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## ▶ **The Work in Freedom Handbook**

A critical glossary of terms relating to  
freedom and unfreedom in the world of work



# ▶ **The Work in Freedom Handbook**

A critical glossary of terms relating to freedom and unfreedom in the world of work

**Igor Bosc**

**ILO Regional Office for the Arab States**  
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## ► Abbreviations

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ACTRAV	The Bureau for Workers' Activities
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CIDH	Inter-American Commission of Human Rights
FCDO	Foreign Commonwealth and Development Office
GAATW	Global Alliance Against Traffic in Women
ICLS	International Conference of Labour Statisticians
ILC	International Labour Conference
ILO	International Labour Organization
IOE	The International Organisation of Employers
ITUC	The International Trade Union Confederation
NSWP	Network of Sex Work Projects
ODHIR	The Office for Democratic Institutions and Human Rights
OPSC	Optional Protocol on the sale of children, child prostitution and child pornography
OSCE	the Organization for Security and Cooperation in Europe
SDG	Sustainable Development Goal
SNA	System of National Account
UFW	Unacceptable Forms of Work
UNDP	The United Nations Development Programme
UNEP	The United Nations Environment Programme
UNSG	The Secretary-General of the United Nations





## ► Preface

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Most of us would agree that we should take action against forced labour, modern slavery and human trafficking. The Sustainable Development Goals (SDGs) refer to *eradicating* forced labour and *ending* modern slavery and human trafficking (SDG Target 8.7).<sup>1</sup> However, each one of these conceptual constructs implies a different way of seeing the world, a different history of understanding and a very different framework of action. The purpose of this critical glossary is to deconstruct some of these commonly used concepts in order to flag their blind spots, merits and other characteristics.

Each term is situated in a specific polarity between what it describes and its opposite to be desired (e.g., some type of freedom) or to be freed from (e.g., some type of unfreedom). While those polarities indicate different moral orders, this glossary does not seek to attribute a moral judgement to these taxonomies, but rather to highlight the breadth of the semantic fields they are situated in, and the contested polarities that they encapsulate or don't.

Throughout history there have been multiple ways of describing different forms of freedoms or unfreedoms connected with work. Some taxonomies are more characteristic of certain forms of economic, social and political organization and specific periods of history. For example, serfdom is usually associated with feudal economies in the Middle Ages. Generally, these taxonomies have been changing through processes of social, economic and political contestation. The analysis of the dichotomy between labour freedoms and unfreedoms reveals the dual nature of work that oscillates between specific chores, tasks and activities, and work as a recognized social construct linked to rights and entitlements. While an individual may undertake certain concrete activities that s/he may consider work, there is no guarantee that such labour is socially recognized as labour. In that sense, labour history is a reflection of struggles to define the meaning of work.

This glossary lists terms in alphabetical order. The choice to include different terms was based on two factors: (1) the need encountered to explain terms during the implementation of the Work in Freedom programme,<sup>2</sup> and (2) the need to highlight terms that are situated in specific spectrums of labour freedoms or unfreedoms that are rarely discussed in public narratives.

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<sup>1</sup> Trafficking is also referred to elsewhere in the SDGs, i.e. SDG Target 5.2 (women and girls) and 16.2 (children).

<sup>2</sup> The Work in Freedom Programme is a development cooperation programme funded by the Foreign Commonwealth and Development Office (FCDO) of the UK and the ILO.



## Notes on the grammar of “work” and “freedom”

Most entries in this glossary include expressions with adjectives that qualify work (e.g., decent work), verbs or verbal nouns that denote a dynamic somehow linked to work (e.g., trafficking, abolishing), and nouns denoting a type of work (e.g., slavery).

- ▶ Adjectives describing work range from those that are specific to those that are broad. When adjectives qualifying work are specific, it is generally easy to find clear legal definitions and infer what their opposites mean. However, when those adjectives are general, more extensive explanations are needed to clarify what they and their opposites mean. For example, it is easier at face value to describe what “hazardous” work is or isn’t, but it is more difficult to describe what “decent” work is or isn’t.
- ▶ Expressions which are constructed around a verb depict action towards a specific state which itself is indicative of a specific polarity. Some of those terms can include verbal nouns. Some of these verbs appear to be more specific (e.g., abolishing), while others appear more diffuse (e.g., trafficking). Most of these expressions tend to focus on either ending a certain type of work (e.g., ending slavery) or accessing or leaving a certain type of work (e.g., survivor of modern slavery).
- ▶ Nominal expressions that do not contain the word “work” or “labour” tend to represent particularly egregious (e.g., serfdom or sale of children) or outstanding representations of work, or social and economic relationships that involve work but do not explicitly acknowledge it (e.g., forced marriage).

## Notes on the semantics of “work” and “freedom”

Each term illustrated in this glossary is situated in a specific semantic spectrum of labour freedom ranging from an absence of freedom to an abundance of freedom. While most terms are minimalist, in the sense that they tend to establish a minimum benchmark of what unfreedoms or freedoms are or are not, very few universal terms actually define a situation of abundant freedom. Borrowing the concept of binary opposites of structuralist linguists, most terms tend to be understood within a specific polarity of what they describe and their absence (e.g., “decent work” versus “indecent work”). For the purpose of this glossary, these polarities can be grouped into at least six variable and somewhat overlapping fields or spectrums representing different themes of contestation. They include: the recognition of work, access to work, autonomy in work, remuneration, safety and health at work, and freedom to work for a common public interest. Some of these semantic spectrums are rather wide, such as the one describing autonomy, and they include several terms that constitute a semantic network. For example, “autonomy” includes the variable ranges of autonomy and control over workers. It also separately includes variable ranges of employer accountability over working and living conditions and variable relevance of technology in enabling freedoms for workers, employers or both. Other spectrums are rather narrow and less commonly discussed. For the purpose of this glossary, at least one term from each spectrum has been included. While some terms related to each spectrum are listed, the spectrums themselves are left undefined since these spectrums are variable and overlapping. Defining them would lock their signified attributes in definitions that would be imperfect.<sup>3</sup> The context of each of these spectrums is important: for example, the availability and distribution of resources influences what type of work is recognized as work, which work can be accessed, etc.; access to means to make a living influences the autonomy one has in relation to work; and type and size of economies influence each spectrum in very different ways.

3 P. Bourdieu, *Méditations Pascaliennes* (Paris: Seuil, 1997, p.3).

- ▶ **Recognition of work** ranges from the full recognition of work to the complete denial of labour and other human rights in the context of work. Laws, regulations and social norms enable or hamper the acknowledgment of work, valuation of work and enjoyment of universal worker rights. Roles that are necessary for social reproduction are often formally not considered as work, especially when they involve women or the elderly. More generally, work that is not part of the production boundary within Systems of National Accounts tends not to be recognized as work. Many societies also attribute religious or spiritual dimensions in defining “purity” and “impurity” of work. Some work is connected with social interpretations of the divine or spiritual, while other work is considered material and polluting, hence affecting the valuation of work. Regulation of work also varies depending on whether it allows for a public state role or whether regulation is privatized and left for the employer to decide his or her own standards. Key words or concepts: [forced marriage](#), [unpaid work](#), voluntary work, [informal work](#), [unacceptable forms of work](#), atypical forms of work, precarious work<sup>4</sup> (Standing 2011), non-standard employment,<sup>5</sup> [sex work](#), workers with family responsibilities,<sup>6</sup> maternity protection,<sup>7</sup> [domestic workers](#), good work,<sup>8</sup> [decent work](#). Terms or concepts that are related: concrete or abstract labour (Marx 1973).
- ▶ **Access to work** ranges from full freedoms in accessing decent work to complete absence of such freedom. Scarcity and availability of jobs are central to accessing them. Access varies between possible access based on qualifications linked to skills and impossible access based on impossibility of acquiring qualifications and the absence of jobs. Class differences play a central role. The more scarcity of decent jobs prevails, the more other factors kick in, such as identity and history of negotiation to access work, access to qualifications, the need to migrate to find a job, the possibility of being trafficked, having to deal with multiple labour intermediaries and having to face others who are willing to work for less. Key words or concepts: [human trafficking](#), [smuggling](#) (of migrants), [unfree work](#), forced migration, [labour mobility](#), [fair recruitment](#), public employment, right to education and vocational training (to access decent work).<sup>9</sup> Terms or concepts that are related but seldom used in public discourse: decent job scarcity.
- ▶ **Autonomy in work** includes autonomy and consent over work processes and conditions as follows:
  - **The degree of control over a worker** depends on his/her degree of consent to work processes and conditions. This can range from coercion, violence, harassment, disciplining, immobilization, isolation, extent to which it is possible for a worker to “consent”, and other practices that a worker consents to or not (e.g., overtime), to the possibility of freedom of association and collective bargaining, or being able to take independent decisions such as working in a worker-owned cooperative. Key words or concepts: [modern slavery](#), [slavery](#), child labour, [worst forms of child labour](#), [forced labour](#), [exploitation](#), [exploitation of the prostitution of others](#), [serfdom](#), [abolition](#), violence and harassment,<sup>10</sup> [sponsorship system](#), freedom of association,<sup>11</sup> collective bargaining.<sup>12</sup> Terms or concepts that are related but seldom used in public discourse: freedom to exit work, democracy at work (Wolff 2012).

4 ACTRAV, *Policies and Regulations to Combat Precarious Employment* (ILO, 2011).

5 ILO, *Non-Standard Employment Around the World: Understanding Challenges, Shaping Prospects*, 2016.

6 ILO, *Workers with Family Responsibilities Convention*, 1981 (No. 156).

7 ILO, *Maternity Protection Convention*, 2000 (No. 183).

8 Cooke, G., J. Donaghey, and I.U. Zeytinoglu, “The Nuanced Nature of work Quality: Evidence from Rural Newfoundland and Ireland”, *Human Relations* 66, No. 4 (2013): 503–527.

9 [International Covenant on Economic, Social and Cultural Rights](#).

10 ILO, *Violence and Harassment Convention*, 2019 (No. 190).

11 ILO, *Freedom of Association and Protection of the Right to Organise Convention*, 1948 (No. 87).

12 ILO, *Right to Organise and Collective Bargaining Convention*, 1949 (No. 98).

- **The degree of public accountability for working and living conditions of workers.** This ranges from full accountability for working conditions based on the fundamental principles and rights at work that are recognized by the ILO/international community, effective labour inspection, access to justice and remedies, to work that is self-regulated by employers, self-employment or employer-less work. Terms or concepts that are related: self-employed worker, gig worker, flexible labour, [sub-contracted labour](#), permanent worker.
- **Technological autonomy and control.** This spectrum emphasizes a degree of control by workers, employers or others over resources and technology related to work. Key words or concepts: manual work, marginal labour<sup>13</sup>, driver, machine operator, engineer. Terms or concepts that are related: automated work, workers controlled by algorithms.
- ▶ **Remuneration** ranges from living wages or wages that make social reproduction possible, to poverty wages and debt bondage. Pay for work depends on access to financial and social capital and the type of economy (e.g., market economy, planned economy). Access to financial capital may involve banking or illicit money lenders, while access to social capital usually depends on education, qualifications linked to skills and other similar factors (but sometimes to kinship relations or membership of a particular group). Public regulation affecting access to free or subsidized public services, monetary policies and cost of living affects expectations around remuneration. Key words or concepts: life-long wage (Friot 2012), living wage,<sup>14</sup> access to services enabling social reproduction, minimum wage, social protection floors,<sup>15</sup> universal basic income, [unpaid work](#), [debt bondage](#).
- ▶ **Work safety and health** ranges from work enabling full access to health care, safety and health at work, and hazardous work at the other end of the spectrum. The ILO has established a non-exhaustive list of hazardous occupations. Key words or concepts: full health care access linked to work, precarious work,<sup>16</sup> hazardous work,<sup>17</sup> occupational safety and health at work,<sup>18</sup> “zero” concept including zero injuries, illnesses or fatalities. Terms or concepts that are related but seldom used in public discourse: safe work.
- ▶ **Freedom or lack thereof to work for a common public interest** that gives social meaning to work (recognition of civic engagement as actual work versus *corvée* labour<sup>19</sup>). The spectrum ranges from work devoted first and foremost to a specific finality perceived as common public need (e.g., reconstruction after a disaster, wartime work, environmental sustainability), a needed civil and public service, preservation of the commons, and at the opposite end, work that is subordinated to other individualized logics such as a market logic or individual supremacy or survival. Note that there are inherent antagonisms between public and individual logics. For example, some types of public employment may be seen as socially important (e.g., health professionals during a pandemic), even though they may also be seen as a public “expenditure” from a market-economy lens unless they are privatized and subordinated to a market logic. Environmental sustainability may involve jobs allowing for ecological sustainability, and its opposite includes jobs that are irreparably destructive to ecosystems. The concept brings in a long-term time dimension to work. Key words or concepts: unsustainable jobs, dead land and dead water (Sassen 2014), speculator, green jobs, blue economy, sustainable

13 In the Persian Gulf context, the term “marginal labour” refers essentially to work that is not very productive.

14 The ILO Declaration of Philadelphia refers to the importance of “a minimum living wage to all employed and in need of such protection”.

15 ILO, [Social Protection Floors Recommendation](#), 2012 (No. 202).

16 ACTRAV, [Policies and Regulations to Combat Precarious Employment](#) (ILO, 2011).

17 Hazardous work includes three subdivisions: hazardous industries (such as the construction industry, where the entire environment on a construction site is inherently dangerous); employment in hazardous occupations (e.g., leather tanning, where the tanning process is dangerous); working in hazardous conditions (e.g., in situations which make any worker vulnerable to danger).

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

19 Historian Ogden Goelet defines *corvée* labour as “unpaid, unskilled manual labour exacted in lieu of taxation in the form of money or goods. ... it generally entailed involuntary service and normally involved a great mass of people from a given locality.” (Hudson 2014, p.3).

work,<sup>20</sup> activist, social workers, military service, civil servant, corvée labour, 3-D jobs (dirty, dangerous and demeaning). Terms or concepts that are related but seldom used in public discourse: unsustainable work, destructive work.

## Note on the tabular form of presentation of each entry

Concepts underpinning each entry are described and discussed within a limited tabular form to provide an exhaustive reference. There are long debates on each of these terms in several reputed peer-reviewed journals in legal studies, labour studies, labour history, development and gender studies. In addition to academic commentaries, some of these terms have been codified into laws, while some have also become international norms.

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20 UNDP, *Human Development Report 2015: Work for Human Development*, 2015.

## ► List of terms

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## Abolition

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This term is commonly used in reference to unfree forms of work, including slavery, child labour, debt bondage, serfdom and the <i>kafala</i> system (sponsorship system). Alternative words include: “suppressing”<sup>21</sup>, “eradicating”<sup>22</sup>, “ending”, “eliminating”<sup>23</sup> and “combatting”<sup>24</sup>.</p>	<p>Article 1 of the <a href="#">1956 Supplementary Slavery Convention</a> specifies that: “Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices...”</p> <p>The <a href="#">Abolition of Forced Labour Convention</a>, 1957 (No. 105) calls for the complete abolition of forced or compulsory labour and its “suppression”, including “not making use of it”.</p>	<p>1956</p> <p>1957</p> <p>2015</p>	<p>Abolition implies drastic measures such as legal, criminal and developmental measures that may involve legislators, judiciary and executive authorities. It also implies that there is an institution or cultural practice to abolish, rather than a (mere) pattern of behaviour to change. Law enforcement agencies tend to play an important role in enforcing abolition policies. Development efforts tend to focus on SDG Target 8.7. Alliance 8.7<sup>25</sup> has three strategic objectives: (i) increasing collaborative action on Target 8.7, ensuring acceleration, focus and</p>	<p>Abusive labour is based on normative and customary practices reflecting the political economy of labour. Abolitionist laws or decrees are ineffective without multilayered laws, policies and enforcement practices of a structural nature. In the last twenty years, despite commitments to reduce modern slavery, forced labour and human trafficking by a specific date, successive estimates of forced labour have tended to highlight increasing numbers, hence suggesting that programme efforts were insufficient or not based on accurate assessments of the root causes. This also suggests that solutions that question the political economy of contemporary labour are simply not considered. Recognition of the</p>	<p>However ambitious they may appear, abolitionist statements related to labour unfreedoms have the merit of depicting a resolve to end such situations. Abolitionist statements tend to be inspired by variable understanding of social, economic and political injustice in which class plays an important role.</p>

21 i.e. the term is used in relation to slave trade and slavery.

22 i.e. the term is used in relation to forced labour in the context of Sustainable Development Goal Target 8.7.

23 i.e. the term used by the ILO in relation to child labour.

24 In recent years, the term has been used increasingly to refer to sex work/prostitution and to trafficking of women and girls for the purpose of exploitation of the prostitution of others.

25 In September 2015, a summit of heads of state adopted the Sustainable Development Goals (SDGs), which frame the global development agenda between 2015 and 2030. One of the seventeen goals (goal 8) calls for the promotion of sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all by 2030. A specific Target 8.7 under this goal calls for effective measures to end forced labour, modern slavery, human trafficking and child labour in all its forms, including the worst forms of child labour. Alliance 8.7 is a global partnership fostering multi-stakeholder collaboration to support governments in achieving Target 8.7 of the SDGs.

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>The <a href="#">2015 UN General Assembly Resolution on the 2030 Agenda for Sustainable Development</a> includes Sustainable Development Goal targets referring to <i>eradicating</i> forced labour and <i>ending</i> modern slavery and human trafficking (SDG Target 8.7).<sup>26</sup></p>		<p>coherence; (ii) driving innovation and scaling up solutions; and (iii) providing a platform to engage in dialogue and to share knowledge and information.</p>	<p>current social, political and economic challenges involved in “abolishing” forced labour tends to be lacking. Such failures can erode public trust in such proclamations, programmes and abolitionist discourses.</p>	

<sup>26</sup> Trafficking is also referred to elsewhere in the SDGs, i.e. SDG Target 5.2 (women and girls) and 16.2 (children).

## Bonded labour, debt bondage or peonage

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Bonded labour is usually perceived as a condition in which a person works as a result of a debt that was forced upon him or her.	<p>The <a href="#">1956 Supplementary Slavery Convention</a> specifies that debt bondage is a practice similar to slavery. It further clarifies that debt bondage, while a type of servitude, can be characterized as slavery if the characteristics of ownership are present.<sup>27</sup> Debt bondage should not be confused with indebtedness.<sup>28</sup></p> <p>Furthermore, the report of the UN Special Rapporteur on Contemporary Forms of Slavery dedicated to debt bondage in 2015 mentioned that definitions used by regional human rights courts are relevant as they have binding relevance for their member states. In 2011, the Inter-American Commission of Human Rights (CIDH) listed nine characteristics of debt bondage.<sup>29</sup></p>	1956 2011 2018	<p>Legal systems to prevent debt bondage have existed since antiquity and were common in the Sumer, Babylonia and the Akkadian Empires. For example, the Andurārum edicts of the Akkadian Empire released bonded workers from debt peonage.<sup>30</sup></p> <p>In a modern context, India's Bonded Labour System (Abolition) Act of 1976 provides a good example of the wide range of measures that are commonly intended to be used to abolish bonded labour. Most frameworks of action include:</p> <ul style="list-style-type: none"> <li>• Extinguishing debts related to bonded labour by law, regulation of credit, interest and debt default in connection with work (e.g., limits on debt in relation to income; auditing, investigating and identifying odious debts). The ILO sets a standard that determines a maximum for advances to workers. The Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) is concerned</li> </ul>	<ul style="list-style-type: none"> <li>• Debt is intrinsic to how market economies work. Unless there are structural and effective measures in place to prevent odious debt accumulation, conditions for debt bondage tend to re-emerge, in spite of temporary relief measures.</li> </ul>	<p>This is the only concept that elaborates on the central connection between debt and labour, a structural cornerstone of a type of unfreedom that has existed over different periods of history and remains relevant today. Structural measures to prevent odious debts from occurring may have a transformational spillover effect on some other domains of unfree labour.</p>

27 There are, however, more liberal and expansive interpretations of the definition of the bonded labour system. Justice Sri P.N. Bhagwati of the Supreme Court of India, in a judgment dated 16 December 1983, arising out of writ petition No. 2135 of February 1982 and filed by Bandhua Mukti Morcha, specified that it is not necessary to prove beyond doubt the element of loan/debt/advance in a creditor-debtor relationship; if the debtor is rendering certain services to the creditor free of cost, it is to be presumed that he/she is doing it out of some economic consideration – he/she, therefore, is a bonded labourer entitled to the benefits of law.

28 Debt bondage doesn't refer to every situation in which a worker is in debt and feels pressured to work in order to repay it. Moreover, remedies for debt bondage are available that are not remedies for indebtedness in general.

29 This definition was repeated in the Inter-American Court judgment on the Brazil case of Fazenda Brasil Verde in 2016. Paragraph 210 of the CIDH report mentions that: "the Commission noted that the contemporary notion of slavery includes debt bondage as a practice analogous to slavery, and is thus also prohibited by the American Convention on Human Rights. The elements of debt bondage are: i) the provision of services as security for a debt, but without the value of the services being applied toward its liquidation; ii) absence of a limit on the length of service; iii) absence of definition of the nature of the services; iv) residence on the property on which the services are provided; v) control over the person's movements; vi) the presence of means to prevent escape; vii) psychological control over the person; viii) the person's inability to change his or her status and ix) cruel and abusive treatment." Unfortunately, in this part of the Commission's report it did not cite specific sources for its nine-point list (CIDH 2011).

30 It was understood that people's incapacity to pay certain types of debt undermined the sustainability of the political system (Hudson 2018; Toussaint, 2017).

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Peonage refers to a system where an employer compels a worker to pay off a debt with work.	According to the ILO's Department of Statistics: <sup>31</sup> "bonded labour is a form of forced labour in which the job or activity is associated with (i) advance payments or loans or excessive fees from recruiters and/or employers to the worker or to a person's family members; (ii) a financial penalty, meaning that the terms of repayment are unspecified at the outset and/or in contravention of laws and regulations regarding the amount of interest or other repayment conditions, or the job or activity is under-remunerated (in relation to legal regulations or the labour market); and (iii) some form of coercion until a worker or family member has repaid the loan or payment advance."		<p>with reducing forms of wage payment that foster indebtedness and requires state parties to take "all practicable measures" to prevent debt bondage.<sup>32</sup></p> <ul style="list-style-type: none"> <li>• Prohibiting bonded labour practices or customs together with penal measures.</li> <li>• Establishment of vigilance committees at the local level to identify bonded labour and implement abolition measures.</li> <li>• Provision for rehabilitation, material relief of bonded workers and special measures for bonded workers (e.g., protections from home evictions).</li> </ul>	<ul style="list-style-type: none"> <li>• The concept does not elaborate on non-debt related labour abuses.</li> </ul>	

<sup>31</sup> ILO, [Guidelines Concerning the Measurement of Forced Labour](#), the 20th International Conference of Labour Statisticians (ICLS), 2018.

<sup>32</sup> The Convention stipulates that wages must be paid regularly "at such intervals as will lessen the likelihood of indebtedness among the wage earners". It also places responsibility on a "competent authority" to ensure that when food, housing, clothing or other essential supplies and services are being used to pay the worker, their cash value is fairly assessed.

## Decent work

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
In practice, the concept popularly refers to acceptable and dignified conditions of work.	<p>Decent work is defined by the ILO as being productive work for women and men in conditions of freedom, equity, security and human dignity. The ILO has redefined its entire policy focus around the “Decent Work Agenda”.</p> <p>Earlier theorizations of the concept specified that “decent work is not defined in terms of any fixed standard or monetary level. It varies from country to country. But everybody, everywhere, has a sense of what decent work means in terms of their own lives, in relation to their own society”<sup>33</sup>.</p> <p>The <a href="#">2008 ILO Declaration on Social Justice for a Fair Globalization</a> delineates the outlines of decent work (see side column). Also, in the same year, the ILO Committee of Experts issued guidance listing <a href="#">statistical indicators and legal framework indicators to monitor decent work</a>.</p>	1999–2000 <sup>34</sup> 2008 2015	<ul style="list-style-type: none"> <li>The concept implies a measured focus on improving working conditions through the implementation of labour standards.</li> <li>The <a href="#">2008 Declaration on Social Justice and Fair Globalization</a> articulates the Decent Work Agenda by outlining four objectives which include employment, social protection, social dialogue and rights at work.</li> <li>Much revolves around the notion of workers’ consent to working conditions and social dialogue to overcome challenges.</li> <li>While the 2008 Declaration reflects political commitment, the concept does not have a legal definition. Within the</li> </ul>	<ul style="list-style-type: none"> <li>“Decent work” has become the rallying aspirational paradigm for the promotion of labour rights, in some way overtaking the dominant role that reference to “international labour standards” had in the 1960s up until the mid-90s. It represents what some would argue is a lower yet more realistic aspirational bar and a more diffuse and flexible paradigm.<sup>35</sup> While “international labour standards” are backed by a corpus of conventions, “decent work” is loosely defined in the 2008 Declaration and does not have a comparable legal status. The aspirational nature of “decent work” gives rise to variable interpretations, depending on constituents’ evolving views and negotiation strength.</li> <li>“Decent work” should be “meaningful work”, however, the current framing of “decent work” doesn’t provide for workers to construct what “meaningful work” is for them (Deranty and MacMillan 2012; Blustein et al. 2016).</li> </ul>	<ul style="list-style-type: none"> <li>The concept enables focus on working conditions, including international labour standards.</li> <li>The 2030 Agenda for Sustainable Development and the Decent Work Agenda refer to “decent work” as a goal post to be achieved. Statistical indicators and legal framework indicators frame the discursive proposition of decent work.</li> <li>The concept assumes that decent work is the result of a negotiation and an antagonistic power relationship resulting in an outcome that is neither ideal nor unacceptable.</li> </ul>

33 Speech of Director-General, Juan Somavia Altamirano, at the Vigyan Bhavan, New Delhi, 18 February 2000.

34 Report of the Director-General of the ILO, 87th Session of the International Labour Conference, June 1999.

35 Critical discourse analyses of texts produced by the ILO, the World Bank, and the World Health Organization have revealed discursive shifts in the ILO’s agenda “away from social conceptualizations of work toward neoliberal, market-driven definitions following the global financial crash of 2008–2009” (Di Ruggiero et al. 2015).

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	At the UN level, decent work is now an integral element of the 2030 Agenda for Sustainable Development (2015) and is central to SDG 8. The ILO has also referred to what is not decent work as “unacceptable forms of work”.		four broad objectives the concept is rather elastic, including and excluding different angles of work, depending on the local political economy of labour.	<ul style="list-style-type: none"> <li>• While decent work influences living conditions of workers, including their habitat, from an environmental and health perspective, there is limited deliberation on the topic.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept provides for a certain degree of flexibility enabling contextualization.</li> </ul>

## Domestic worker

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Domestic workers usually refers to workers contracted to undertake domestic work.	<p>According to article 1(b) of the <a href="#">Domestic Workers Convention</a>, 2011 (No. 189): the term “domestic work” “means work performed in or for a household or households”, and “domestic worker” “means any person engaged in domestic work within an employment relationship”. Convention No. 189 applies to all domestic workers and not necessarily to all domestic work.<sup>36</sup></p> <p>The ILO’s 20th International Conference of Labour Statisticians (ICLS) <a href="#">Resolution I</a> (2018) mentions that domestic work is defined for statistical purposes as “all work performed in or for a household or households to provide services mainly for consumption by household members. Domestic work is performed with payment made to employees of the household, to agencies that provide domestic services to households and to self-employed domestic service providers. Domestic work is performed unpaid by household members or by persons not residing in the household, such as family members, neighbours and volunteers. In statistics on employment, domestic workers are defined as workers of any sex employed for pay or profit, including in-kind payment, who perform work in or for a household or households to provide services mainly for consumption by the household. The work may be performed within the household premises or in other locations. Based on the statistical definitions of domestic work and domestic workers, the following categories of domestic workers in employment may be identified:</p>	2011 2018	<p>The <a href="#">Domestic Workers Convention (No. 189)</a> and <a href="#">Recommendation (No. 201)</a>, 2011 delineate a Decent Work Agenda to uphold the rights of domestic workers. This includes fundamental principles and rights at work and international labour standards. Article 1(c) of the Convention mentions that “a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.” This is a noteworthy</p>	<p>The legal exclusion of workers who perform domestic work only occasionally and sporadically is problematic for several reasons: (a) it can be interpreted to leave many part-time workers whose livelihoods depend on earning from such work in a sort of legal limbo, (b) the exclusion of such workers is often compounded by gender and caste biases that conflate women’s work with traditional unpaid work, and (c) the loophole lends itself to interpretations that generate at least two or more categories of workers with different hierarchies of rights – those that are full-time workers who are employed by high-income employers in wealthy residential zones and those who perform multiple domestic and other services across different urban zones to make a living and tend to reside in working-class neighbour-</p>	<ul style="list-style-type: none"> <li>• The term as defined in Convention No. 189 represents a significant breakthrough in enabling a process of greater recognition of the human and labour rights of many domestic workers around the globe.</li> <li>• The process leading to the Convention and succeeding it has enabled the emergence and mobilization of a significant workforce that was invisible in public discourse in earlier decades.</li> <li>• The Convention has been ratified by 31 countries as of 1 April 2021.</li> <li>• In spite of the exclusion of</li> </ul>

<sup>36</sup> Article 2 of Convention No. 189 makes it possible to exclude certain categories of workers from its scope: “2. A Member which ratifies this Convention may, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, exclude wholly or partly from its scope: (a) categories of workers who are otherwise provided with at least equivalent protection; (b) limited categories of workers in respect of which special problems of a substantial nature arise.”

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<ul style="list-style-type: none"> <li>a) Domestic employees, defined as all workers engaged directly as employees of households to provide services mainly for consumption by the household members, irrespective of the nature of the services provided including: (i) live-in domestic employees; (ii) live-out domestic employees;</li> <li>b) Domestic workers employed by service providers; and</li> <li>c) Domestic service providers employed for profit.”</li> </ul>	<p>clause as it can be interpreted to exclude many workers who are in such situations, a possibility that is allowed by article 2 of the Convention.<sup>37</sup></p>	<p>hoods. The latter arguably constitute a significant number of people who tend to remain without labour protections and invisible from employment statistics.</p>	<p>occasional and sporadic workers involved in domestic work, the Convention represents an important step towards greater recognition of paid domestic work.</p>		

<sup>37</sup> Article 2 of Convention No. 189.



## Exploitation

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
The concept denotes systemic abuse in a labour relationship.	<p>There is no international legally accepted definition of labour exploitation.</p> <p>In his theory on surplus labour (<i>mehrarbeit</i>), Marx theorized exploitation as the appropriation of surplus labour.</p> <p>Article 3 of the <a href="#">Palermo Trafficking Protocol</a><sup>38</sup> (2000) mentions some specific types of exploitation as purposes for which people may be trafficked but does not define this term.<sup>39</sup></p> <p>The 2020 <i>Compendium of Good Practices in Addressing Trafficking in Human Beings for the Purpose of Labour Exploitation</i> by the Council of Europe suggests that: “While a range of disciplines (economics, politics, philosophy, law) have sought to establish what ‘exploitation’ is, the concept remains ambiguous and has both temporal and cultural dimensions. Within the context of human trafficking, there is general support for understanding ‘exploitation’ – in the sense of taking unfair advantage – as a continuum, albeit one that is poorly defined and is not static. At one end lie situations which amount to labour-law violations, such as failure to pay a mandated minimum wage, and at the other extreme are situations where the unfair advantage is acute and the resulting harm very severe.”</p>	1867 2000 2020	<p>Exploitation is not legally defined, hence, efforts to address exploitation could lead to both labour and criminal justice responses.</p> <p>In a Marxist framework of action, collective worker ownership of means of production eliminates surplus labour and prevents labour exploitation.</p>	<p>In a market-economy context, nobody wants to be seen as facilitating exploitation, hence, there is a reluctance to use the term in formal contexts, which may explain why it has not been legally defined.</p> <p>In the first half of the nineteenth century, the term exploitation had a more positive connotation and was usually used in reference to agricultural or industrial production as it involved the exploitation of natural resources. It then began to be used in reference to labour and acquired a negative connotation.</p>	The concept visibilizes the systemic nature of labour exploitation. Marxist interpretations propose an alternative form of social organization.

<sup>38</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>39</sup> In recent years, some international organizations have used the term “labour exploitation” as a shorthand for most of the purposes of trafficking mentioned in Article 3 of the Palermo Protocol that DO NOT involve sex, i.e., “forced labour or services, slavery or practices similar to slavery, servitude” (the full list is: “Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced

## Exploitation of the prostitution of others

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This is legal terminology. It is rarely used in common parlance.</p>	<p>The <a href="#">1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others</a> establishes who is punishable but does not define the exploitation of the prostitution of others. Article 3 of the Palermo Protocol also lists “the exploitation of the prostitution of others” as a form of exploitation without defining it (entry on exploitation).</p>	1949	<p>The Convention lays out a criminal justice framework to address the exploitation of the prostitution of others. It prohibits trafficking in persons and delineates specific administrative enforcement and social measures aimed at trafficked persons.</p>	<ul style="list-style-type: none"> <li>• The concept remains undefined. It potentially conflates sex work with traffic in persons. Indeed, state parties agreed to punish anyone who “exploits the prostitution of another person, even with the consent of that person” (Point 2, Article 1).</li> <li>• The concept focuses on criminal measures but does not delineate their scope.</li> <li>• The use of the pejorative terminology of “prostitution” stigmatizes the very persons the Convention purports to defend.</li> <li>• The concept ignores the social, economic and political factors that underpin exploitation and criminal measures.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept brings out the notion of sexual abuse in the context of work.</li> <li>• The phrasing of the Convention has enabled some countries that are party to it to interpret that commercial sex that does not involve children is legal under specific provisions.</li> </ul>

labour or services, slavery or practices similar to slavery, servitude or the removal of organs”).

## Fair recruitment

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Fair recruitment commonly refers to recruitment practices that may be considered respectful of the rights of workers. The term “ethical” recruitment is also used. <sup>40</sup>	The ILO’s 2016 <a href="#">General Principles and Operational Guidelines for Fair Recruitment</a> define recruitment as including: “the advertising, information dissemination, selection, transport, placement into employment and – for migrant workers – return to the country of origin where applicable. This applies to both jobseekers and those in an employment relationships.” There is no definition of what “fair” implies; however, the general principles and guidelines also define due diligence as: “an enterprise’s ongoing process which aims to identify, prevent, mitigate, and account for how it addresses the adverse human rights impacts of its own activities or which may be directly linked to its operations, products or services by its business relationships”.	1919 <sup>41</sup> 1933 <sup>42</sup> 1948 <sup>43</sup> 1949 <sup>44</sup> 1997 2014 2016 2019	<a href="#">Convention No. 181</a> is meant to “allow the operation of private employment agencies as well as the protection of the workers using their services, within the framework of its provisions”. In that sense, the convention <i>formalizes</i> the role of private recruitment and employment agencies. While the <a href="#">General Principles and Operational Guidelines</a> provide for the respect of fundamental principles and rights at work and other human rights in recruitment processes, they are non-binding and encourage due diligence, self-accountability and transparency measures regarding recruitment processes. The discourse on promoting fair recruitment is often closely linked to anti-trafficking frameworks of action that accept formal labour intermedi	While the ILO’s general principles and guidelines on fair recruitment call for fair recruitment to “decent work”, in practice, the concept of fair or ethical recruitment risks being used in abstraction of decent work requirements. Measures taken tend to focus on transparency and hiring procedures but pay less attention to underlying working and living conditions, which also affect recruitment outcomes.  The concept of fair and ethical recruitment is often used by actors who assume that fixing recruitment practices from one location to another, one by one, comprehensively prevents human trafficking. In reality, the scale at which decent work is unavailable creates the conditions for greater intermediation needs: employers prefer to avoid accountability for working conditions by choosing intermediaries to deal with workers; and workers opt for their own intermediaries to find better employers in an environment of decent work scarcity. Workers often need such	While the notion of “fairness” in recruitment is only indirectly mentioned, this concept is one of the few that frames a desirable outcome.  The concept visibilizes the complex nature of labour intermediation and brokerage. Transparency in the various layers of recruitment can enable workers to hold recruiters and employers accountable for poor recruitment outcomes.

40 “Ethical recruitment” has also been used in the context where over-recruitment of certain categories of workers (e.g., health professionals) from a developing country or specific region in that country risks undermining the sector in question by facilitating “brain drain”, leading to adverse development consequences.

41 ILO, Unemployment Convention, 1919 (No. 2).

42 ILO, Fee-Charging Employment Agencies Convention, 1933 (No. 34).

43 ILO, Employment Services Convention, 1948 (No. 88).

44 ILO, Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 34).

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>According to the Guidelines: “Governments bear the ultimate responsibility for advancing fair recruitment.” In addition to this, in 2019 the ILO defined “<a href="#">recruitment fees and related costs</a>” (p.25).</p> <p>Article 8.2 of the <a href="#">Private Employment Agencies Convention</a>, 1997 (No. 181) also refers to the need to “prevent abuses and fraudulent practices in recruitment, placement and employment in a context of international migration”.</p> <p>The <a href="#">Protocol of 2014 to the Forced Labour Convention</a>, 1930 which identifies “protecting persons, particularly migrant workers, from possible abusive and fraudulent practices during the recruitment and placement process” among the measures to be taken for the prevention of forced or compulsory labour (Article 2(d)).</p>		<p>aries but see informal ones as the main cause of human trafficking. Efforts to improve recruitment processes across different corridors of recruitment are seen as incremental steps to prevent trafficking.</p> <p>The Employment Services Convention, 1948 (No. 88) reiterates the need for a system of free public employment agencies.</p>	<p>intermediaries to help them negotiate with employers and exit abusive employment relationships.</p> <p>Other policies such as those promoting labour flexibility, temporary work, and ease of doing business have affected the regulatory framework of labour recruitment and increasingly enabled formal employers to delink themselves from the direct responsibility of recruiting and contracting.<sup>45</sup></p> <p>Simultaneously, this has often also enabled employers to delink themselves from the responsibility of ensuring decent work and allowed recruiters, contractors or gig-sector platforms to set the working conditions of workers in a kind of bubble that is kept isolated from state regulations. In other words, labour standards tend to remain un-enforced in the field of labour intermediation, and the non-binding and privatized nature of recruitment regulation is insufficient to guarantee the application of international labour standards.</p>	

<sup>45</sup> In a 2015 [paper written for the ILO](#) on labour recruitment in a supply-chain context, Jennifer Gordon mentions that sometimes labour recruiters contribute proactively to the “demand” for flexible and temporary work to boost business opportunities by bringing more migrant workers to a country to fill such jobs.

## Forced marriage

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This concept commonly refers to customs through which women are forced into wedlock, transferred into a family or clan and/or inherited as a commodity.</p>	<p>Article 16 of The Universal Declaration of Human Rights (1948) stipulates that “marriage shall be entered into only with the free and full consent of the intending spouses”.</p> <p>The <a href="#">1956 Supplementary Slavery Convention</a> refers to servile marriage (an institution or practice similar to slavery) but not to forced marriage in general. Servile marriage happens when “a woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or the husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or a woman, on the death of her husband, is liable to be inherited by another person.”</p> <p>The 1962 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages reaffirms that: “marriage shall be entered into only with the free and full consent of the intending spouses” (Preamble, Point 2).</p>	<p>1948</p> <p>1956</p> <p>1962</p> <p>1966</p> <p>2006</p> <p>2017</p>	<ul style="list-style-type: none"> <li>• There is legislation and policy banning the unwilling wedlock, sale or inheritance of a woman to another family or clan.</li> <li>• The Global Slavery Index began referring to forced marriage in 2017.</li> <li>• While men may also be forced into marriage, forced marriage is more common for women and girls.</li> </ul>	<p>The practice of transferring a woman into wedlock and the payment of a dowry by a bride’s family to the bridegroom are common practices of social reproduction in many societies. In such contexts, women (and men) will tend to be socially acculturated to accept it so that it doesn’t appear to be involuntary. Even the reactions to exceptions prove that the persistence of the practice is rooted in traditional customs and social and economic organization. This often occurs among social groups attributing markedly different roles to women and men in which class hierarchies, sectarian or ethnic divides, and/or clan dynamics play an important role in social, economic and political spheres. Hence, all forms of forced marriage should not be considered tantamount to slavery. Leveraging cultural acceptance to discontinue such practices depends on long processes of social and economic reorganization, including cultural and economic international influences that cannot be changed by such abolitionist laws or policies alone. In fact, policy positions that assume such measures to be sufficient can polarize traditional majoritarian resentment and produce opposite outcomes.</p>	<ul style="list-style-type: none"> <li>• The concept has served as a key reference to mobilize support for women’s right to choose whether and whom they marry. As such it represents a breakthrough for women’s rights movements in many countries.</li> <li>• The concept indirectly visibilizes systemic unpaid and involuntary women’s work in the context of households or other social groups.</li> <li>• Situations of fake marriages resulting from trafficking or forced sex work are also brought out by this concept.</li> </ul>

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>The <a href="#">International Covenant on Civil and Political Rights</a> adopted in 1966 mentions that: “No marriage shall be entered into without the free and full consent of the intending spouses” (Point 3, Article 23).</p> <p>The UN has not recognized that other situations in which forced marriage occurs result in a form of slavery. However, the UN Secretary-General has defined “forced marriage” in very broad terms: “A forced marriage is one lacking the free and valid consent of at least one of the parties” (UNSG 2006), an in-depth study on all forms of violence against women.</p>				

## Forced labour

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>The concept focuses on the lack of consent and the use of force or threat over an individual worker in relation to his or her work.</p>	<p>The concept has an internationally agreed upon legal definition: “forced or compulsory labour shall mean 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” (<a href="#">Forced Labour Convention, 1929 (No. 29)</a>). The Convention lists five exceptions, including work related to military service, convict labour under a public authority, work exacted in cases of national emergencies, and direct communal services.</p> <p><a href="#">Convention No. 105</a> further prohibits forced labour as a means of political education or punishment for political views, mobilizing the labour force for economic development, labour discipline, punishment for participating in strikes, and racial, social, national, or religious discrimination.<sup>46</sup> In many countries, forced labour is framed from a bonded-labour lens.</p> <p>The ILO has established forced labour indicators<sup>47</sup> which include abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living conditions, excessive overtime.</p>	<p>1929</p> <p>1957</p> <p>2014</p>	<p>Control, force and coercion are central to forced labour.</p> <p>The framework of action to address forced labour differs between a specific focus on addressing individual cases and broader measures defined more recently. The <a href="#">Protocol of 2014 to the Forced Labour Convention</a> and the <a href="#">Forced Labour Supplementary Measures Recommendation, 2014 (No. 203)</a> highlights the series of measures that can be taken to address forced labour. They include multiple prevention measures, such as those that tackle root causes, several protection measures and remedies, specific action against trafficking in persons for forced labour, other effective measures, implementation, consultation and international cooperation.</p>	<ul style="list-style-type: none"> <li>• The term assumes that abuses cannot happen with individual consent. By zeroing in on the narrow dichotomy of forced and voluntary labour, the concept in itself glosses over variable and systemic factors behind labour abuses.</li> <li>• The notion that better alternative employment choices exist, other than those in which forced labour tends to occur, is not always true. In such cases, the concept of consent is less meaningful. In such situations, a contract may appear to demonstrate consent, even if the worker doesn't have a choice.</li> </ul>	<ul style="list-style-type: none"> <li>• Compared to some other concepts of unfree labour, the definition of forced labour is rather unequivocal.</li> <li>• Convention No. 29 is widely ratified, and as of April 2021, the ILO Protocol on Forced Labour has been ratified by 51 countries since it was adopted by the International Labour Conference in 2014.</li> <li>• The ILO recognizes that the elimination of all forms of forced or compulsory labour is one of the fundamental principles and rights at work; and that such principles require integrated action involving all other principles in order to be addressed (e.g., the <a href="#">Protocol of 2014 to the Forced Labour Convention</a>). This is a tacit acknowledgment that forced labour is part of a continuum of other unacceptable forms of work.</li> </ul>

<sup>46</sup> ILO, Protocol of 2014 to the Forced Labour Convention elaborates on the gaps in the implementation of Convention No. 29 relating to prevention of forced labour, protection of victims, and remedies.

<sup>47</sup> [ILO Indicators of Forced Labour](#), 2012.



## Green jobs

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>The concept generally refers to jobs situated in a path towards a new economic model that is based on ecologically compatible use of resources and economic efficiency. Terms such as “green”, “environmental” and “sustainable” are often used interchangeably.</p>	<p>The concepts of green economy and green jobs have not been precisely defined and universally agreed to as yet. A 2008 UNEP/ILO report,<sup>48</sup> undertaken in collaboration with IOE and ITUC, defined green jobs as: “work in agricultural, manufacturing, research and development (R&amp;D), administrative, and service activities that contribute substantially to preserving or restoring environmental quality. Specifically, but not exclusively, this includes jobs that help to protect ecosystems and biodiversity; reduce energy, materials, and water consumption through</p>	<p>2008 2013<sup>49</sup> 2015<sup>50</sup> 2017<sup>51</sup></p>	<p>The <a href="#">Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All</a>, adopted by an ILO Tripartite Meeting of Experts in 2015, describe a set of non-binding principles and policy areas and recommendations. Principles include the need for social dialogue, respect of fundamental principles and rights at work, inclusion of gender dimensions of environmental challenges and opportunities, the need for governments to create an enabling environment, the need for a just transition to more decent-work jobs, no one-size-fits-all approaches, and international cooperation.</p>	<ul style="list-style-type: none"> <li>• There is no international standard on green jobs. Green jobs cover a broad spectrum, and the 2015 Guidelines are non-binding.</li> <li>• While the Guidelines do mention fundamental principles and rights at work, the 2008 UNEP/ILO definition does not question the structural factors in market economies that tend to affect working and living conditions. In that sense, there is no guarantee that green jobs translate into decent jobs. A few studies on the quality of green jobs suggest that the green economy is not necessarily associated with quality jobs (Clarke, Gleeson, and Wall 2017). Green jobs are spread across industries and sectors, where working conditions differ greatly (Littig 2018).<sup>52</sup></li> <li>• While the ILO recognizes that “without a consistent gender mainstreaming in all</li> </ul>	<ul style="list-style-type: none"> <li>• “Green jobs”, together with the concept of “sustainable jobs”, is one of the few concepts that address work in relation to the environment.</li> <li>• Within a relatively short time frame, a significant number of endeavours that were part of the Green Initiative have contributed to advance a common understanding on green jobs based on</li> </ul>

48 UNEP, [Green Jobs: Towards Decent Work in a Sustainable, Low-carbon World](#). Green Initiative, 2008, p3.

49 ILO, [Resolution concerning sustainable development, decent work and green jobs](#). General Conference of the International Labour Organization, 102nd Session, 2013.

50 ILO, [Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All](#), 2015.

51 ILO, [Work in a Changing Climate: The Green Initiative](#). Report of the Director-General, International Labour Conference, Report I, 106th Session, 2017.

52 In “[Good Work? Sustainable Work and Sustainable Development: A Critical Gender Perspective from the Global North](#)”, Beate Littig (2018) proposes the following characteristics of sustainable work: “Following the normative principles of sustainable development – particularly the right to live a life in dignity and socio-ecological justice – and incorporating the findings advocated from eco-feminist gender-studies, the sociology of work and sustainability studies, the main characteristics of sustainable work are as follows: Sustainable work facilitates mixed work options for men and women (paid work, community work, caring and family work, and self-providing/self-educating work); Sustainable work allows for a self-determined sustainable way of life for men and women; Sustainable work guarantees long term (physical and mental health) and enables a healthy lifestyle; Sustainable work demonstrates a secure, sufficient and fair remuneration structure for men and women (income and transfers); Sustainable work strives for the ecologically and socially compatible production and supply of goods and services.”



Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	high-efficiency strategies; de-carbonize the economy; and minimize or altogether avoid the generation of all forms of waste and pollution.”		The notion of a “green economy” suggests a framework of economic development focused on technological solutions to unsustainability. “Green jobs” may also appear as a response to solve the job-loss resulting from “greening” technologies.	<p>aspects of development, sustainability in a green economy is inconceivable”, gender-disaggregated data on green jobs is still insufficient;<sup>53</sup> decent green jobs, which usually require technical or scientific qualifications, are fewer in number and tend to employ men.</p> <ul style="list-style-type: none"> <li>• Reproductive work in private households is not directly mentioned in the 2008 definition.</li> </ul>	studies, resolutions and guidelines. These are precedents for possible future standard-setting.

53 ILO, *Gender Equality and Green Jobs: Policy Brief*, 2015, p. 1.

## Trafficking in persons

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>In public discourse, the concept refers to deception involving the movement of a person for the purpose of exploitation. In practice, some criminal-justice practitioners tend to differentiate labour trafficking from sex trafficking, and trafficking in persons for other criminal purposes. There is no definition of labour trafficking, sex trafficking or</p>	<p>The commonly called “<a href="#">Palermo Trafficking Protocol</a>”<sup>54</sup> defines trafficking as the “recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” The Protocol further adds that the consent of a victim of trafficking in persons to the intended exploitation is irrelevant where any of the means listed above have been used, or when it involves children under eighteen years of age.</p> <p>The ILO’s <a href="#">Operational Indicators of Trafficking in Human Beings</a> (ILO 2009), based on a Delphi methodology, provide</p>	<p>2000 <sup>55</sup></p>	<ul style="list-style-type: none"> <li>• Frameworks of action are usually referred to as the four Ps: prevention, prosecution, protection and partnerships. They focus on informing the general public and risk groups about trafficking in persons, prosecuting labour recruiters and employers perceived to be involved in deception, protecting victims, and fostering partnerships. Since trafficking is considered a form of organized crime, partnerships tend to involve cooperation between the police, border officials and civil- society organizations.</li> </ul>	<ul style="list-style-type: none"> <li>• While exploitation is not defined, the concept of trafficking tacitly overemphasizes the labour intermediation and migratory dimension (migration within countries included).</li> <li>• The trafficking-in-persons framework fails to take into account that workers won’t enjoy decent work unless their fundamental labour rights are respected. It empowers security-sector authorities, which tend to see collective action of workers as a law-and-order issue, but not as a situation arising from systemic labour abuses. They will see informal labour intermediation as a crime even when</li> </ul>	<ul style="list-style-type: none"> <li>• The victim’s consent to exploitation when force or deception is used is immaterial for establishing a trafficking-in-persons case (for prosecution).</li> <li>• The concept visibilizes the situation of migrant workers who play an increasingly important role in modern economies.</li> <li>• Although the concept does not address background conditions of distress, its focus on the migratory dimension and the fact that a victim’s consent is not needed if the listed means are used visibilizes how distress</li> </ul>

<sup>54</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000.

<sup>55</sup> Date of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
any other type of trafficking in persons for criminal purposes.	guidelines on how to identify individual victims of trafficking. However, in 2012, the ILO developed forced-labour indicators which are applicable in trafficking-in-person contexts <sup>56</sup> (entry on <a href="#">Forced Labour</a> ).		<ul style="list-style-type: none"> <li>• Criminal-justice perspectives tend to see labour as one of many purposes of human trafficking, such as trafficking for organ use, surrogacy, militancy, etc.</li> </ul>	<p>it can also offer escape from unfree forms of labour.</p> <ul style="list-style-type: none"> <li>• Criminal-justice perspectives tend to crowd-out the significance of labour in all forms of human trafficking.</li> </ul>	migration can lead migrants to accept abusive working and living conditions out of desperation.

<sup>56</sup> ILO, [Indicators of Forced Labour](#), 2012.

## Informal work

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frame-works of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Informal work refers to economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements (Williams and Lansky 2013).	<p>As of yet, no international standard defines informal work. Cognate terms are used, including:</p> <p>Informal economy: The <a href="#">Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)</a> defines the informal economy as “all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements”.<sup>57</sup></p> <p>Informal employment: <a href="#">The 17th International Conference of Labour Statisticians (ICLS)</a><sup>58</sup> held in 2003 provides a statistical definition of informal employment as “all remunerative work (i.e. both self-employment and wage employment) that is not registered, regulated or protected by existing legal or regulatory frameworks, as well as non-remunerative work undertaken in an income-producing enterprise. Informal workers do not have secure employment contracts, workers’ benefits, social protection, or workers’ representation.” Guidelines concerning a statistical definition of informal employment included a specific reference to the types of jobs included under informal employment.</p>	1993 2003 2015	The framework of action to address informality is implicit in <a href="#">Recommendation No. 204</a> . The Recommendation outlines guiding principles on the transition to a formal economy, which include sustainable development, promotion of a conducive business and investment environment, decent work, respect for and promotion and realization of the	The concept encompasses varying conceptions of formality, which range from those in which the state regulates labour protections regardless of the type of work, and those in which the state privatizes the regulation of work depending on sectors and types of workers. In other words, formalization in itself is not a panacea. Throughout history, many forms of abusive work had formal underpinnings. Not all formal work is necessarily desirable (e.g., work under restrictive sponsorship systems). While the 2015 definition on the informal economy does call for formalization towards decent work and respect of fundamental principles and rights at work, in practice, market logics, including	<ul style="list-style-type: none"> <li>• The ILO’s 2015 definition on the informal economy calls for a transition towards formality which encompasses decent work and respect of fundamental principles and rights at work.</li> <li>• Within a relatively short time frame, a significant number of initiatives have contributed to advance a more nuanced understanding of informal work based on studies, resolutions and</li> </ul>

<sup>57</sup> The Recommendation further stipulates that the informal economy “does not cover illicit activities, in particular the provision of services or the production, sale, possession or use of goods forbidden by law, including the illicit production and trafficking of drugs, the illicit manufacturing of and trafficking in firearms, trafficking in persons, and money laundering, as defined in the relevant international treaties”.

<sup>58</sup> ICLSs have been convened periodically since 1923, and in accordance with the decision taken by the Governing Body of the ILO at its 283rd Session (March 2002), the 17th International Conference of Labour Statisticians (ICLS) was held at the ILO, Geneva, from 24 November to 3 December 2003.

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frame-works of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>Informal sector: <a href="#">The 15th ICLS<sup>59</sup></a> held in 1993 provided a statistical definition of the informal sector as “a group of production units comprised of unincorporated enterprises owned by households, including informal own-account enterprises and enterprises of informal employers”. This definition is limited to enterprises.</p> <p>The 2015 definition of “informal economy” combines the enterprise-centred definition of 1993 on “informal employment” with the job-centred definition of 2003 on the informal sector.</p>		<p>fundamental principles and rights at work, etc.</p> <p>It also outlines an integrated policy framework to promote formalization.</p>	<p>capital accumulation, underpin the political economy of work. There is therefore a mismatch between the “proclaimed juridical freedom of contract and the actual domain of production where a crude market reality dominates. Formal equality can therefore coexist with informal domination” (Mohapatra 2005).</p>	<p>guidelines. These are precedents for future possible standard-setting.</p> <ul style="list-style-type: none"> <li>• The concept visibilizes work that should benefit from labour protections.</li> </ul>

59 In January 1993, the 15th International Conference of Labour Statisticians adopted an international statistical definition of the informal sector, which was subsequently included in the revised international System of National Accounts (SNA).

## Labour mobility

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Labour mobility usually refers to the possibility for workers to move from one employment relationship or occupation to another. The latter is also referred to as occupational mobility.	There is no internationally agreed upon definition on labour mobility; however, the UN Migrant Workers Convention of 1990 contains a provision granting freedom of mobility under certain conditions (Article 52): "Migrant workers in the State of employment shall have the right freely to choose their remunerated activity, subject to the following restrictions or conditions."	1930 1964 1975 1990	In the context of globalization, "labour mobility" is important for market economies to attract competitive labour supply that can lower production costs for businesses and employers. However, once mobilized, it is usually constrained to extract greater surplus value under the argument that migrant workers don't enjoy the same labour and other rights as native populations. In that sense, although the freedom-of-movement element of "labour mobility" is celebrated as a fundamental freedom, normative restrictions lay out the premise for the segmentation of labour rights.	Regardless of legal frameworks supporting labour mobility, in practice labour mobility is closely associated with the economic, social and symbolic capital of persons. Income, class and qualifications tend to frame options of labour mobility. In other words, significant barriers can exist for low-income and working-class populations regardless of how permissive the legal framework may be.	The concept is helpful in questioning existing barriers to employment and migration into decent work.
The term is used by economists referring to the ease with which workers are able to move around within an economy and between different countries. In this sense it is closely connected to migration for employment.	The Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), Article 14(a), provides for the right of migrant workers to free choice of employment, subject to certain conditions: "A Member may (a) make the free choice of employment, while assuring migrant workers the right to geographical mobility, subject to the conditions that the migrant worker has resided lawfully in its territory for the purpose of employment for a prescribed period not exceeding two years or, if its laws or regulations provide for contracts for a fixed term of less than two years, that the worker has completed his first work contract." <sup>60</sup>		There are at least three different frameworks of action that are implicit in the concept of labour mobility: those that relate to employment policies as per Convention No. 122; those that relate to the disman	While Convention No. 122 provides for some worker protections in seeking employment, in practice, the concept can be	
Migrant workers often refer to the non-legal term "free visas" as an aspired condition, presumably allowing workers to shift jobs.	The ILO has referred to labour mobility as a proxy for labour migration in some documents, <sup>61</sup> however the concept is also articulated in certain standards:				

<sup>60</sup> Further guidance on the application of this provision is provided by the CEACR in its [2016 General Survey](#) concerning the migrant workers instruments.

<sup>61</sup> Labour mobility has been used as a synonym for or complement to labour migration and indeed found its way into the title of Outcome 9 in the ILO Programme and Budget (P&B) 2018-19 (but interestingly not in Output 7.5 in the P&B 2020-21) so that access to the labour market for refugees could also be covered.

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>The <a href="#">Employment Policy Convention</a>, 1964 (No. 122) mentions that employment policies “shall aim at ensuring that (a) there is work for all who are available for and seeking work; (b) such work is as productive as possible; (c) there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin.”</p> <p>Article III of the <a href="#">Forced Labour (Indirect Compulsion) Recommendation</a>, 1930 (No. 35) highlights the principle of “desirability of avoiding any restrictions on the voluntary flow of labour from one form of employment to another or from one district to another which might have the indirect effect of compelling workers to take employment in particular industries or districts, except where such restrictions are considered necessary in the interest of the population or of the workers concerned.”</p>		<p>ting of sponsorship systems; and those that relate to the removal of migration barriers such as visas and specific migration bans.</p>	<p>misused to promote flexible hire-and-fire options that foster abusive working and living conditions.</p>	

## Labour recruiter

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>Labour recruiters are commonly referred to as “middlemen”, sometimes as labour intermediaries or brokers.</p> <p>Different terms exist in different languages, depending on the type of work, sector, and legality of their involvement.</p>	<p>The ILO’s <a href="#">General Principles and Operational Guidelines for Fair Recruitment</a> (2016) define the term labour recruiter as “both public employment services and private employment agencies and all other intermediaries or subagents that offer labour recruitment and placement services. Labour recruiters can take many forms, whether for profit or non-profit, or operating within or outside legal and regulatory framework.”<sup>62</sup></p> <p>Article 1 of <a href="#">Convention No. 181</a> defines private employment agency as “any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services: (a) services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom;</p>	<p>1948</p> <p>1997</p> <p>2016</p>	<p><a href="#">Convention No. 88</a> (1948) reiterated<sup>63</sup> the key role of public employment offices and the roles that they play in facilitating recruitment.</p> <p><a href="#">Convention No. 181</a> sidelined the central role that public employment offices were supposed to play according to previous conventions as it “allows the operation of private employment agencies as well as the protection of the workers using their services, within the framework of its provisions”. In that sense the convention formalizes the role of private recruitment and employment agencies.</p> <p>While the <a href="#">General Principles and Guidelines</a> provide for the respect of fundamental principles and rights at work and other human rights in recruitment processes, they are non-binding and encourage due diligence,</p>	<ul style="list-style-type: none"> <li>• The term labour recruiter can be used in such a way that it overplays the role of labour intermediation in enabling workers to find a job. In that sense, it overshadows the fact that people don’t always need intermediaries to find jobs, especially when employment processes are publicly advertised directly by employers or public employment offices.</li> <li>• In the context of decent-work scarcity, labour-intermediation needs, whether formal or informal, increase: employers prefer to avoid accountability for working conditions by choosing intermediaries to deal with workers; and workers opt for their own informal intermediaries to find better employers in an environment of decent-work scarcity. Workers often need such intermediaries to help them negotiate with employers and exit abusive</li> </ul>	<p>The concept of “labour recruiter” sheds light on labour intermediation processes which should be more transparent. It is important that all labour intermediaries in a recruitment process can be held accountable to the worker and not only to the employer who pays a fee.</p>

<sup>62</sup> The term also appears in the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), accompanying the 2014 Protocol but is not defined there.

<sup>63</sup> The central role of public recruitment agencies had first been raised in the Unemployment Convention, 1919 (No. 2).



Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>(b) services consisting of employing workers with a view to making them available to a third party; (c) other services relating to job-seeking.”</p> <p><a href="#">Convention No. 88</a> (1948) provides for the existence of free public employment agencies and defines some parameters of services that are needed.</p>		<p>self-accountability and transparency measures regarding recruitment processes. The discourse on promoting fair recruitment is often closely linked to anti-trafficking frameworks of action that tolerate formal labour intermediaries if they are accountable but see informal labour intermediaries as the main cause of human trafficking.</p>	<p>employment relationships. That said, human-trafficking frameworks tend to end up incriminating primarily informal labour intermediaries who play an important economic role in enabling access to better, if not necessarily decent, jobs.</p>	

## Modern slavery

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
In public discourse, the concept refers to extreme, egregious current situations reminiscent of chattel slavery in today's context.	Although "modern slavery" has no legally agreed upon international definition, <sup>64</sup> there were earlier international instruments addressing slavery, such as the 1926 <a href="#">Slavery Convention</a> , which include a definition of slavery (see below the heading for slavery). However, the notion of what is "modern" about today's slavery is not defined. Instead, it is sometimes argued that the term is an umbrella term covering a set of specific legal concepts with a common element. <sup>65</sup>	2013 <sup>66</sup> 2015	<p>The 2030 Agenda for Sustainable Development, and more specifically SDG Target 8.7, refers to "modern slavery".</p> <p>The concept refers to such an infamous past that its occurrence today calls for a swift criminal-justice response, rather than a response based on a <a href="#">labour</a> or human-rights framework. Perpetrators are seen as slavers, who should be treated as criminals, and subjects as "victims" or "survivors", who deserve compassion. The concept implies "extreme exploitation", which tends to go beyond the realm of labour legislation.</p>	<ul style="list-style-type: none"> <li>• The concept remains uncertain and vague in the absence of an international legal definition.</li> <li>• Most individual stakeholders involved or complicit in systemic labour abuses will tend to claim that the concept is too distant or extreme to apply to themselves.</li> <li>• The concept calls for criminal-justice responses that overshadow rights-based approaches.</li> <li>• The notion of modernity opens more questions than it answers and as such blurs understanding.</li> <li>• The connotation towards sale and buying of a person as a commodity, which defines classic slavery, rarely occurs in a direct manner in existing labour relations and is unlikely to be extensively used in current legal regimes.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept recognizes an asymmetrical power relationship of domination.</li> <li>• When referring to "modernity" the concept tacitly suggests (while leaving it undefined) that there are new forms of control over people's labour freedoms needing regulation or punishment.</li> </ul>

<sup>64</sup> Some countries have defined the term "modern slavery", such as the UK Modern Slavery Act, 2015. There is no definition of the term, just definitions of components like slavery, servitude and forced or compulsory labour.

<sup>65</sup> For example, a recent [Walk Free Foundation report in 2020 on the Asia Pacific region](#) mentioned that "Countries use differing terminologies to describe modern forms of slavery. This includes how they describe slavery itself, but also other concepts such as human trafficking, forced labour, debt bondage, forced or servile marriage, and the sale and exploitation of children. In this report, modern slavery is used as an umbrella term that focuses attention on the commonalities across these concepts. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, abuse of power, or deception."

<sup>66</sup> While the term had been used by some countries, the first time the term was applied at an international level was in 2013, when the Walk Free Foundation published the first edition of its "Global Slavery Index" to explain how many people were trapped in "modern slavery". However, definitions used have varied in different subsequent reports.

## Practices similar to slavery

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
This concept usually refers to practices that can be associated with slavery.	Article 1 of the <a href="#">1956 Supplementary Slavery Convention</a> <sup>67</sup> lists a series of institutions and practices that are considered similar to slavery. They include bonded labour, serfdom, family practices akin to forced marriage and child exploitation or labour (see headings below).	1956	Different frameworks of action apply depending on specific listed practices (see headings below for relevant frameworks of action).	<ul style="list-style-type: none"> <li>• This is a composite concept, regrouping multiple, very different realities.</li> <li>• Conceptual limitations depend on each listed practice that is similar to slavery. Refer to relevant heading accordingly.</li> </ul>	Strengths depend on each listed practice that is similar to slavery. Refer to relevant heading accordingly.

<sup>67</sup> The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

## Serfdom

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>The concept is rarely used nowadays, except when referring to specific historical contexts (e.g., Middle Ages), specific situations of unequal sharecropping, and some contemporary situations (e.g., some forms of rural work in South Asia up until the 1960s, some forms of work in haciendas in Chiapas up until the 1990s).</p>	<p>According to Article 1(b) of the <a href="#">1956 Supplementary Slavery Convention</a>, it is “the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his [her] status”.</p>	<p>1956</p>	<p>The framework of action includes a legal or policy measure abolishing serfdom (e.g., abolition of feudal rights of the nobility in 1789 in France), supported by strong mobilization.</p>	<p>Notwithstanding the historical significance of having framed the analysis of abuse in specific regions that led to a reorganization of the society and economy, the direct legal restriction of a worker to a location and a form of inherited tenancy is rare in the current contemporary context.</p>	<ul style="list-style-type: none"> <li>• The concept sheds light on how control over resources, such as land, are an important element underpinning unfree work.</li> <li>• Some abusive types of contemporary labour regimes bind workers to a specific location where they can be exploited (e.g., migrant domestic workers in sponsorship relations).</li> <li>• The term has served to frame thinking behind structural societal change.</li> </ul>

## Sexual exploitation

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
The concept usually refers to systemic sexual abuse.	<p>Articles 2 and 3 of the <a href="#">Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</a> (OPSC), 2000 define the framework of child sexual exploitation within the concepts of “sale of children”, “child prostitution” and “child pornography”. Beyond the scope of children, the definition of sexual exploitation is highly contested, and hence there isn’t a normative international definition. However, in 2003, the UN Secretary-General issued <a href="#">“Special Measures for Protection from Sexual Exploitation and Sexual Abuse”</a><sup>68</sup> that defined sexual exploitation as “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”. The Rome Statute (1998) encompasses crimes against humanity (Article 7), which include “enslavement” (Article 7.1.c) and “sexual enslavement” (Article 7.1.g) as a war crime and a breach of the Geneva Conventions.</p> <p>According to the ILO’s Department of Statistics,<sup>69</sup> forced commercial sexual exploitation refers to “forced labour in the private economy imposed by private individuals, groups, or companies for commercial sexual exploitation. It includes women and men who have involuntarily entered a form of commercial sexual exploitation, or who have entered the sex industry voluntarily but cannot leave it. It also covers all forms of commercial sexual exploitation of children, including the use, procuring, or offering of children for prostitution or pornography irrespective of their consent.”</p>	2000 2003	<p>Frameworks of action to address sexual exploitation vary. The OPSC requires that state parties criminalize the sexual exploitation of the child in the context of what the OPSC defines as “sale of children”. Other legal, administrative, investigative, protective, and informational measures are foreseen.</p> <p>Frameworks of action meant to confront sexual exploitation vary significantly between abolitionists who hold that sex work is a violation of human rights, those who defend sex work and seek to confront exploitation through a labour-rights framework, and others.</p>	<ul style="list-style-type: none"> <li>• The concept excludes dimensions of labour and work which are important (See the <a href="#">Violence and Harassment Convention, 2019 (No. 2019)</a>), and instead focuses on sexual relations that carry very polarized referents.</li> <li>• The term exploitation refers to the systemic nature of sexual abuses and as such focuses on egregious sexual relationships, while leaving out more regular forms of abuse that are also important. Conversely, the term can also be used to recast consenting sexual relationships or other commodified relationships (e.g., surrogacy) as forced or abusive.</li> <li>• The definition provided by the 2003 UNSG “Special Measures for Protection from Sexual Exploitation and Sexual Abuse” is not a normative one.</li> </ul>	<ul style="list-style-type: none"> <li>• “Child sexual exploitation has a generally agreed meaning and/or can be used without stigmatising and/or otherwise harming the child.”<sup>70</sup></li> <li>• The concept acknowledges the existence of structural power imbalances between sexual abusers and victims.</li> <li>• The concept circumscribes sexual exploitation to the abuse of vulnerability, hence excluding other contested sexual relationships related to work.</li> </ul>

68 On 9 October 2003, the Secretariat of the UN adopted the [“Special Measures for Protection from Sexual Exploitation and Sexual Abuse”](#). It was published in the Secretary-General’s General Bulletin No. ST/SGB/2003/13.

69 ILO, [Guidelines Concerning the Measurement of Forced Labour](#) adopted by the 20th International Conference of Labour Statisticians, 2018.

70 Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016, ECPAT Luxembourg.

## Sex work

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>The concept refers to adult work related to the provision of sexual services or products in exchange for material compensation.</p>	<p>The term is highly contested, and hence it does not have an international legal definition. While some countries have made sex work legal, other countries criminalize clients of sex workers, while others criminalize it as prostitution. The concept of sex work generally refers to a type of consensual adult occupation involving the provision of sexual services for material compensation. Children's involvement in sex work tends to be universally proscribed.<sup>71</sup></p> <p>It is important to highlight that people engaged in providing sexual services for material compensation prefer to describe their work as "sex work", rather than other pejorative terms such as</p>	<p>While the term "working girls" has existed for a long time, the concept of sex work emerged in the late 1970s.<sup>72</sup></p>	<p>The juxtaposition of the term "sex" with "work" implies a labour framework of accountability. In a policy brief "<a href="#">Sex Work as Work</a>", NSW<sup>73</sup> lays out elements of a Decent Sex Work Agenda, which includes fundamental principles and rights at work and other specific points, such as the decriminalization of all aspects of sex work; fair labour practices in line with existing labour laws; clean and safe working environment; access to condoms and personal protective equipment; access to voluntary, non-stigmatizing and comprehensive health services; freedom from violence and sexual harassment; the right to choose work arrangements; the right to social protections and benefits which are the right of all employees; access to statutory complaint mechanisms to address contraventions of employment standards legislation; the right to refuse services; the right to access health and social services free from stigma and discrimination; freedom from discrimination by other employers, landlords, or judges in family court</p>	<ul style="list-style-type: none"> <li>• In many countries, the provision of sexual services in exchange for material compensation is prohibited, considered a crime and highly stigmatized. In such cases, sex work is not recognized as work, and being associated with it undermines the social capital of sex workers. In such cases, sex workers tend to remain invisible.</li> <li>• Sex work may include violence and health hazards – conditions that, admittedly, may also exist in other legal occupational sectors.</li> <li>• Just as non-consensual work can exist in other occupations, there are situations when sex work is also non-consensual. At one end of the spectrum this includes trafficking and forced labour, while at the other end, it may arguably include "survival sex work". However, in such cases it is unclear how the lack of alternatives that is implicit in the term "survival" is different from the lack of alternatives among agricultural workers, construction workers, domestic workers, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• The association of sexual activities with work removes the criminal connotation that is common in countries that have criminalized "prostitution".</li> <li>• The concept removes traditional stigma associated with prostitution and removes obstacles to realization of their rights as human beings, especially against discrimination.</li> <li>• The concept allows sex workers to avail labour rights in their struggles against work-related abuses. Other terms such as "prostitution" that tend to deny a legal work relationship ipso facto deprive sex workers from labour rights and put them at risk.</li> </ul>

<sup>71</sup> UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The protocol entered into force in 2002.

<sup>72</sup> Carol Leigh, 1978. See [Carol Leigh coins the term "sex work"](#), Global Network of Sex Work Projects (NSWP), 2014.

<sup>73</sup> NSW, 2017.

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
	<p>“prostitution”. See: <a href="#">Language Matters: Talking about sex work</a> (NSWP 2013).</p>		<p>due to current or prior involvement in sex work, and several other points.</p> <p>Note that social networks accessed through sex work may enable cross-class relationships and hence be perceived as a threat to traditional and modern forms of social reproduction and gender roles, particularly of higher-income groups. This may partly explain the historically contested nature of the concept.</p>	<p>– conditions of work which may also involve sexual harassment.</p> <ul style="list-style-type: none"> <li>• Some see sex as an intimate relationship that should not be commodified. This argument, however, does not take into account the fact that all work involves some form of compensation and hence commodified transaction. It also does not account for the right of agency of those involved in sex work, or the possibility that some sex workers may not have economic alternatives.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept implies that a sex worker enjoys the freedom and agency to use her or his body as she or he wishes.</li> <li>• In comparison with other terms, the term “sex work” is the preferred term used by sex workers themselves to describe their work. This, however, does not necessarily mean that they are all willing to publicly present themselves as sex workers, given the stigma associated with it and the social consequences such publicity may entail.</li> </ul>

## Slavery

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
The concept focuses on a person being treated as property and sold accordingly.	The <a href="#">1926 Slavery Convention</a> defines slavery as the “state or condition of a person over whom any or all the powers attaching to the right of ownership are exercised...”. The <a href="#">1956 Supplementary Slavery Convention</a> <sup>74</sup> further specifies different conditions similar to slavery, such as bonded labour, serfdom, and certain kinds of exploitation of women and children. Possession is often considered foundational to slavery. <sup>75</sup>	1926	There are regulatory mechanisms allowing a person to be released from slavery, such as manumission agreements for individual cases or abolition laws and policies barring the ownership and sale of humans. However, in most cases, these mechanisms do not include provisions for economic alternatives (to allow a person who has been released to get access to land or capital and thereby earn a living).	The concept assumes that in order to address labour unfreedoms it is enough to prohibit people from (1) owning others and (2) being able to sell them in a commercial transaction. It fails to take into account the conditions and structural factors that led to those relationships in the first place. Ownership of people over each other and their sale can be prohibited, and yet, for all practical purposes, people can be tied in unfree forms of work.	<ul style="list-style-type: none"> <li>• Ownership and sale of people are addressed.</li> <li>• The relation of domination and abuse is visibilized.</li> <li>• Article 2 of the 1926 Slavery Convention recognizes the need to abolish other forms of slavery.</li> </ul>

<sup>74</sup> NSWP

<sup>75</sup> Guideline 3 of the “Draft Bellagio-Harvard Guidelines on the Legal Parameters of Slavery”, 2011. This is a research network composed of Canadian, US and British academics and other officials.



## Smuggling (of migrants)

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
Smuggling of migrants usually refers to paid services provided by intermediaries to irregularly facilitate the entry of migrants to another country.	<p>The Smuggling of Migrants Protocol<sup>76</sup> defines smuggling of migrants in Article 3(a) as the facilitation of a person's illegal entry into a state, for a financial or other material benefit. The Protocol does not distinguish between facilitating the illegal entry of refugees and that of others.<sup>77</sup></p> <p>In comparison with trafficking, a key difference with smuggling is that smuggling involves the consent of the migrant.</p>	2000	Enforcement happens through border surveillance and criminalization of irregular entry into another country and people facilitating such passage. In spite of explicit safeguards in the definition and in other clauses of the Protocol, in national practice, the concept is often used to criminalize all intermediaries assisting border passage even if they did not obtain financial or material gains from such assistance; it is also often used to impose penalties on migrants themselves (Gallagher 2018).	<ul style="list-style-type: none"> <li>• The concept has generally allowed the negative connotation that was and still is associated with the contraband of goods to delegitimize the irregular assisted movement of people across borders. As such, it represents an important paradigm shift legitimizing restrictions to the freedom of movement of people across borders.</li> <li>• In spite of the definitional clarity of the Protocol, in practice, the definition of the Protocol has been expanded at the national level to apply to all those facilitating irregular entry to another country. For example, humanitarian assistance to migrants has been conflated with complicity in smuggling, hence leading to convictions of humanitarian actors in several countries.</li> <li>• In spite of numerous safeguards in the Protocol, the concept has been (mis)used to criminalize migrants. For example, national interpretations of the concept of smuggling have been used to convict smuggled asylum-seekers in contradiction with principles established in international refugee law.<sup>78</sup></li> </ul>	<ul style="list-style-type: none"> <li>• The Protocol establishes that smuggled migrants need protections and should not be criminalized for having been smuggled even if they consented to it.</li> <li>• The Protocol includes safeguards specifying that it will “not affect the other rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein” (Article 19).</li> </ul>

<sup>76</sup> The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000.

<sup>77</sup> The Protocol also covers “Enabling a person who is not a national or a permanent resident to remain in the State concerned without complying with the necessary requirements”, i.e., hiding or sheltering a migrant in an irregular situation.

<sup>78</sup> UNHCR Summary Position on the Smuggling Protocol

## Sponsorship system

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
It is the system subordinating the immigration and employment status of a migrant worker to the will of the employer who acts as a “sponsor”. In some Arab States, the term kafala is used.	The practice of sponsorship of migrant workers is controversial and limited to certain countries. There is no internationally agreed upon definition of the sponsorship system, however there are studies describing characteristic features of it. An ILO report focusing on eight countries in the Middle East from 2017 <sup>79</sup> described a range of situations giving employers full authority over migrant workers to decide on their entry into a country, the renewal of residence and labour permits, the termination of contracts, their transfer to another employer, and exit from the country.	1960s and 70s in the Gulf States;  A number of legislative efforts to modify sponsorship arrangements have taken place during the period of 2015–2020 in a number of countries in the Middle East.	The sponsorship system allows for the “delegation or ‘outsourcing’ of responsibility by the state to the private employer to oversee both a migrant worker’s immigration and employment status”. <sup>80</sup> Such systems are compatible with neo-liberal economic policies in which spending for labour (migration) administration is limited. They are also antithetical to freedom of association and collective bargaining.  Efforts to remove sponsorship systems tend to focus on addressing one or two of the many factors that make migrant workers completely dependent on their sponsors, such as making it legally possible to terminate employment before the end of the contractual period, change employment or leave the country. However, it is important to note that removing all features of a sponsorship system cannot happen without addressing all migrant worker dependencies, strengthening labour inspection, and ensuring fundamental principles and rights at work, including freedom of association and collective bargaining. Given the multilayered challenges that this involves, the ILO prefers to refer to such efforts as “dismantling” rather than “abolishing” the sponsorship system.	The CEACR noted that “the so-called visa ‘sponsorship system’ (or kafala system) in certain countries in the Middle East may be conducive to the exaction of forced labour” and urged governments to “adopt legislative provisions specially tailored to the difficult circumstances faced by this category of workers and to protect them from abusive practices” <sup>81</sup> , and to “take the necessary measures in law and practice, to ensure that migrant domestic workers are fully protected from abusive practices and conditions that amount to the exaction of forced labour” <sup>82</sup> .  In a full sponsorship context, migrant workers tend to be criminalized for no fault of their own, usually for the failure of their employer to renew a work or residence permit, or similar situations.	While sponsorship systems are conducive to forced labour, some governments argue that the delegation of the responsibility by the state to the sponsor for the oversight of the immigration and employment status is an inexpensive way of controlling labour relationships of large migrant workforces. It reduces the role of labour (migration) administrations.

79 ILO, *Employer-Migrant Worker Relationships in the Middle East: Exploring Scope for Internal Labour Mobility and Fair Migration*, 2017

80 ILO

81 ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC, 104th Session, 2015.

82 ILO, *Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC, 105th Session, 2016.

## Subcontracted labour

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>The concept usually refers to work provided by an enterprise or work by a self-employed person, depending on the context. Subcontracted work often involves a labour intermediary.</p> <p>Other terms such as contract labour, outsourced labour, gig work are also used, depending on the context. In the nineteenth century, it was usually referred to as “the sweating system” (leading to the term “sweatshop”).</p>	<p>While the ILO attempted to define “contract labour” in the 86th Session of the ILC, no consensus was reached.<sup>83</sup> The term “contract labour” was proposed to mean: “work performed for a natural or legal person (referred to as a ‘user enterprise’) by a person (referred to as a ‘contract worker’) where the work is performed by the contract worker personally under actual conditions of dependency on or subordination to the user enterprise and these conditions are similar to those that characterize an employment relationship under national law and practice but where the contract worker is not the employee of the user enterprise”.</p>	<p>1998</p> <p>2006</p>	<p>Measures to provide protections for subcontracted workers depend on the law and practice of each country.</p> <p>The <a href="#">Employment Relationship Recommendation</a>, 2006 (No. 198) highlights the need for national policies for the protection of workers in an employment relationship. Such policies are supposed to “(a) provide guidance for the parties concerned, in particular employers and workers, on effectively establishing the existence of an employment relationship and on the distinction between employed and self-employed workers; and (b) combat disguised employment relationships...”</p>	<p>Even though it is acknowledged that contract labour is a central practice in most world economies and that there are significant abuses related to it, there is no international binding set of standards that address it.</p> <p>While contract labour is often lauded as a form of freedom enabling workers to freely enter into labour relationships (as opposed to slavery), it has been argued that numerous barriers exist that effectively undermine the freedom to choose and exit work (Brass 1999).</p> <p>Policies promoting labour flexibility and ease of doing business have enabled formal employers to delink themselves from the direct responsibility of contracting. Simultaneously, this has often also enabled employers to delink themselves from the responsibility of ensuring decent work and allowed recruiters, contractors or gig-sector platforms to set the working conditions of workers in a kind of bubble that is kept isolated from state regulations.</p>	<p>Standard-setting attempts related to “contract labour” and “employment relationships” have contributed to shedding light on the accountability of different actors in ensuring better working and living conditions of subcontracted workers. Such efforts are important for future standard-setting options.</p>

<sup>83</sup> ILO, 86th Session of the ILC, Report V (2B) Addendum, Committee on Contract Labour, 1998. Views of constituents on the definition of contract labour are available in [Report V \(2A\)](#).

## Survivor (of human trafficking, modern slavery)

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This term has been in use primarily by some feminist groups dealing with gender survivors of domestic abuse/violence or sexual violence and rape. It has also been used by anti-prostitution campaigners for some time, referring both to women and girls who had been trafficked into “prostitution” and to others who had been in sex work without being forced or trafficked. Today, it is increasingly common among advocacy groups advocating for abolition of modern slavery. The term “victim” has also been used in the context of trafficking in persons, although it is increasingly discontinued in favour of the term “survivor”.<sup>84</sup></p>	<p>The term “survivor” has no definition in international law. However, some governments that have adopted laws related to modern slavery do refer to “survivors”.</p>	<p>2013 2015</p>	<p>This term tends to direct policy and programme efforts towards protection and rehabilitation of survivors of modern slavery. The Freedom Fund and some North American organizations have also tried to organize survivors of trafficking.</p> <p>The Office for Democratic Institutions and Human Rights (ODHIR) of the Organization for Security and Cooperation in Europe (OSCE), which has used trafficking and modern slavery interchangeably, recently set up an <a href="#">International Survivors of Trafficking Advisory Council</a>.</p>	<ul style="list-style-type: none"> <li>• The concept only leaves space for the protection and rehabilitation of “survivors” for having been the subject of extreme and egregious situations similar to slavery. Experience of regular abuses hardly qualifies one as a “survivor”, even if such abuses are integral elements of unfree work (e.g., harassment, non-payment of wages, etc.).</li> <li>• One is only entitled to specific protections after having been subjected to human trafficking or slave-like situations. One can hardly enjoy such protections ex ante.</li> </ul>	<ul style="list-style-type: none"> <li>• In comparison with other analogous terms that are used, such as “runaway” or “absconder”, the term “survivor” doesn’t place any stigma on the subject.</li> <li>• Women’s rights groups working on anti-trafficking agendas have preferred to refer to “survivors” rather than “victims” to encourage action that enables the trafficked women to get back their belief in themselves, their strength and power and move on from “victimhood”.<sup>85</sup></li> <li>• The term implies the need for some type of victim compensation and non-criminalization for illegal acts committed when trafficked.</li> </ul>

<sup>84</sup> See adjacent columns for explanation.

<sup>85</sup> Organizations like Shakti Samuha in Nepal called themselves survivor-led groups and rejected the term “victim” as descriptors for themselves. They organized national level closed-door conferences with “survivors”.

## Unacceptable forms of work (UFW)

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This term is not commonly used.</p>	<p>The concept has no international definition. In 2013, the Director-General of the ILO referred to it as: “work arrangements that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty”.</p> <p>The concept is explained in detail in <a href="#">an ILO publication</a> (Fudge and McCann 2015) and is meant to build on other concepts, such as “decent work”, “good jobs”, “precarious work”, “vulnerable workers” and “informal work”.</p>	2013	<p>As the antithesis of acceptable work or its closest more common cognate term “decent work”, the framework of action of “unacceptable forms of work” is the Decent Work Agenda. In 2008, the ILO Tripartite Meeting of Experts agreed on decent work indicators that integrate ten statistical and legal dimensions of decent work: employment opportunities; adequate earnings and productive work; decent working time; combining work, family, and personal life; work that should be abolished (forced labour, hazardous child labour, and other worst forms of child labour); stability and security of work; equal opportunity and treatment in employment; safe work environment; social security; social dialogue and employers’ and workers’ representation.</p>	<ul style="list-style-type: none"> <li>• Even though the ILO has explored and qualified what the concept refers to in detail, it is not directly backed by a specific international normative definition.</li> <li>• Beyond the ILO and some academic circles, the concept is not commonly used.</li> <li>• For those who are unfamiliar with the ILO’s description of the concept, “acceptability” varies across class, culture and countries and as such is a subjective term. This subjectivity and the composite nature of the concept invites multiple interpretations, which may be confusing.</li> <li>• The composite nature of the concept makes it more difficult to grasp and prevent misinterpretations in spite of clarification efforts.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept of “different forms of work” recognizes that there are multiple dimensions to work and a continuum of unacceptable forms of work.</li> <li>• The concept of “unacceptability” draws a line on what is or not permissible in different forms of work.</li> <li>• The combination of “forms of work” and “unacceptability” establishes an ambition to define an international floor of rights related to labour.</li> </ul>

## Unfree labour

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This term is usually associated with different conceptions of freedom and work, depending on social and economic status and the historical context of labour relations.</p>	<p>There is no established normative definition of unfree labour. In market economies within liberal democracies, “freedom” in relationship to “work” tends to be interpreted primarily as the freedom to choose and enter into a work contract. Alternatively, unfree labour is sometimes used as a synonym for forced labour. In other words, unfree work is seen as the combination of the absence of free-labour mobility and prevalence of coercive threats or menaces related to work. In a market economy and liberal democracy context, unfree labour is therefore associated with slavery and certain types of unfree work of planned economies or non-democratic societies. Anthropologist Tom Brass, however, has demonstrated that the capitalist transformation of the agrarian sector has not automatically led to the replacement of unfree workers with free equivalents (Brass 1999). If a worker cannot sell his/her own work, such a person is not free, even in a market economy.</p> <p>Unfree labour includes multiple angles that are being explored in the context of the global political economy (LeBaron and Howard 2015).</p>	1999	<p>Frameworks of action related to unfree labour depend on the varying interpretations of freedom and labour and the cognate terms that are associated with them, such as labour mobility and related employment policies, forced labour and decent work policies, or exploitation and democratization of the workplace.</p>	<p>While a normative internationally agreed upon definition would be difficult to reach and not necessarily advisable, the diversity of interpretations based on variable understandings of freedom and labour, make this concept rather intangible.</p>	<ul style="list-style-type: none"> <li>• This is one of the few concepts that allows a worker to partially define work on their own.</li> <li>• The concept enables a focus on both labour and markets.</li> <li>• The concept suggests that there may be a multidimensional continuum of different unfreedoms in work.<sup>86</sup></li> </ul>

<sup>86</sup> See Jens Lerche, “The Unfree Labour Category and Unfree Labour Estimates: A Continuum within Low-End Labour Relations”, Manchester Papers in Political Economy Working Paper No. 10, 2011.

## Unpaid work

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
<p>This term usually refers to work that a person believes is work and yet remains unpaid for. It is sometimes conflated with informal work.</p>	<p>There is no international definition of unpaid work; however, many countries distinguish unpaid work that contributes to the Gross Domestic Product and work that does not (based on Systems of National Accounts).</p> <p><a href="#">Resolution I of the 19th ICLS</a><sup>87</sup> attempts to define five forms of work, which include some forms of unpaid work such as unpaid trainee work, volunteer work, and other forms of work, including unpaid community service, unpaid work by prisoners, and unpaid military or alternative civilian service.</p> <p>The UN's SDG Target 5.4 refers to paid work but does not offer a definition.</p>	2013	<p>Many forms of unpaid work are widely accepted (e.g., prison labour), hence the idea that some sort of political action is needed to address unpaid work is controversial. It's usually in the case of informal unpaid and undervalued work (e.g., care work) that different frameworks of action exist – either through the formalization of the informal economy and/or the valuation of work. (See <a href="#">informal work</a>.)</p> <p>The UN's SDG Target 5.4 commits to reducing, recognizing and redistributing unpaid care and domestic work as nationally appropriate.<sup>88</sup></p>	<ul style="list-style-type: none"> <li>• While Resolution I of the 19th ICLS approximates a possible framework to describe unpaid work, there is no international standard defining its meaning.</li> <li>• The description of paid work under Resolution I of the 19th ICLS is gender blind and fails to acknowledge the prevalence of unequal unpaid work among women, particularly in connection with care work and social reproduction.</li> <li>• The concept doesn't directly account for the non-financial social and symbolic capital that unpaid work bestows upon the one who performs it or his/her relatives.</li> </ul>	<ul style="list-style-type: none"> <li>• The concept acknowledges that work exists that may not be acknowledged and hence undervalued. It tacitly brings out the difference between concrete labour linked to actual work and abstract labour linked to work as defined by social conventions.</li> <li>• The concept offers the potential to bring out the unequal gender distribution of unpaid work.</li> <li>• The concept has the potential to visibilize the double burden of unpaid work and the care-work penalty.</li> </ul>

<sup>87</sup> In 2013, the 19th International Conference of Labour Statisticians adopted Resolution I “concerning statistics of work, employment and labour underutilization”. It includes several references to unpaid work.

<sup>88</sup> The UN's Sustainable Development Goals Target 5.4 aims to “recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate”.



## Worst forms of child labour

Common use	International legal, statistical or academic definition	Dates of recent importance	Implicit frameworks of action	Drawbacks, blind spots and limitations	Strengths and visibilizing characteristics
The concept refers to reprehensible practices of child labour that are more harmful to the children concerned than other cases of child labour.	The ILO has proposed three “unconditional” concepts that frame the legal definition of child labour: (1) transfer into child labour (Article 1(d) of the <a href="#">1956 Supplementary Slavery Convention</a> <sup>89</sup> ); (2) minimum age of work as per the <a href="#">Minimum Age Convention</a> , 1973 (No. 138); and (3) redlining of the worst forms of child labour as per the <a href="#">Worst forms of Child Labour Convention</a> , 1999 (No. 182). The fourth concept consists of hazardous work; however, it is supposed to be the subject of a technical list drawn up at the national level that differs from one country to another. The first ILO global report on child labour referred to the first three as “unconditional”, in the sense that they were defined in international law.	1956 1973 1999	The framework of action to deal with the worst forms of child labour is described in Articles 4–7 of <a href="#">Convention No. 182</a> . It includes periodically establishing and reviewing lists of worst forms of labour together with constituents (Point 3, Article 4); “establish or designate appropriate mechanisms to monitor the implementation” (Article 5 and 7); “design and implement programmes of action to eliminate as a priority the worst forms of child labour” (Article 6).	Child labour is connected with poverty and inequality. The concepts don’t structurally acknowledge the economic conditions that generate incentives for such practices to occur.	<ul style="list-style-type: none"> <li>• Even though the worst forms of child labour are left to be defined by national legislation, Convention No. 182 is specific on the need to eliminate worst forms of child labour.</li> <li>• Considering that “worst forms of child labour” need to be eliminated, this is the only concept analysed in this glossary that links fundamental child rights by default to education.</li> </ul>

<sup>89</sup> The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.



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## **Work in Freedom**

Work in Freedom is an integrated development cooperation programme aiming to reduce the vulnerability to forced labour for women migrating for garment and domestic work. The programme works along migration pathways in India, Nepal, Bangladesh, Jordan, Lebanon and Gulf countries. It is funded by UK Aid from the Department of International Development. However, the views expressed in this policy brief do not necessarily reflect the department's official policies.

## **For more information please contact:**

International Labour Organization  
Regional Office for the Arab States  
Aresco Centre - Justinien Street - Kantari  
P.O.Box 11-4088 Riad Solh 1107-2150  
Beirut – Lebanon