided very interesting information. In some cases, employers themselves spoke about the coercion they impose on children.

All snowball sampling techniques have been widely used in the past for surveys of children. In all forms of child labour, children will know each other and will be able to bring other respondents to the interviewer.

Selection of respondents

It has already been stated that, in order to assess forced labour of children, information can be collected from various sources of information: the child worker himself, his parents, other children from his close environment, employer, recruiter, and other adults working with the child.

The difficulty raised by these multiple sources of information is the consolidation of the facts brought to the knowledge of the interviewers. In case of contradiction, who should be believed? There is no single obvious answer to this problem, and this must be discussed and decided during the design of the survey. Procedures to confront answers given by various respondents on a same topic must be established, written, tested and validated during the pilot survey.

Standard set of questions

For the reasons presented above regarding sensitivity of the topic and cost of stand-alone surveys, we did not design model questionnaires, not even specific modules on forced labour which could be included in host surveys, but only sets of model questions that can be inserted in the most appropriate section of questionnaires. They target two types of respondents: the parents/guardians of the children, and the children themselves. As for other topics on child labour, the same question can be addressed to both the child and his parents (with different vocabulary if necessary), in order to cross-check the answers. It is the responsibility of the implementing agency to design procedures to resolve cases of inconsistency.

The questions drafted below are given in order to demonstrate the way the required information can be captured through structured questionnaires. Nevertheless, in most cases, they should be reformulated with a vocabulary specific to the local context and to the age group targeted in the survey. A typical example is the use of terms such as “Employer” and “Recruiter”. For example, “Employer” may be replaced by terms such as “Master”, “Marabout”, “Landowner”, “Chef”, or even local terms if more appropriate.

We present the model questions in three groups:

- Forced and deceptive recruitment
- Working and living conditions

- Impossibility to leave employer

Forced recruitment

FR1.1 What was the main reason for taking this current job:

- a. Need for money for myself
- b. Need for money for my family
- c. Nothing else to do
 - No interest for school
 - No school available
- d. Employer provides food and accommodation in exchange for my work
- e. My recruitment was part of the agreement when parents took a loan
- f. My recruitment was part of the agreement when other family members got a job with this employer
- g. Whole family has always worked for this employer and (his family) and my family has no choice but accept
- h. My parents received an advance on my salary
- i. I had to replace a member of my family who was working for this employer and is unable to work

FR1.2 Who decided that you should take your current job:

- a. Myself
- b. Parents/guardians
- c. Parents, forced by a third person
- d. Employer/landowner of my parents
- e. The loaner of my parents
- f. Previous employer sent me here without my consent
- g. My employer
- h. Other

FR1.3 What risk did you face if you refused to work for this employer?

- a. Family would lose some privileges (land, housing, etc.)
- b. Other family members would lose their job
- c. This employer would tell other employers in the area not to hire me
- d. This employer would tell other employers in the area not to hire my relatives
- e. Physical violence on me or on other family members
- f. My parents could not have loans from employer/landowner anymore
- g. To be without resources
- h. Nothing

FR2.1 At the time of your recruitment, did you receive promises regarding:

	Not talked about with recruiter/intermediary /future employer	Promised/ agreed	Written in contract	Not relevant
Access to education				
Living conditions				
Frequency of visits to parents				
Nature of the job				
Location of the job				
Employer				
Wages				
Quantity of work (per day/week/month/year)				
Social benefits				

FR2.2 Who made these promises?

- a. Employer
- b. Recruiter
- c. Other:

FR2.3 Can you compare the job you discovered on your first days of work with the information received before: (with a filter to eliminate those who did not receive any promise/contract or not relevant)

	Much worse	Worse	As promised /agreed	Different but equally good	Better than promised	Much better
Access to education						
Living conditions						
Frequency of visits to parents						
Nature of the job						
Location of the job						
Employer						
Wages						
Quantity of work per day/week/month/year)						
Social benefits						

FR2.4 Could you have refused the job (or leave it) when you discovered that the reality was not what had been promised?

- Yes
- No. If No, why?
 - a. I was too far away from family
 - b. I was isolated and had no one to contact to ask for help
 - c. Parents had received money
 - d. Employer threatened those who wanted to leave
 - e. Employer was violent

Working and living conditions

WC1.1 When you are working, does it happen that your employer:

	Never	Sometimes	Often
Forces you to go on working once the working day is over			
Forces you to work for himself or his family in his private house or for his relatives			
Forces you to work when you are sick			
Forces you to do hazardous tasks without protection			
Forces you to work on days off			
Forces you to perform tasks which are not at all part of the job you are supposed to do			
Forces you to take drugs , alcohol or other illicit substances			
Forces you to do illicit activities: sell drugs, arms, etc.			
Forces you to have sexual relationship with him or his friends/ relatives			
Forces you to earn/bring back a minimum amount of money everyday			

WC1.2 How does he manage to force you?

- a. By shouting, insulting
- b. By kicking me

- c. By other punishment
 - Deprivation of food
 - Deprivation of sleep
 - Deprivation of water
 - Lock me in a room for a while
- d. By threat of deducting money from my wages
- e. By always saying that more work has to be provided in exchange for the debt
- f. By threats of physical violence
- g. By threats of dismissal
- h. By threats of other punishments
- i. By threats on my family

WC2.1 Have you witnessed other children refusing to obey the employer and being punished for that?

- Yes
- No

WC2.2 If yes, what happened to the child:

- a. Employer shouted at him in front of other children
- b. He was beaten
- c. He was punished
 - Deprivation of food
 - Deprivation of sleep
 - Deprivation of water
 - Locked in a room for a while
- d. He was dismissed
- e. He was threatened of physical violence/dismissal/other punishments
- f. He was fined (or money was deducted from due wages)

WC3.1 During your working hours, are you free:

- a. To talk to other children
- b. To go to bathroom
- c. To leave the workplace at lunchtime

WC3.2 How does your employer prevent you from doing that?:

- a. Under constant surveillance
- b. Violence or threats of violence/punishment
- c. Threats of deductions from the wages
- d. Locked in the workplace

WC4.1 Outside your working hours, are you free:

- a. To talk to other children from the area
- b. To talk to adults from the area
- c. To leave your living place
- d. To contact your parents/relatives
- e. To go alone to nearest village/city
- f. To practice your religion
- g. To attend school

WC4.2: How does your employer prevent you from doing that?:

- a. Locked in living place

- b. Under constant surveillance
- c. By violence or threats of violence
- d. Working place is totally isolated
- e. Id confiscated

Impossibility to leave employer

IL1.1 If you find a better job, are you free to leave your current employer?

- a. Yes, at any time
- b. Yes, at the end of the contract
- c. Yes, if we respect the terms of the agreement/contract
- d. No

IL1.2 If no, why?

- a. Parents would lose benefits (land, housing, ...)
- b. Other family members would lose their job
- c. Because of the advance given to parents
- d. Because of the loan taken by parents
- e. Because my employer owes me delayed wages
- f. Because employer keeps ID

IL1.3 What would you risk if you leave in spite of the interdiction?

- a. I wouldn't get my due wages
- b. Other family members would lose their job
- c. My employer would tell other employers in the area not to hire me
- d. My employer would beat me if he finds me
- e. Employer would take revenge on my family
- f. I would be without any resource

Framework for the analysis of forced labour of children

Identification of children in forced labour

To prepare the analysis and the presentation of results, it is recommended to group the indicators into main sub-dimensions as follows:

1. Involuntary recruitment
 - 1.1. Tradition, birth in a bonded family
 - 1.2. Debt bondage
 - 1.3. Employer's pressure/cultural practices
 - 1.4. Deceptive recruitment
2. Work and life under coercion
 - 2.1. Dependency
 - 2.2. Limited freedom
 - 2.3. Forced work
3. Impossibility to leave employer
4. Coercion/Penalty
 - 4.1. Threats, violence
 - 4.2. Retention of wages and promises for future benefits
 - 4.3. Isolation, locked, imprisonment
 - 4.4. Threats on family/link with debt
 - 4.5. abuse of lack of alternatives

In the context of an analysis done with a statistical software, a dummy numeric variable is created for each sub-dimension. The dummy variable “Forced Labour” (which can be binary or numeric) is computed by combining the previous variables.

The first phase of analysis consists in building tables where indicators are associated with answers from the questionnaires. A same indicator can be filled by one single question, but more often by logical combinations (AND and OR) of answers to several questions. The details are given only for the dimension “Forced recruitment” but a similar approach should be applied for all dimensions.

Indicators of unfree recruitment

	<i>Indicator</i>	<i>Coding</i>
Tradition, birth	Parents are in forced labour and recruitment of children is imposed by employer	(FR1.1.g==1 OR FR1.2.c==1 OR FR1.2.d==1)AND Parents in FL ==1
Debt bondage	Loan agreement with parents included child’s work (to be accounted against the debt)	FR1.1.e==1
	Parents received an advance of salary	FR1.1.h==1
Employer’s pressure/ Cultural practices	Recruitment of the child part of the agreement when parents/relatives got a job for the same employer	FR1.1.f==1
	Child sent by previous employer without the child’s consent or parents’ consent	FR1.2.f==1
	Recruitment of the children part of the tradition imposed by powerful people	Fr1.1.g==1
Deceptive recruitment	Type of job is not the one promised	(Fr2.1.d= “promised” OR Fr2.1.d=“Written”) AND (Fr2.3.d= “Worst” OR Fr2.3.d==“Much worst”)
	Job was taken to get access to education and it did not happen	(Fr2.1.a= “promised” OR Fr2.1.a=“Written”) AND (Fr2.3.a= “Worst” OR Fr2.3.a==“Much worst”)

A similar table is prepared for “Work and life under coercion”, “Impossibility to leave” and “Penalty”.

Next phase consists in rating each sub-dimension by adding “1” to the corresponding variable for each indicator.

Tradition = Tradition + 1 if (FR1.1.g==1 OR FR1.2.c==1 OR FR1.2.d==1)AND Parents in FL ==1

Debt Bondage = Debt Bondage +1 if FR1.1.e==1

Debt Bondage = Debt Bondage +1 if FR1.1.h==1

Cultural practices = Cultural practices if FR1.1.f==1
 Cultural practices = Cultural practices if FR1.2.f==1
 Cultural practices = Cultural practices if FR1.2.f==1
 Deceptive recruitment = Deceptive recruitment+ 1 if (Fr2.1.d= "promised" OR Fr2.1.d="Written") AND (Fr2.3.d= "Worst" OR Fr2.3.d=="Much worst")
 Deceptive recruitment = Deceptive recruitment+ 1 if (Fr2.1.a= "promised" OR Fr2.1.a="Written") AND (Fr2.3.a= "Worst" OR Fr2.3.a=="Much worst")

Eventually, the variable Forced Labour is calculated as follows:

Unfree Recruitment ==1 if Tradition>0 OR Debt Bondage>0 OR Cultural Practices >0 OR Deceptive Recruitment >0

Work and life under coercion==1 if Dependency>0 OR Limited freedom >0 OR Forced work >0

Impossibility to Leave ==1 if Impossibility to leave >1

Coercion==1 if Threat>0 OR Retention >0 OR Isolation >0 OR Threats on family >0 OR Lack of alternatives >0

Forced Labour ==1 if
 (Unfree Recruitment AND Coercion)
 OR
 (Work and life under coercion AND Coercion)
 OR
 (Impossibility to leave AND Coercion)

Last step of identification consists in adding the children working with their parents, if one or both parents are themselves in forced labour.

Forced Labour ==1 if (Child works in family context) AND (parents are in forced labour)

Note that other models of analysis are possible. For example, it may be interesting to keep the variables as numeric with the sum of elementary variables in order to rate the degree of involuntariness and coercion. This can later be used in the analysis to create groups of children according to their degree of forced labour, or even to compare the degree of exploitation with the degree of coercion.

Once the identification of children in forced labour is completed, the analysis can take place.

Descriptive analysis of the children in forced labour

Similarly to the analysis of adults, the descriptive analysis of children in forced labour will present:

- their socio-economic background;
- the elements of forced labour (mechanisms of recruitment, work and life under coercion, impossibility to leave employer and means of coercion) ;
- their working conditions (quantity of work, wages, social benefits, etc).

In the three sections, a comparison between children in forced labour and other children in employment will be made to highlight the differences.

Analysis of the socio-economic background

This section aims at answering to the questions: who are the children in forced labour? Where do they come from? What is their family background?

A first set of basic variables will be used for this analysis, such as sex, age, level of education, ethnic group (if relevant and not too sensitive), and place of origin.

A second group of analysis will cover the variables related to the children's household. For this analysis, it may be useful to distinguish three groups of children if the information on the situation of parents is available:

- children not in forced labour
- children in forced labour whose parents are not in forced labour
- children from families with parents in forced labour

Variables to be tested include the household size, assets of household, land/house ownership, indebtedness of household and employment status of head of household.

All the analysis will compare at least the group of children in forced labour with the group of working children who are not in forced labour. If relevant, the third group of non working children may appear in some tables.

Analysis of the mechanisms of forced labour

This analysis is crucial to understand the shape of forced labour of children revealed by the survey. The variables used for the analysis are the ones used for the identification. In particular, there should be a full analysis of the four dimensions (unfree recruitment, life and work under coercion, impossibility to leave employer and Coercion/penalty). For each dimension, along with the figures giving the extent of the abuse, details can be provided on the most prevalent indicators. For example, if a majority of children are recruited in exchange for a loan given to parents, it is recommended to run a detailed analysis of the debts (duration, interest rate, reason, etc.).

If possible, the penalties and threats of penalty used as means of coercion should be related to each dimension. For example, the presentation of "work and life under coercion" should include the means used by employers to force the children to work more or perform hazardous or illicit tasks.

It has been shown that there are some specifics in the threats imposed to children because of the young age, their vulnerability, and their credulity. The use of qualitative information collected during the preliminary work is particularly important to complete the numerical analysis and to give sense to some figures.

If the number of children found in forced labour is large enough to allow several levels of desegregations, the differences in means of coercion used by employers according to the age of the children may reveal some of these vulnerabilities.

A special attention should be given to all variables related to the violence suffered by children in forced labour. Its form, extent, frequency will be analysed carefully.

Impact of forced labour on working conditions

The analysis of working conditions will be made very carefully to show to which respect children in forced labour are more exploited than others. It is recommended to include the following dimensions in the analysis:

- quantity of work (including the numbers of hours of work per day, the number of working days per week, per month)
- the wages in cash and in kind. It is recommended to use a same unit of payment to compare the two groups of children: the wages of children in forced labour paid daily will be compared with the wages of other children paid on a daily basis. There is too much uncertainty on the number of working days per week/month to compute average monthly income for example on the basis of a daily rate.
- The hazards faced by the children in forced labour, such as hazardous tasks performed without protection, night work, etc. Variables related to injuries and illness due to work will be analysed in this section.
- The existence/absence of contract, its form (verbal/written), etc.
- The social benefits received by the children (paid sick leave, holidays, health insurance, etc)

Determinants of forced labour

Multivariate analysis allows a search for determinants which provide explanations on the causes of forced labour. A binary variable “Forced labour” will be created and tested against explicative variables. The variables to include in the analysis depend on the context, but will typically include the sex, sector of activity, level of education, geographical area and some key elements related to the household if available.

The results of this analysis will serve as a basis for recommendations.

Ethics for interviewing children

All topics raised for ethical rules for interviewing adults in forced labour apply for children, but they must be completed by specific ones. The issues raised below are derived from ethical rules designed by ILO for surveying worst forms of child labour in Nepal.

First, the researcher must estimate the risk for children to participate in the survey. The place of interview of children (living place, working place or in a neutral place) should be selected for the best interest of the child. Considerations regarding the privacy of the discussions will guide the choice.

The time for the interview is also crucial: if it takes place during working hours, interviewers should check that the child will not be penalised for the work not done because of the interview. If it takes place outside working hours, interviewers must take into consideration the child’s need for rest after a working day.

The notion of “informed consent” is central to all surveys. In the case of the concept of forced labour which children may not be aware of, children have the right to be informed on the objectives and possible outcomes of the research. This can be done without using the exact and formal terms such as “forced labour” or “trafficking”. Interviewers will present the main sections of the questionnaires in simple terms: “we will talk about the reasons why you

work her, how you happened to work for this person, etc.”. If forced labour is taking place in family context, the parents should also provide their consent.

The “Right to say no” is the same for adults and children, but children interviewed in that precise context are used to be forced to obey adults and may be afraid of refusing to answer. Interviewers will be specifically trained on this issue in order to be able to explain to the child that he is really free to refuse to answer.

The vocabulary used in the questionnaire will have been reviewed by children’s specialists before being finalised. Nevertheless, some terms may be misunderstood or unknown by some children. Interviewers will be trained to be able to rephrase each question (and possible answers) with different words, while keeping in mind the consistency with the information searched. Another possibility is to let the child provides his own answer, with his own words and later to match it with the list of possible answers.

The topic of the survey being on the work experience and the coercion and violence applied by employers, children may start crying, or suddenly stop talking, overwhelmed by the emotion. They may also start talking about very abusive conditions, and the interviewer should be prepared to propose some assistance.(psychological, medical, social) or even to withdraw the child if he his in danger. This will have been carefully planned and explained during the training of field workers.

The answer to be given to children (or families) asking for cash or presents in exchange for their time responding to the survey will have been discussed during the training, and clear rules will have been set up, to which field workers should stick. It is usually accepted to give some awareness or health related items to respondents, but remuneration in cash is not recommended.

Case Study 1: Results from national survey in Armenia (2009)

Gathering quantitative and qualitative data on victims of trafficking for forced labour with a view to develop effective anti-trafficking policies was prioritized by the Government of Armenia in National Action Plans on Trafficking for 2004-2006 and 2007-2009. In mid-2008, the Inter-Agency Anti-Trafficking Working Group of Armenia (IAWG) and the ILO Special Action Programme to combat Forced Labour (SAP-FL) initiated discussions on the objectives and methodology for a nationwide household survey on trafficking for forced labour to be implemented by the National Statistical Service of Armenia (NSS).

The main data collection method was a stand-alone nationwide sample survey of households, which was implemented by the NSS over a one month period between 10 November and 10 December 2009. The main sample consisted of 5,000 households, and 309 additional households with returned migrants were identified through the households in the main sample. The total sample of returned migrants achieved from both samples was 1106. Forced labour was assessed among the group of returned migrants.

The survey reported that 199,735 Armenian migrants (or 7.9% of Armenia’s de jure 16 years and older population) were working or looking for employment abroad at certain times between October 2007 and December 2009. The survey allowed estimating the proportion of successful migrants at 41.8%, meaning that six out of ten returnees have experienced significant degrees of deception, exploitation or coercion during their trips. From the policy-making perspective it is useful to know that the proportion of returnees who did not experience any elements of deception, exploitation or coercion was as low as 11.6%. The proportion of exploited migrants was estimated at 41.3% or equal to the proportion of successful migrants. The proportions of deceived and exploited migrants and victims of

trafficking for forced labour were estimated at 8.4% and 4.3% respectively, suggesting that over 10,000 Armenian labour migrants who returned to Armenia between October 2007 and December 2009 were victims of deception and labour exploitation and over 5,000 were victims of trafficking for forced labour.

Case Study 2: Results from regional survey in Bangladesh (2009)

In order to understand the extent and nature of forced labour of children, the Bangladesh Bureau of Statistics in collaboration with ILO-IPEC decided to conduct a survey on children working in dry fish industry in Bangladesh. The dry fish sector was identified in the workshop held in December 2009 as a sector at risk of forced labour of children. The survey aimed at estimating the extent and understanding the (i) mechanisms of recruitments (ii) means of coercion which force children to work and (iii) the link between coercion and exploitation with special attention to identify the children who are most at risk of becoming victims of forced labour.

The survey was designed to capture both quantitative and qualitative information in order to provide an estimate of the number of children victims of forced labour in dry fish industry in Bangladesh. The survey on Child Workers in Dry Fish Industries in Bangladesh 2010 has been conducted in five selected districts viz. (i) Bagherhat, (ii) Patuakhali, (iii) Borguna, (iv) Chittagong and (v) Cox's Bazar districts to provide information of child workers and forced labour of children in the dry fish industry of Bangladesh. A total of 597 establishments were sampled from a total of 2105 establishments and 1738 child were interviewed from a total of 2697 child.

According to the results of the survey, there were 7,700 children in Bangladesh who were working in dry fish industries. 23.2 percent of these children are found to be working in forced labour situation. There are more boys than girls working in dry fish industries (80.7% vs 19.3 %) Forced labour concerns mainly boys: they are 25.4 % of boys working in dry fish industry to be in forced labour vs. 14.1% of girls.

Case Study 3: Results from national survey in Georgia (2008)

A national survey on labour migration and trafficking was implemented by the National Centre of Research Resources and Statistics in 2008. From this survey, it appears that 12% of households from Georgia have at least one member currently working abroad or recently returned from working abroad. Extrapolated to the whole population, this result shows a total of 134'000 households involved in labour migration in which 170'500 labour migrants (aged 16 and above) can be found. It should be noted that this estimate doesn't take into account the Georgians whose household migrated as a whole and is therefore no longer registered in Georgia.

Nearly 62% of labour migrants from Georgia are men, and 38% are women. The majority of male migrants go to CIS countries (almost two-thirds) and only 16.5% migrate to work in Europe, while 51% of female migrants go to European countries.

Using indicators of coercion and exploitation embedded in the questionnaires, it was estimated that 10% of labour migrants were in forced labour, 43% exploited and 47% successful. Deception was not assessed in this survey, and there is therefore no estimate of the number of deceived migrants from Georgia.

These estimates were calculated on the basis of the results of a national survey using a random sampling of 8010 households nationwide, in both rural and urban settlements. The

questions related to working conditions abroad were addressed only to those people (16 and above) who were staying in the household at the time of the interview and who had been working abroad in the two years prior the interview.

Case Study 4: Results from national survey in Moldova (2008)

In 2008, the National Bureau of Statistics of Moldova was the first to test ILO methodology to survey and estimate forced labour and trafficking resulting from labour migration out of Moldova. A specific module on labour migration was designed and embedded in the regular Labour Force Survey. This module included a special set of questions related to the process of recruitment, travel, search for a job and working conditions of labour migrants from Moldova. Anyone (16 and above) who had been working abroad and came back to Moldova in the year prior to the interview was eligible to fill the questionnaire. In order to ensure a large enough number of eligible respondents (returned migrants), the normal sampling of Labour Force Survey was complemented by an additional set of households taken from the sample of 2007 Labour Force Survey. Households which had at least one member who was abroad for work at that time were added to the new sample.

The results show that 12.3% of the whole population of working age (15-64 years old) is involved in labour migration, either as been currently working abroad (9.5%) or having returned in the past year from working abroad (2.8%). Two-thirds of labour migrants are men, coming mainly from rural areas. Most of the migrants found a job in CIS countries, in construction sector for men and household services for women.

Using the indicators of deception, coercion and exploitation embedded in the questionnaire, it was possible to show that nearly 60% of migrants were successful, 24% were exploited, 7.6% were deceived and exploited and 9% appeared to be in forced labour. Victims of forced labour are younger than the other migrants, with a lower level of education. In most cases of forced labour, employers used the retention of wages to keep the workers with them longer than agreed, which is a strong element of forced labour.

Case Study 5: Results from national survey in Nepal (2009)

A survey on Forced Labour of Adults and Children in Agricultural Sector is was carried out by a team of experts affiliated to the Central Department of Population Studies (CDPS), Tribhuvan University and International Labour Organisation (ILO) during April-December, 2009. The survey aimed to estimate the magnitude of adults and children in forced labour, especially from Haruwa-Charuwa and Haliya in Nepal and examines the situation of workers vis-à-vis living conditions, working conditions, mode of payments and earning, violence, abuse and restriction/coercion .

The survey covered 12 districts – seven from central and eastern Tarai and five from far-western hills. The survey used three stage stratified sampling scheme and selected two groups of households i) Haruwa-Charuwa and Haliya or target group and ii) non-Haruwa-Charuwa and Haliya households or control group. A total of 6,330 households were sampled from a total of 216 Village Development Committees (VDCs) in 12 survey districts (18 VDCs in each district) and 6,295 households (2,060 for target group and 4,235 for control group) were successfully enumerated.

The survey estimated 0.94 million households in the 12 districts, of which 111, 149 households (12%) were affected by forced labour. An overwhelming majority of Haruwa-Charuwa and Haliya (90% each) and 5 per cent of control group were affected by forced labour. About 13 per cent households in the Tarai region and 5 per cent in far-western hills

were affected by forced labour. Eleven per cent of the total 0.55 million households were affected by debt bondage. A total of 143,000 working adults (9%) out of 1.6 million were in forced labour, as defined by the combination of unfree recruitment, impossibility to leave and means of coercion. The number of working children aged 5-17 years was estimated as 89,545, of which one-third were in forced labour situation.

Case Study 6: Results from national survey in Niger (2008)

In 2007, IPEC and the “Institut National de la Statistique” from Niger decided to work together to run a national Child Labour Survey to gather quantitative information on the number of children working, their tasks, attendance to school and other relevant indicators. The National Child Labour Survey 2008 (NCLS) is a household based survey which covered a sample of 4,800 households. The survey aimed at collecting information on the economic and non-economic activities of children 5 to 17 years old, on the demographic and socio-economic characteristics of children and on the working conditions, the health and safety issues of working children. A set of questions related to forced labour were embedded in the National Child Labour Survey. The survey’s sampling was modified to over sample the regions where forced labour was more likely to be found.

During the National Commission on forced labour and discrimination the national experts highlighted the fact that the situation of the children was highly dependent on the one of their parents: if a father or a mother is working in forced labour for another family, it is most probable that the children (or some of them) have also to work for the same employer or for his relatives. In that case, forced labour of children may be hidden in family work. The survey had therefore to be designed to capture all dimensions of forced labour, including the situation of both adults and children.

The survey estimated a total of 59,541 adults in forced labour which is equal to 1.1 percent of the total number of adults. The percentage of working women in forced labour is slightly higher than working men in forced labour (1.2 percent and 1.0 respectively). Nearly half of adults in forced labour work as domestic employees in private households and almost one quarter work in agriculture or husbandry. In those two activities the proportion of adults in forced labour is higher than in other activities with prevalence of 2.1 percent and 2.4 percent respectively. A total of 54,564 children are identified as being in forced labour, 24,682 girls and 29,882 boys, representing respectively 2.4 percent and 3.3 percent of working girls and boys. Multivariate analysis shows that the likelihood of being in forced labour increases for a children when households have a lower monthly expenditure and when the head of household is a woman. Children in households where some of household members are in a domestic activity also have higher risk of being in forced labour. The fact of moving from rural to urban areas and deterioration in the socioeconomic status of the household as a result of natural disasters or bad harvest or loss of a household member etc. increases the likelihood of children being in forced labour. The possibility of reaching credits of the household decreases the risk of children to be in forced labour.

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ILO Special Action Programme to Combat Forced Labour

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

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

- Raised global awareness and understanding of modern forced labour;
- Assisted governments in developing and implementing new laws, policies and action plans;
- Developed and disseminated guidance and training materials on key aspects of forced labour and trafficking; and
- Implemented innovative programmes which combine policy development, capacity building and direct support for both prevention of forced labour and identification and rehabilitation of its victims.
