**Call for input from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences ILO Contribution**

**February 2022**

* Forced labour remains tragically common in today’s global economy. ILO estimates, developed with the Walk Free Foundation with the collaboration of IOM, shows that on any given day in 2016, there were nearly 25 million men, women, and children worldwide who were forced to work against their will and under threat.
* Of the total in forced labour: 21 million were in privately-imposed forced labour and 4 million were in state-imposed forced labour; 4.3 million were children; and 69% were women and girls.
* Half of all persons in forced labour in the private economy were in situations of debt bondage. Today’s bonded labour is associated in important part with coercive practices, including exorbitant fees, in the private recruitment industry. But older, deeply-ingrained forms of debt bondage – sometimes intergenerational – also survive.
* It should also be highlighted that victims of forced labour around the world, generate approximately US$150 billion a year in illicit profits. Forced labour thrives in the incubator of poverty and vulnerability, low levels of education and literacy, migration and other factors.
* Women and girls, in particular, are subjected to commercial sexual exploitation.
* ILO research shows that forced labour is not an issue solely in developing economies. Profits from the forced labour industry are higher in developed economies and the European Union than they are anywhere else in the world.
* Responding to forced labour - Appropriate policy choices are critical. The ILO’s forced labour instruments – Conventions Nos. 29 and 105, as well as the Protocol to Convention No. 29 and Recommendation 203 (adopted in 2014) – coupled with other relevant international legal instruments, provide key guidance in this regard.
* These instruments highlight that forced labour, slavery, and human trafficking are serious crimes and need to be dealt with as such. But they also make clear that these abuses cannot be eliminated through criminal law enforcement alone. Rather, a broad-based approach is needed, with a strong emphasis on **prevention**, **protection** and **remedies** in addition to **enforcement** – underpinned by strengthened international cooperation and social dialogue.

**Recommendations**

**Prevention**

* Heightened awareness is critical to changing behaviour and practices that can lead to forced labour and related abuses. Sensitizing the general public and especially vulnerable groups such as migrants can help to erase misconceptions, combat misinformation about forced labour and its risks, and to improve understanding of what needs to change in order for forced labour to be prevented. Educating and informing employers can help prevent their becoming involved in forced labour practices.
* Decent work in business operations and supply chains. Forced labour is overwhelmingly concentrated in the private economy, underscoring the importance of public and private action in high-risk countries and economic sectors to prevent forced labour and related abuses in the operations of businesses and enterprises, and in the products, services, or operations to which they may be directly linked through their supply chains.
* Fair recruitment. Gaps in regulation and enforcement have led to a disturbing number of reports about the exploitation and abuse of workers, especially migrant workers, by unscrupulous labour recruiters and fraudulent and abusive employment agencies, some of which constitute forced labour. Promoting fair recruitment practices, and averting the occurrence or risk of forced labour through the recruitment process, must be a fundamental part of any forced labour prevention strategy.
* Addressing root causes – a focus on the informal economy. Forced labour imposed by private actors occurs overwhelmingly in the informal economy. This correlation between informality and forced labour is by no means spurious, as we know from a wide body of research that workers in the informal economy are among the most vulnerable and at the same time least protected groups. “Formalizing” informal work, including though the promotion of freedom of association and collective bargaining, improved social protection, and skills training, is critical to creating a workforce that is resilient to forced labour.

**Protection, remedies and enforcement**

* Ensuring timely identification and release people in forced labour. Protection begins with ensuring the timely identification of people in forced labour, as failure to identify them is likely to result in further denial of their rights and expose them to continued forced labour. Of particular importance to strengthening identification is the engagement the wide range of frontline actors who come into contact with people subjected to forced labour, as well as the development of standardized procedural guidelines, common operational indicators, and national referral mechanisms to help meet the critical need for coordination among these diverse actors.
* Ensuring immediate assistance and long-term recovery and rehabilitation. The obligation to protect extends beyond their initial identification and release, encompassing additional measures for immediate assistance and long-term recovery and rehabilitation, with special consideration for needs of children and migrant workers. Critical immediate assistance includes temporary shelter, medical care, psychosocial support and material assistance, while social and economic assistance, including access to educational and training opportunities and access to decent work, designed to ensure the long term reintegration of people exposed to forced labour and to prevent their re-victimization.
* Access to justice and remedies. All persons in forced labour require access to appropriate and effective remedies, starting with access to justice, and including compensation for injury, loss, or harm sustained through forced labour. The remedy of compensation, whether for material damages or for moral damages, can provide critical support to this recovery and, in so doing, help prevent their re-victimization. Obliging perpetrators to pay compensation can also have a punitive function and act as a deterrent for would-be offenders.
* Strengthening the legal architecture around forced labour. An adequate legal architecture is a critical precondition for effective enforcement and compensation for those who have endured forced labour. Laws are needed that clearly define, criminalise and assign penalties for both forced labour and human trafficking. These laws should reflect recent mutations of forced labour linked to trafficking, recruitment debts, and other developments.
* Strengthening the administration of labour justice. Criminal laws and their enforcement are a vital part of any national response to forced labour, but it is at least as important to strengthen the administration of labour justice. Labour inspectorates are uniquely equipped to detect and act on violations before they degenerate further into forced labour. National labour administrations and labour inspectorates should have the necessary legal mandate, accompanied by the required training and resources, to play a full role in preventing forced labour and in enforcing forced labour laws.
* Situations of crisis and State fragility. Far greater attention must be paid to the additional vulnerability to forced labour created in situations of crisis and state fragility, which are growing in number and in terms of people affected around the world. Prevention and protection measures should be systematically included during all phases of humanitarian action. This includes in countries of destination, where the identification and protection of those deemed most at risk of forced labour should considered part of the response to influxes of asylum seekers.

**International cooperation and partnership**

* The complex, global, and multi-dimensional nature of forced labour means that many of its forms cannot be resolved by national governments and national actors alone. Bilateral, regional, and international cooperation is needed in an integrated, coordinated effort to address root causes, consequences, and impact. The ILO, with its unique tripartite structure and mandate to adopt international labour standards to govern the world of work, has a key role to play in supporting its constituents’ efforts to prevent and remediate forced labour.
* One example of such an international partnership is Alliance 8.7: which is an inclusive global partnership committed to take immediate and effective measures to eradicate forced labour, modern slavery, human trafficking and child labour, in accordance with Target 8.7 of the 2030 Agenda for Sustainable Development. More than 200 partners including countries, international and regional organizations, workers’ organizations, employer and business membership organizations, civil society organizations, academic institutions and other relevant stakeholders and networks have joined Alliance 8.7.

**Research at Global, Regional and National levels**

* Research and statistics are fundamentally important and provide a baseline for all activities and policies.
* The next Global Estimates will be published this year by the ILO and partners.
* Continuing to encourage countries to partner with the ILO on carrying out national surveys.