



International
Labour
Office

Hard to see, harder to count

*Survey guidelines to estimate
forced labour of adults and children*

Special Action Programme to combat Forced Labour
International Programme on the Elimination of Child Labour

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forced labour of adults and children

International Labour Office (ILO)

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

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Foreword

ILO global estimates on child and forced labour have focused a spotlight on these persistent and severe violations of the human rights of children and adults. The magnitude of forced labour, estimated to affect at least 20.9 million people, of whom about a quarter are children, has served to demonstrate the urgency of action to address the needs of these most vulnerable workers, and prevent others from falling prey to such exploitation. But the estimates have also highlighted the critical need for sound statistics at national level. Criminal phenomena such as forced labour present obvious measurement challenges; conventional survey instruments are often ill-equipped to capture those child and adult workers concealed in hidden workshops, or toiling in fields under a burden of debt. Human trafficking can also be regarded as forced labour, and these guidelines can be used to measure the full spectrum of human trafficking abuses or what some people call “modern-day slavery”. The only exceptions to this are cases of trafficking for organ removal, forced marriage or adoption, unless the latter practices result in forced labour.

Action to address child labour and forced labour lies at the heart of the ILO’s decent work agenda, guided by ILO standards on these subjects. The International Programme on the Elimination of Child Labour (IPEC) has, since 1992, worked to eradicate child labour in all parts of the world. In 1998, ILO member States adopted the Declaration on Fundamental Principles and Rights at Work, thereby committing themselves to respect, promote and realise freedom of association and the right to collective bargaining, and the elimination of forced labour, child labour and discrimination at work. The International Labour Office, for its part, committed itself to assist member States in their efforts. Shortly thereafter, the Programme to Promote the Declaration was established and, in 2001, a Special Action Programme to combat Forced Labour (SAP-FL) was created as part of this programme.

In recent years, IPEC and SAP-FL have invested considerable effort and resources in devising and testing survey methodologies for application at country level, to allow robust national estimation of the number of adults and children in forced labour, and deeper insights into the causes and nature of these problems. This work has represented a real and rewarding collaborative effort between the ILO and the

various national institutions (national statistical offices and others) which partnered with ILO for implementing the national surveys.

We take this opportunity to express our appreciation to the governments of those countries which were willing to participate in this pioneering and challenging work to undertake primary data collection on an issue which, for many, remains profoundly uncomfortable and disturbing. Yet, without such work, the shared goal of eliminating such practices, which affect countries in all world regions, will remain that much more elusive. We thank also our collaborators in the institutions which undertook the surveys, which required an extraordinary degree of commitment and hard work. Particular mention should be made too of the donor countries whose support to IPEC and SAP-FL has made this work possible – the governments of Ireland, the United Kingdom and the United States. The national surveys have provided the basis on which these guidelines could be elaborated. While acknowledging that the guidance and tools presented here can doubtless be improved in the light of experience, we believe that they represent a genuine step forward in research techniques in this difficult area.

Statistics very often generate intense scrutiny and debate. It is our sincere hope that these guidelines, and more importantly the national statistics and insights that are produced as a result of them, will generate not only debate, but will contribute to intensified and more effective action to eliminate the modern day crimes that forced labour and trafficking of adults and children represent.

Acknowledgements

These guidelines were written on the basis of theoretical work enriched by the experience gained through pilot surveys to estimate forced child and adult labour in ten countries between 2008 and 2010. Five of these surveys (Bangladesh, Bolivia, Côte d'Ivoire, Guatemala, Mali) focused only on forced child labour, while three (Armenia, Georgia and Moldova) related to only forced adult labour. The remaining two (Nepal and Niger) addressed forced labour of both adults and children.

We sincerely thank all the national institutions that partnered with the ILO in this pioneering endeavour: the National Statistical Office and Advanced Social Technologies (AST) in Armenia, the Instituto Nacional de Estadística (INE) in Bolivia, the Bangladesh Bureau of Statistics (BBS) in Bangladesh, the Institut National de la Statistique in Côte d'Ivoire, the National Centre of Research Resources and Statistics in Georgia, the Instituto Nacional de Estadística (INE) in Guatemala, the Institut National de la Statistique in Mali (INSTAT), the National Bureau of Statistics in Moldova, the Central Department of Population Studies, the Central Department of Population Studies (CDPS) of Tribhuvan University in Nepal, and the Institut National de la Statistique (INS) in Niger. Each of these institutions designated highly competent and motivated staff members to work in close partnership with the ILO. Without their tireless efforts to design, implement and analyse the surveys in their respective countries, the production of these guidelines would not have been possible.

Special thanks are due to the National Bureau of Statistics in Moldova, which was the very first national partner institution to agree to pilot the survey instruments in collaboration with ILO.

Our thanks go to the staff of the ILO Office in Nepal, for their assistance in organizing, and to all the participants who, in some cases after extremely arduous journeys, contributed so actively to a two-day workshop held in Kathmandu in December 2010. This provided an opportunity for national research teams, ILO staff and consultants to share their experiences and discuss a first draft of these guidelines.

We express our appreciation to Mr Farhad Mehran, who shared his technical expertise and contributed to certain sections of the guidelines, as well as to the many ILO colleagues from HQ and field offices who provided inputs to the guidelines, assisted in survey implementation or in other ways contributed to the success of the work.

Finally, our deepest gratitude is extended to Ms Michaëlle de Cock, who has worked closely with both the International Programme on the Elimination of Child Labour (IPEC) and the Special Action Programme to combat Forced Labour (SAP-FL) throughout the implementation of the surveys and preparation of these guidelines. It is largely due to Michaëlle's passion, technical excellence and dedication to the subject of measurement and statistics in general, and to the elimination of child and forced labour in particular, that we are able now to publish these guidelines.

The ILO nonetheless takes full responsibility for the content of the guidelines, and welcomes any comments or suggestions for improvement that users wish to make.

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Introduction

Data collection and analysis lie at the heart of sustainable action to combat forced labour of adults and children. Reliable statistics are essential to understand the nature and extent of the problem, its causes and consequences, and to inform policy-makers and other stakeholders involved in action against forced labour. Regular data collection also enables the assessment of progress and impact of the implementation of policy, action plans and specific programmes and projects to eradicate forced labour.

There are two ways of collecting quantitative data: first, data on individual victims or perpetrators that are collected through interviews with identified persons; and second, extrapolation from statistical data collected through anonymous population surveys. Although the methods differ, they share the same objective of improving understanding of forced labour and human trafficking at national level. Much attention has been devoted in recent years to improving the quality of the first type of data relating to human trafficking, by harmonizing the structure of databases of identified victims and/or traffickers.¹ Common sets of variables are proposed so that countries can produce comparable statistics on the number of cases, victims or perpetrators of human trafficking, including in some cases trafficking for forced labour. These tools are useful for painting an accurate picture of identified or assisted victims, who represent the “visible” part of the problem.

Much less work has been done on the second type of data collection, namely statistical surveys on forced labour and human trafficking. These are difficult phenomena to survey for a variety of reasons: they are secret, criminal activities, the concepts

1 In 2008, the Institute for International Research on Criminal Policy of Ghent University presented standardized templates for EU-wide collection of data on missing and sexually exploited children and trafficking in human beings. Also in 2008, the International Centre for Migration Policy Development (ICMPD) published a Handbook on Anti-Trafficking Data Collection in South-Eastern Europe. In 2009 the International Organization for Migration (IOM) launched a publication resulting from a European Commission (EC) project on the harmonization of data collection on human trafficking. A United Nations Office on Drugs and Crime (UNODC) report, published in 2009, focused on law enforcement responses to human trafficking and contained a presentation and analysis of reported cases of trafficking, victims and prosecutions in 155 countries. The report stated: “Because it is more frequently reported, sexual exploitation has become the most documented type of trafficking in aggregate statistics” and is therefore biased towards this form of trafficking.

are not self-explanatory and the people concerned may be unable or unwilling to acknowledge their situation and to identify themselves as victims. In addition, workers in forced labour constitute a rare and sometimes hidden population, which means that special sampling techniques are required if they are to be “revealed” in surveys. Last but not least, there are serious ethical considerations to take into account: workers who have suffered deception, violence or other means of coercion must be interviewed according to strict ethical rules. Some may be very fearful and reluctant to answer questions, while others may wish to use the opportunity of an interview to seek assistance, or even to escape their situation.

In 2005, the ILO published its first global estimate of forced labour. At the time, there had been virtually no quantitative surveys of forced labour or human trafficking undertaken at national level. The estimation therefore relied on the use of secondary sources of data, using a statistical methodology known as “capture-recapture”.

Given the clear lack of empirical data on forced labour, the ILO’s International Programme on the Elimination of Child Labour (IPEC) and Special Action Programme to combat Forced Labour (SAP-FL) undertook a series of research studies on forced labour of children and adults respectively, between 2001 and 2008. The first studies implemented by SAP-FL were mainly qualitative and sought to build an understanding of the nature of forced labour in a given context. A typical example is the rapid assessments of bonded labour in different economic sectors in Pakistan (agriculture, carpet weaving, glass bangle making, tanneries, construction, domestic work, begging, brick kilns and mining), published in 2004 in close collaboration with the Government.² Regarding children, a first series of qualitative studies of forced child labour was published by IPEC in 2007, drawing on interviews of non-representative samples of children in four countries: Ghana, Haiti, Niger and Pakistan.³ The findings established a clear link between coercion and the severe exploitation of children, and revealed the main features of what constitutes forced labour of children.

A first quantitative study on trafficking, based on interviews with 644 returned migrants, of whom 300 were identified as victims of forced labour, in four countries of out-migration (Albania, Republic of Moldova, Romania, and Ukraine), was

² *Rapid assessment studies of bonded labour in different sectors in Pakistan*, published in 2004 by the Bonded Labour Research Forum (BLRF) in collaboration with Pakistan’s Ministry of Labour, Manpower and Overseas Pakistanis and the ILO. The individual studies were also published as ILO/DECLARATION Working Papers Nos. 20 - 26, 2004.

³ *Le travail forcé des enfants: mécanismes et caractéristiques*, (ILO/IPEC, Geneva, 2007).

published by SAP-FL in 2008.⁴ A database covering topics such as victim profiles, recruitment mechanisms, the use of travel documents and work permits, forms of coercion experienced by victims and exit strategies was constructed. While analysis of the database allowed a preliminary assessment of trafficking, it could not be extrapolated to the national level as it was not based on probability sampling techniques.

The interest generated by these estimates and qualitative studies has led to a demand for survey instruments that can be used to measure the extent of forced labour and human trafficking at national level. The large discrepancy between published estimates of the total number of victims of forced labour (usually produced without reference to the method used to generate them) and the number of cases actually identified, has been a source of heated debate in some quarters, and has strengthened the call for more accurate measurement methods. Frequent references continue to be made to the number of identified victims representing only “the tip of the iceberg”. The survey instruments presented here are designed to estimate, for the first time, the “submerged” part of this iceberg.

These guidelines share the experience gained and lessons learned by the ILO between 2008 and 2010 through quantitative surveys of forced labour and human trafficking undertaken at country level. Designed by the ILO in collaboration with national partners, the tools were tested in ten participating countries: Armenia, Bangladesh, Bolivia, Georgia, Guatemala, Côte d’Ivoire, Mali, Republic of Moldova, Nepal and Niger.⁵ Notwithstanding significant differences in the types and mechanisms of forced labour of adults and children prevalent in these countries, a consistent approach was employed in survey design and implementation.⁶ The guidelines should nonetheless be considered as a starting point, and subject to refinement in the light of further experience in their application in different national contexts.

The results of four of the pilot surveys (those with national coverage) have since been used in the context of the generation of new ILO global estimates of forced labour in 2012. The use of these primary data has contributed to the increased robustness of the resulting estimate of 20.9 million victims of forced labour globally.

4 Andrees, B. “Forced labour and trafficking in Europe: How people are trapped in, live through and come out”, ILO/DECLARATION, Working Paper No. 57, 2008.

5 Surveys of forced child labour only were conducted in Bangladesh, Bolivia, Guatemala, Côte d’Ivoire and Mali. Surveys of adult forced labour only were conducted in Armenia and the Republic of Moldova. The surveys in Nepal and Niger covered forced labour of both adults and children.

6 Given the experimental approach and the variety of contexts in which the survey instruments were tested, the survey results should not be used to compare the forced labour situation between the participating countries.

Objectives of the guidelines

10

These guidelines aim to provide comprehensive information and tools to enable national statistical offices and research institutes to undertake national surveys on forced labour of adults and/or children.

More specifically, they

- *present an operational definition of what constitutes forced labour, and indicators with which to identify it,*
- *list the steps to be followed by countries wishing to implement a survey on forced labour,*
- *describe sampling techniques that may be suitable for surveying specific situations of forced labour,*
- *propose a minimum set of questions necessary to assess forced labour*
- *provide guidance on data analysis, and*
- *present some ethical considerations with regard to research on forced labour, including considerations specific to children.*

While the guidelines specifically address the design and implementation of quantitative surveys on forced labour, the guidance presented here – particularly that relating to indicators and to questionnaire design – can be employed equally for qualitative research as well for the design and processing of databases. Using the same theoretical framework for all data collection systems implemented by different stakeholders within a country significantly improves consistency across these different, but complementary, approaches.

On each topic, a theoretical explanation (presented in an orange box) is followed by a practical example of implementation (presented in a green box).

Legal and conceptual framework

1

1.1 International definitions

This section of the guidelines presents the international legal definitions of key terms and concepts. National laws, which frequently differ from the international definitions, must also be taken into account when designing a survey.

Forced labour

The ILO Forced Labour Convention, 1930 (No. 29) defines forced or compulsory labour as *“all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”* (Art. 2.1). The Convention provides for certain exceptions, in particular with regard to military service for work of a purely military character, normal civic obligations, work as a consequence of a conviction in a court of law and carried out under the control of a public authority, work in emergency situations such as wars or other calamities, and minor communal services (Art. 2.2).

Forced labour, as defined by the ILO, encompasses situations such as slavery, practices similar to slavery, debt bondage or serfdom – defined in other international instruments such as the League of Nations Slavery Convention (1926) and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

The ILO Forced Labour Convention is referred to in other ILO Conventions without modifying the above definition, namely, the Abolition of Forced Labour Convention, 1957 (No. 105), which specifies that forced labour shall never be used for the purpose of economic development or as a means of political education, discrimination, labour discipline or punishment for having participated in strikes; and the Worst Forms of Child Labour Convention, 1999 (No. 182), which states that “worst forms

of child labour” shall include *“all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict”*.

Forced labour and trafficking in persons

12 Forced labour is closely linked to human trafficking. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the so-called “Palermo Protocol”), adopted in 2000, defines human 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”*. The Protocol further specifies that “exploitation” shall include at a minimum *“forced labour or services, slavery or practices similar to slavery”* as well as other practices – which are not covered in these guidelines – such as the removal of organs. The consent of a victim of trafficking to the intended exploitation is irrelevant where any of the means specified have been used. In the case of a child, there is no need for any of the means cited above to be used; the child is a victim of trafficking if he or she is subject to recruitment, transportation, transfer, harbouring or receipt for the purpose of exploitation.

Although the Protocol is linked to the United Nations Convention against Transnational Organized Crime, trafficking can take place both across or within national borders.

Migrant workers

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

Child

The term “child” applies to all persons under the age of 18.

1.2 Operational definitions

Operational definitions of the concepts presented above are needed to design a survey. Operational definitions break down the legal definitions into elements that can subsequently be measured.

1.2.1 Forced labour of adults

The ILO Forced Labour Convention, 1930 (No. 29) states that “all work or service” can be forced labour, making no reference to the employment status of the worker. This means that someone can be in forced labour as an own-account worker and without necessarily being in either a formal or informal employment relationship.

Operational definition of forced labour

Forced labour of adults is defined, for the purpose of these guidelines, as work for which a person has not offered him or herself voluntarily (concept of “involuntariness”) and which is performed under the menace of any penalty (concept of “coercion”) applied by an employer or a third party to the worker. The coercion may take place during the worker’s recruitment process to force him or her to accept the job or, once the person is working, to force him/her to do tasks which were not part of what was agreed at the time of recruitment or to prevent him/her from leaving the job.

The operational definitions and measurement frameworks presented in these guidelines therefore apply to all workers, regardless of their status in employment.⁷ Forced labour is nonetheless most often conceptualised and studied in the framework of an employer-employee relationship. However, it appears that recruiters and employers increasingly oblige workers to adopt the legal status of “self-employed”, thus disguising the underlying employment relationship. This occurs particularly in countries where labour law enforcement is strong or migration laws are restrictive. By so doing, the “employer” or “contractor” can avoid responsibility for paying social benefits and minimum wages or for observing regulations on hours of work

⁷ The International Classification of Status in Employment (ICSE-93) defines six statuses of employment (employees, employers, own-account workers, members of producers’ cooperatives, contributing family workers and workers not classifiable by status) which can be grouped in two categories of jobs: paid employment and self-employment. The same text goes on to state “Paid employment jobs are those jobs where the incumbents hold explicit (written or oral) or implicit employment contracts which give them a basic remuneration which is not directly dependent upon the revenue of the unit for which they work” and that “Self-employment jobs are those jobs where the remuneration is directly dependent upon the profits (or the potential for profits) derived from the goods and services produced (where own consumption is considered to be part of profits)”.

or leave entitlements. Yet a “contractor” can still coerce a “self-employed” person in a variety of ways. For practical reasons, the vocabulary used in these guidelines, particularly in the indicators and model questions, usually refers to an employer-employee relationship. The language would need to be adapted in order to target the “self-employed” in a survey.

The operational definition of forced labour can be split into the four principal dimensions detailed below:

1. **Unfree recruitment** covers both forced and deceptive recruitment. Forced recruitment is when, during the recruitment process, constraints are applied to force workers to work for a particular employer against their will – it being understood that poverty and a family’s need for an income are not recognized as indicative of such coercion; the coercion or constraints must be applied by a third party. Deceptive recruitment is when a person is recruited using false promises about the work. This represents involuntariness insofar as, had the worker been aware of the true working or other conditions, he or she would not have accepted the job.
2. **Work and life under duress** covers adverse working or living situations imposed on a person by the use of force, penalty or menace of penalty. “Work under duress” may entail an excessive volume of work or tasks that are beyond what can reasonably be expected within the framework of national labour law. “Life under duress” refers to situations where degrading living conditions, limitations on freedom or excessive dependency are imposed on a worker by the employer.
3. Although the **impossibility of leaving an employer** is a form of limitation on freedom, it is treated as a separate dimension here, as it is such a key ingredient of forced labour. The difficulty to leave one’s employer is a characteristic of forced labour when leaving entails a penalty or risk to the worker. While the deliberate retention of wages is recognized as a form of coercion (as the worker has to stay because outstanding wages will be lost if he or she leaves, hence there is a penalty for leaving), a worker who cannot leave a job because of poverty or lack of alternative income opportunities is not in a situation of forced labour, unless specific elements of coercion or involuntariness are also present.
4. **Penalty or menace of penalty** (means of coercion) may be applied directly to the worker or to members of his or her family. The “coercion” dimension can be further divided into the six sub-categories presented below:

- i. *Threats and violence* encompass all forms of punishment or threat of punishment, which put the worker in a position of subordination to the employer. Violence may be physical, sexual or psychological. Deprivation of food or sleep is included in this sub-category.
- ii. *Restriction of workers' freedom of movement* due to isolation, confinement or surveillance. Workers may be locked in the workplace or living quarters or their freedom of movement outside be otherwise restricted or under constant surveillance. All means used by an employer to make it dangerous or very difficult for a worker to leave the workplace fall under this category.
- iii. *Debt bondage* or debt manipulation and any accompanying threats against a worker or his or her family members.⁸ The debt may have been contracted at any time during the work history of the worker, whether at the time of recruitment (where an advance payment or loan is given and the debtor has to repay it through his or her work and/or that of a family member) or when the person is already employed. For operational purposes, it is suggested that the sub-category includes all cases where a debt is imposed on a worker without his or her consent, for example when an employer “creates” an inflated debt for travel, for the use of work tools or for other costs. This category also covers the absence of accounts and a lack of transparency or deliberate manipulation in the repayment of the worker’s debt.
- iv. *Withholding of wages* or other promised benefits may be used by an employer to retain a worker longer than agreed. As the worker does not want to leave without being fully remunerated, and in the absence of access to legal means of recourse, he or she is obliged to remain with the employer in the hope that eventually this will happen.
- v. *Retention of passport*, identity papers or travel documents refers to all situations where workers do not have access to their documents upon request. Cases in which an employer holds the

8 According to the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices similar to Slavery (1956), debt bondage is defined as “*the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined*”.

documents for safe-keeping but the worker can retrieve them at any time, do not fall under this category. On the other hand, if an employer confiscates the documents upon the worker's arrival and refuses to return them, this effectively prevents the worker from leaving and clearly represents a means of coercion; this is especially true for migrant workers, who are often required by law to have their identity documents in their possession at all times.

- 16
- vi. *Abuse of vulnerability*, including threats of denunciation to the authorities, is a means of coercion where an employer deliberately and knowingly exploits the vulnerability of a worker to force him or her to work. The threat of denunciation is used especially in the case of irregular migrant workers. Other instances of abuse of vulnerability include taking advantage of the limited understanding of a worker with an intellectual disability and threatening women workers with dismissal or with being forced into prostitution if they refuse to comply with the employer's demands. As noted above, the obligation to stay in a job due to the absence of alternative employment opportunities, taken alone, does not equate to a forced labour situation; however, if it can be proven that the employer is deliberately exploiting this fact (and the extreme vulnerability which arises from it), to impose more extreme working conditions than would otherwise be possible, then this would amount to forced labour.

1.2.2 Forced labour of children

Apart from the explicit inclusion of "forced or compulsory recruitment of children for use in armed conflict" in Article 3 of the Worst Forms of Child Labour Convention, 1999 (No. 182), there is no specific definition of what constitutes forced labour of children. Therefore, the generic definition contained in the Forced Labour Convention is applied. However, the concepts of "involuntariness" and "penalty/menace of a penalty" presented above for adults, need to be reassessed in the case of forced labour of children.

Forced labour of children is a special form of both forced labour and child labour.⁹ First, regarding forced labour, the notion of "offering oneself voluntarily" must be

9 "Child labour" means the work performed by children who are under the minimum age legally specified for that kind of work, or work which, because of its detrimental nature or conditions, is considered unacceptable for children and is prohibited. From ILO, *Fundamental principles and rights at work: From commitment to action*, 2012.

interpreted in light of the fact that, in legal terms, a child below the age of legal majority cannot him or herself give consent to work, and therefore the consent of the parent(s) must be considered instead. Likewise, the “penalty” can be applied to the parents, rather than directly to the child. Second, regarding child labour, a distinction must be made between child labour carried out under coercion, and that which is not.¹⁰ While, according to child labour standards, all child labour should be abolished, special priority must be given to the elimination of its worst forms (including forced child labour and child trafficking) through “immediate and effective measures” to be taken by all ratifying member States.

Forced labour of children, as with adults, cannot be characterized merely by the nature of the job, by the working conditions or by the tasks performed. Any type of economic activity undertaken by a child should be considered as forced child labour where some form of coercion is applied by a third party, either directly to the child worker or to his or her parents, whether to force the child to take a job or perform a task, or to prevent the child from leaving the work. The child-specific indicators proposed in these guidelines aim to take into account the special psychological and physical vulnerabilities of children.

Operational definition of forced labour of children

For the purpose of these guidelines, **forced labour of children** is defined as work performed by children under coercion applied by a third party (other than by his or her parents) either to the child or to the child’s parents, or work performed by a child as a direct consequence of their parent or parents being engaged in forced labour.

The coercion may take place during the child’s recruitment, to force the child or his or her parents to accept the job, or once the child is working, to force him/her to do tasks which were not part of what was agreed at the time of recruitment or to prevent the child from leaving the work.

If a child is working as a direct consequence of his or her parents being in a situation of forced labour, then the child is also considered to be in forced labour.

¹⁰ The Minimum Age Convention, 1973 (No.138) obliges ratifying states to pursue a national policy to ensure the effective abolition of child labour, including the specification of a minimum age for admission to employment which is not less than the age of completion of compulsory schooling and, in any case, not less than 15 years (or initially 14 years in developing countries).

The four dimensions of forced labour of children that come within the scope of the operational definition are described below. These are the same dimensions as for adults, but with slightly modified descriptions that take into account the specific vulnerabilities of children.

1. **Unfree recruitment of children** covers both forced and deceptive recruitment. Forced recruitment is when, during the recruitment process, constraints are applied to force a child to work for a particular employer – it again being understood that poverty and the family’s need for a supplementary income are not recognized as indicative of forced recruitment. Deceptive recruitment is when a child is recruited through false promises made to the child or to his or her parents, which introduces an element of involuntariness insofar as, had either been aware of the real working or other conditions involved, the child would not have accepted or been allowed to undertake the job.
2. **Work and life of children under duress** covers adverse working or living situations imposed on a child by the use of force, penalty or threat of penalty. “Work under duress” may entail an excessive volume of work or tasks that are beyond what can reasonably be expected of a child given his or her physical and mental capacity. “Life under duress” relates to situations where restrictions on freedom or excessive dependency are imposed on a child by his or her employer.
3. As with adults, **the impossibility for children to leave their employer** is treated as a distinct dimension. The difficulty to leave an employer is characteristic of forced labour in situations where leaving would entail a penalty or punishment which, in the case of children, might be something seemingly less significant than for an adult, for example, an inference that his or her parents would be extremely unhappy or disappointed if he or she were to leave, and that the family would suffer as a result.
4. Regarding **coercion of children**, the six sub-categories of coercion of adults listed above also apply. However, given the young age and heightened vulnerability of children, the details for each sub-category require some modification. For example, the non-wage benefits promised to children may differ, including schooling or financial assistance for their future wedding; the mere fact of being unable to contact his or her parents may constitute isolation for a young child, whereas this would not be the case for an adult; less physical coercion or fewer threats may be needed to intimidate and subordinate a child than an adult; and the abuse of

vulnerability can take many more and different forms with children than with adults.

1.2.3 Trafficking in persons

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) clarified the link between forced labour and trafficking in its 2007 General Survey¹¹ concerning the forced labour Conventions in the following terms: *“A crucial element of the definition of trafficking is its purpose, namely, exploitation, which is specifically defined to include forced labour or services, slavery or similar practices, servitude and various forms of sexual exploitation. The notion of exploitation of labour inherent in this definition allows for a link to be established between the Palermo Protocol and Convention No. 29, and makes clear that trafficking in persons for the purpose of exploitation is encompassed by the definition of forced or compulsory labour provided under Article 2, paragraph 1, of the Convention. This conjecture facilitates the task of implementing both instruments at the national level.”*

The General Survey goes on to state that *“while a certain distinction has been drawn in the above definition between trafficking for forced labour or services and trafficking for sexual exploitation, this should not lead to a conclusion that coercive sexual exploitation does not amount to forced labour or services, particularly in the context of human trafficking.”* It adds that *“coercive sexual exploitation and forced prostitution do come within the scope of the definition of forced or compulsory labour...”*. Insofar as human trafficking is concerned, the focus of these guidelines is on forced labour exploitation rather than forced sexual exploitation.

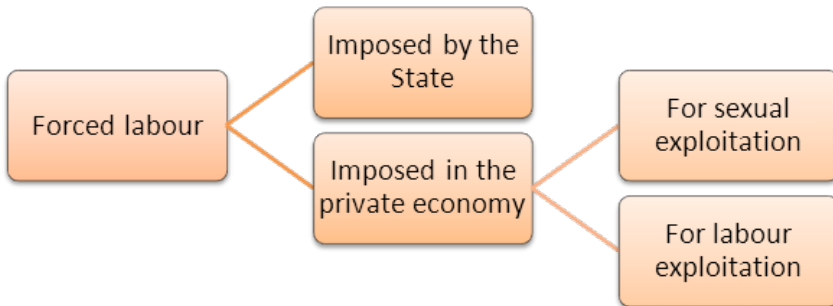
Governments, international organizations and other stakeholders have interpreted the concept of trafficking, as defined in the Palermo Protocol, in different ways in their laws, policies and practices. In the context of determining an operational definition of trafficking for forced labour, *for the purpose of data collection*, it is necessary to raise two issues: first, whether movement of the victim either within or across national borders is a necessary condition for trafficking, and second, whether the involvement of an intermediary or other third party is required. While neither of these criteria has to be present in order to prosecute a case of human trafficking, national policy-makers may nonetheless decide to distinguish between “trafficked” and “non-trafficked” (or other forms of) forced labour. This may help them to devise differentiated policy responses that are best adapted to the national context and specific target groups. The present guidelines, which are designed for the purpose of statistical data collection, do not adopt a position on this issue.

11 ILO: *Eradication of forced labour*, General Survey concerning the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). Geneva, 2007.

1.3 Typology of forced labour

Forced labour can be found in practically all countries and all economic sectors. The forced labour typology presented below was used for the purpose of the ILO global estimates published in 2012, figures being computed for each of the following three main categories:

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



The tools presented in these guidelines are designed primarily for estimating forced labour imposed by private agents for labour exploitation. However, they could be adapted for the two other groups of victims, namely those in forced labour imposed by the State and in forced sexual exploitation. For example, the same indicators of involuntariness and coercion could be applied if the relevant questions were adapted to cover sexual exploitation, and some may be used also for the case of State-imposed forced labour.

Indicators of forced labour

2

2.1 Indicators of forced labour of adults

In a court of justice, the prosecutor in a forced labour case can cross-examine the alleged victim(s) and perpetrator(s) in depth and with flexibility, to assess the situation, reveal the true conditions of recruitment and employment and present evidence to prove that the worker was coerced or deceived. In a statistical survey, by contrast, none of this is possible; the questions are predetermined and are the same for all respondents. Survey questions must therefore attempt to capture sufficient information to allow an assessment of whether or not the individual has been subject to involuntariness and coercion in his or her working situation.

Operational indicators should provide the basis for a clear and common set of criteria to identify forced labour in practice. Each indicator represents a measurable variable. For these guidelines, a decision was taken to limit the indicators to dichotomous variables (Yes/No, or True/False) – although indicators could equally be assigned numeric values. With dichotomous variables, each indicator can take the value “1” if the feature or criterion to which it relates is present, or “0” if it is not. Two sets of indicators were derived from the ILO Forced Labour Convention (No. 29): a first set to assess the element of **involuntariness** in a situation of forced labour, and a second set to assess the **penalty or menace of a penalty**.

The indicators of involuntariness are grouped under the three “dimensions” which were presented in Section 1.2 : unfree recruitment, work and life under duress and impossibility of leaving the employer. These correspond to the three phases during which coercion (the fourth “dimension”) may be applied by employers to workers: to force them to take the job, to force them to work or live under conditions with which they do not agree, and to prevent them from leaving or moving to another employer. The combination of indicators of involuntariness and coercion (i.e. penalty or menace of a penalty) can then be used to qualify a situation as one of

forced labour. The way to combine indicators will be explained in detail in part 9.1 of the guidelines.

22 These indicators of forced labour derive from the indicators of trafficking for labour and sexual exploitation that were produced in 2009 by the ILO in collaboration with the European Commission.¹² For that exercise, the Delphi methodology¹³ was used to build consensus among European experts on the basic elements of human trafficking in an effort to harmonize data collection across the countries of the European Union. Six dimensions were identified (deceptive recruitment, coercive recruitment, recruitment by abuse of vulnerability, exploitative working conditions, coercion, and abuse of vulnerability at destination) and approximately a dozen indicators were associated with each. Yet indicators are of varying importance in assessing whether or not a situation amounts to forced labour or trafficking; while a person who is abducted, locked in a room and forced to work long hours under constant surveillance is clearly trafficked into forced labour, most cases are not so clear-cut. It was therefore decided to classify each indicator as strong, medium or weak according to the severity or degree of abuse. The strength of each indicator was established by consensus among the experts.

This framework of indicators of human trafficking was adapted to assess situations of forced labour. Indicators of forced labour, however, were assigned only two levels of strength: strong or medium.¹⁴ In any given survey, indicators should be selected and adapted to the national context and to the specific forms of forced labour to be investigated. The complete set of indicators, relating to each “dimension” of forced labour, is presented in the following tables.

12 ILO: *Operational indicators of trafficking in human beings* (Geneva, ILO, 2009).

13 For a description of the Delphi methodology, see Harold A. Linstone and Murray Turoff (eds): *The Delphi method: Techniques and applications*. Available at <http://is.njit.edu/pubs/delphibook/delphibook.pdf>.

14 The experience of adapting the Delphi indicators for surveys of forced labour at country level showed that some weak indicators were not relevant in the case of adults, while there were no weak indicators for children. It was therefore decided either to disregard the weak indicators or to reclassify them as medium.

Indicators of unfree recruitment of adults

Indicators of involuntariness

Strong indicators

- Tradition, birth (birth/descent into “slave” or bonded status)
- Coercive recruitment (abduction, confinement during the recruitment process)
- Sale of the worker
- Recruitment linked to debt (advance or loan)
- Deception about the nature of the work

Medium indicators

- Deceptive recruitment (regarding working conditions, content or legality of employment contract, housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/earnings)
- Deceptive recruitment through promise of marriage

Indicators of penalty (or menace of penalty)

Strong indicators

- Denunciation to authorities
- Confiscation of identity papers or travel documents
- Sexual violence
- Physical violence
- Other forms of punishment
- Removal of rights or privileges (including promotion)
- Religious retribution
- Withholding of assets (cash or other)
- Threats against family members

Medium indicators

- Exclusion from future employment
- Exclusion from community and social life
- Financial penalties
- Informing family, community or public about worker’s current situation (blackmail)

Indicators of work and life under duress of adults

Indicators of involuntariness

Strong indicators

- Forced overtime (beyond legal limits)
- Forced to work on call (day and night)
- Limited freedom of movement and communication
- Degrading living conditions

Medium indicators

- Forced engagement in illicit activities
- Forced to work for employer's private home or family
- Induced addiction to illegal substances
- Induced or inflated indebtedness (by falsification of accounts, inflated prices for goods/services purchased, reduced value of goods/services produced, excessive interest rate on loans, etc.)
- Multiple dependency on employer (jobs for relatives, housing, etc.)
- Pre-existence of a dependency relationship with employer
- Being under the influence of employer or people related to employer for non-work life

Indicators of penalty (or menace of penalty)

Strong indicators

- Denunciation to authorities
- Confiscation of identity papers or travel documents
- Confiscation of mobile phones
- Further deterioration in working conditions
- Isolation
- Locked in workplace or living quarters
- Sexual violence
- Physical violence
- Other forms of punishment (deprivation of food, water, sleep, etc.)
- Violence against worker in front of other workers
- Removal of rights or privileges (including promotion)
- Religious retribution
- Constant surveillance
- Withholding of assets (cash or other)
- Withholding of wages
- Threats against family members

Medium indicators

- Dismissal
- Exclusion from future employment
- Exclusion from community and social life
- Extra work for breaching labour discipline
- Financial penalties
- Informing family, community or public about worker's current situation (blackmail)

Indicators of impossibility of leaving employer for adults

Indicators of involuntariness

Strong indicators

- Reduced freedom to terminate labour contract after training or other benefit paid by employer
- No freedom to resign in accordance with legal requirements
- Forced to stay longer than agreed while waiting for wages due
- Forced to work for indeterminate period in order to repay outstanding debt or wage advance

Indicators of penalty (or menace of penalty)

Strong indicators

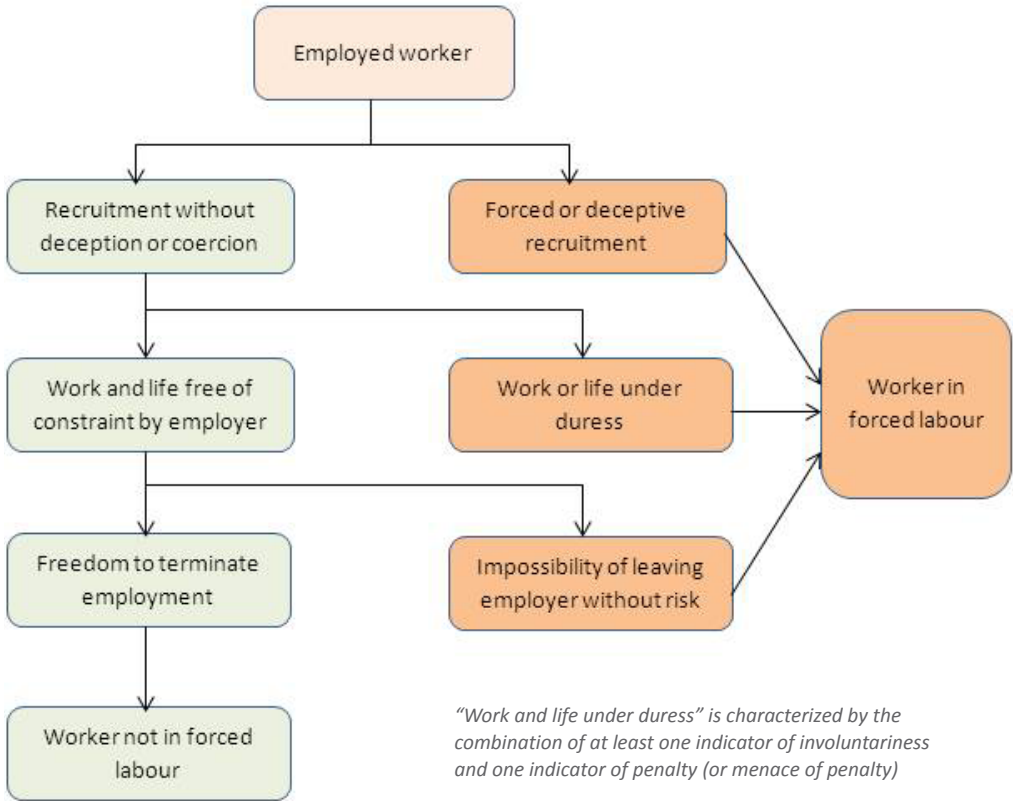
- Denunciation to authorities
- Confiscation of identity papers or travel documents
- Imposition of worse working conditions
- Locked in work or living quarters
- Sexual violence
- Physical violence
- Other forms of punishment (deprivation of food, water, sleep, etc.)
- Removal of rights or benefits (including promotion)
- Religious retribution
- Under constant surveillance
- Violence imposed on other workers in front of all workers
- Withholding of assets (cash or other)
- Withholding of wages
- Threats against family members (violence or loss of land or jobs)

Medium indicators

- Dismissal
- Exclusion from future employment
- Exclusion from community and social life
- Extra work for breaching labour discipline
- Financial penalties
- Informing family, community or public about worker's current situation (blackmail)

2.2 Measurement framework for adults

A schematic presentation of the measurement framework for forced labour of adults is shown below:



Using the survey instruments presented later in these guidelines, the indicators are applied to the situation of each respondent in order to assess whether he or she is a victim of forced labour. As explained in Section 1.2, coercion may be applied at any stage of the employment process – at the recruitment stage, while the person is in the job and when he or she wishes to leave. In some cases, the worker may be forced to perform activities which contravene labour, criminal or other law. For example, to:

- engage in illicit or criminal activities,
- carry out hazardous tasks without adequate protection,
- provide sexual services to the employer or supervisor,
- work or live in unhealthy or degrading conditions which violate national legal standards,
- work overtime beyond the limits set by national law.

However, in other cases, the worker may be forced to undertake work that would otherwise be legally compliant, for example to:

- carry out tasks that are not part of their contract or agreement,
- transfer to another employer or location without consenting to this move,
- work without receiving the wages or benefits due to him or her,
- work without the possibility of leaving the workplace at the agreed times,
- work without the possibility of terminating the contract with reasonable notice.

Forced labour is not characterised by the nature of the work performed, rather by the relationship between the worker and his or her employer, supervisor or other person in control. It is therefore not “visible” through observation alone. In each of the situations listed above, or any others encountered in a survey, the indicators can be used to detect forced labour. To do so, the indicators should be combined in the manner explained below.

In each of these situations, or any others encountered in a survey, the indicators can be used to detect forced labour and trafficking. To do so, the indicators should be combined in the manner explained in the following box.

Identification of cases of forced labour of adults

The dimension “unfree recruitment” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present, and at least one of these indicators is strong.

The dimension “work and life under duress” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present, and at least one of these indicators is strong.

The dimension “impossibility of leaving employer” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present, and at least one of these indicators is strong.

Any adult worker for whom the dimension of
unfree recruitment

OR

life and work under duress

OR

impossibility of leaving the employer

is positive, can be considered a victim of forced labour.

Some indicators of involuntariness necessarily involve a degree of coercion. For example, violence (penalty) is always present in cases of abduction (involuntariness - unfree recruitment). Thus, when using the set of indicators, the presence of the indicator “abduction” automatically implies that of the indicator “violence”.

Examples of the use of indicators of forced labour of adults

- A worker who is abducted, brought to a workplace **AND** forced to work under the threat of physical violence **IS** a victim of forced labour (one strong indicator of involuntariness, one strong indicator of penalty).
- A worker who is recruited by force as collateral for a debt **AND** works under the threat of exclusion from community and social life **IS** a victim of forced labour (one strong indicator of involuntariness, one medium indicator of penalty).
- A worker who is deceived about the wages to be paid **AND** cannot leave because his or her wages are withheld by the employer **IS** a victim of forced labour (one medium indicator of involuntariness, one strong indicator of penalty).
- A worker who is dependent on the employer for housing and food **AND** is subject to financial penalties for refusing to perform additional tasks which are not part of the contract, though not employed in decent working conditions, **IS NOT** recognized as a victim of forced labour for purposes of data collection (one medium indicator of involuntariness, one medium indicator of penalty).
- A person working in sub-standard working conditions **BUT** who can leave the employer if he or she finds a better job, though not employed in decent work, **IS NOT** recognized as a victim of forced labour.
- A migrant worker who is deceived by an intermediary about the nature of the job **AND** who cannot leave the employer because he or she is threatened with denunciation to the authorities **IS** a victim of forced labour.

This measurement framework is a general tool which must be adapted to the context of the country where the survey is implemented. Indicators may vary according to the type of forced labour to be surveyed and the national legal framework. For example, indicators used to assess forced overtime must be consistent with the recommendations of the ILO’s Committee of Experts on the subject¹⁵ i.e.

15 In its 2007 General Survey on forced labour, the Committee noted that in certain circumstances an obligation to work overtime beyond the limits set by national legislation or collective agreement might

the threshold for the maximum acceptable number of hours of work must be determined at national level.

2.3 Indicators of forced labour of children

The indicators of forced labour presented in the following tables are designed specifically to enable identification of forced labour of children (excluding children working with parents who are themselves engaged in forced labour), and are derived from the indicators for adults presented above. As with adults, each indicator may need to be adapted to the national context. For each dimension of forced labour (unfree recruitment, work and life under duress, impossibility of leaving the employer), the left-hand column lists the indicators of involuntariness while the right-hand column presents the indicators of penalty/menace of penalty (coercion) that are most commonly applied. All indicators are considered to be of equal severity in the case of children.

violate the Forced Labour Convention (No. 29). See ILO: *Eradication of forced labour*, International Labour Conference, 96th Session, Geneva, 2007.

Indicators of unfree recruitment of children

Indicators of involuntariness

Tradition, birth

- Child is born into a bonded family and is forced to work for his or her parents' employer

Debt bondage

- Recruitment as collateral for a loan given to parents or relatives
- Recruitment as part of the employer's agreement to employ the parents or relatives
- Recruitment in exchange for a cash advance or loan to the parents

Abuse of cultural practices/ power by the employer

- Child sent to work for someone else by a previous employer without consent of the child or parents
- Recruitment of the child in the context of a tradition perpetuated by those in power

Coercive recruitment

- Child kidnapped, taken by force

Deceptive recruitment

Deception about:

- access to education
- living conditions
- frequency of visits to or by parents
- nature of the job
- location of the job
- employer
- wages
- quantity of work
- social security coverage

Indicators of penalty (or menace of penalty)

- Family would lose benefits (land, housing, etc.)
- Other family members would lose their job
- Exclusion of child from future employment
- Exclusion of family members from future employment
- Violence against child
- Violence against family members
- Exclusion of family members from access to loans
- Isolation
- Threats against child or family members

Indicators of work and life under duress of children

Indicators of involuntariness

Forced work

- Forced overtime
- Forced to work on call (day and night)
- Forced to work for the employer's private home or family
- Forced to work when sick or injured
- Forced to perform hazardous tasks without protection
- Forced to take drugs, alcohol, illegal substances
- Forced to engage in illicit activities
- Forced to engage in sexual acts

Limited freedoms

- Limited freedom of movement outside the workplace
- No possibility of leaving the living quarters
- No freedom to talk to other children or adults
- No freedom to contact parents, family, friends
- No possibility of practicing own religion

Dependency

- Employer decides on matters relating to child's private life (marriage, education, health, religion)
- Food, clothing and housing provided by employer in lieu of a wage
- Degrading living conditions

Indicators of penalty (or menace of penalty)

- Physical violence
- Psychological violence
- Sexual violence
- Punishment (deprivation of food, water, sleep, etc.)
- Fines
- Wage deductions
- Threat of dismissal
- Threat of denunciation to the authorities
- Threats against family
- Punishment/violence inflicted on other children in front of child
- Locked in living quarters
- Constant surveillance
- Isolation
- Prohibition on contact with parents and family members
- Retention of identity papers
- Withholding of wages

Indicators of the impossibility of leaving the employer for children

Indicators of involuntariness

- Limited or no freedom to leave the employer

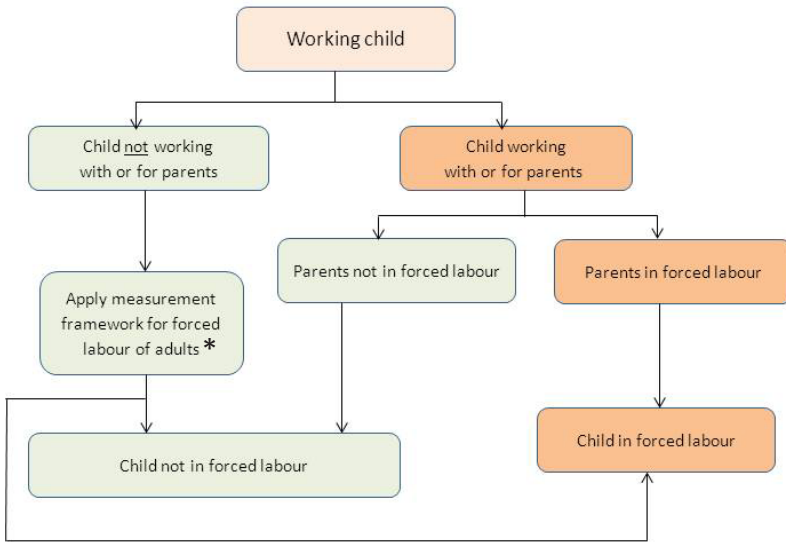
Indicators of penalty (or menace of penalty)

- Isolation
- Confinement
- Under constant surveillance
- Family would lose benefits (land, housing, etc.)
- Other family members would lose their job
- Exclusion from future employment
- Exclusion of family members from future employment
- Threats or violence against child
- Threats or violence against family members
- Exclusion of family members from access to loans
- Punishment (deprivation of food, water, sleep, etc.)
- Withholding of wages
- Unfulfilled promises of education, vocational training, etc.
- Threat of denunciation to the authorities
- Confiscation of identity papers
- Punishment inflicted on other children in front of child
- Threat of further deterioration in working conditions
- Threat of forced sexual exploitation

It must be remembered that children are more vulnerable than adults, in the sense that it is more difficult for a child to evaluate the real risk of disobeying his or her employer. The fear created by an employer's threats can have a particularly strong impact on children, rendering them unable to talk about their situation or to seek help. When a child works in exchange for a promised future benefit (rather than a current wage), he or she becomes especially vulnerable to forced labour; this includes situations where an employer promises to pay for the dowry or wedding of a girl at the end of her employment, or to provide the child with tools to set up a workshop, or to pay for his or her schooling or vocational training. If he or she were to leave the employer before the end of the stipulated period, the child (and parents) would necessarily forgo all promised benefits, even with no certainty that these will actually materialize in practice.

2.4 Measurement framework for children

A schematic presentation of the measurement framework for forced labour of children is shown below.



* with indicators specific to forced labour of children

The way to combine indicators in order to identify a case of forced child labour is explained in the following box.

Identification of cases of forced labour of children

The dimension “unfree recruitment” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present.

The dimension “work and life under duress” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present.

The dimension “impossibility of leaving employer” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present.

Any child worker for whom the dimension of
unfree recruitment
OR
life and work under duress
OR
impossibility of leaving the employer

is positive, can be considered a victim of forced labour.

In addition, any child working with or for his or her parent(s) or guardian(s), who are themselves engaged in forced labour, can be considered a victim of forced labour.

Examples of the use of indicators of forced labour of children

- A child who is abducted, brought to a workplace **AND** forced to work under the threat of physical violence **IS** a victim of child forced labour.
- A child who is recruited through an intermediary who promises him/her good wages, is sent to a distant place to work **AND** lives on the employer's premises where he/she is forbidden to communicate with the family **IS** a victim of child forced labour.
- A child who works for 8 hours a day with his or her parents on the family farm **IS NOT** a victim of forced labour (but **COULD BE** a victim of child labour, if certain other conditions prevail).
- A child who works for less than 8 hours a day with his or her parents, on the farm of a landowner to whom the parents are bonded by debt **IS** a victim of child forced labour.



How the survey instruments were tested

3

Sampling techniques and survey questionnaires were developed and tested in three groups of countries between 2008 and 2010.

The first surveys, on trafficking for forced labour, were conducted in Armenia, Georgia and the Republic of Moldova which are origin countries for mainly adult labour migrants and therefore potential sources of trafficking. In these three countries, the legal frameworks in place imply that trafficking for forced labour involves movement, within or across borders, from a point of origin to a place where the exploitation occurs, usually far from any familiar or protective environment. In theory, the measurement exercise could take place in either the origin or the destination country, or at any point in between.

It was, however, decided that the surveys would be conducted in the three countries of origin, for both political and technical reasons. First, these countries have all adopted national action plans to fight trafficking, and surveys would provide valuable information for their implementation; and second, the “density” of the target population for the surveys (i.e. labour migrants) is higher in the countries of origin than in the countries of destination, which makes it easier to design a sampling scheme that will give a representative sample of adequate size. Estimates of the proportion of households involved in labour migration in these countries¹⁶ vary from 10 to 15 per cent, a density which facilitates “finding” them through appropriate sampling techniques. Moreover, it was expected to be easier to obtain truthful replies to questions about recruitment and working conditions from workers who had already left their exploitative job than from those who were still in it (and this was subsequently borne out in practice). Thus, the surveys were

16 Households in which at least one member is currently working abroad or has recently returned from working abroad.

household-based and targeted people of working age who had recently returned from working abroad.

A second set of surveys was conducted in Nepal and Niger, where more traditional forms of forced labour of adults and children were believed to prevail. These traditional forms had previously been the subject of qualitative research¹⁷ and local experts had listed districts/provinces where they could be found. In both countries, workers who might be engaged in forced labour lived with their families, returning home at night. That being so, it was decided to conduct household surveys, in which the sampling would be designed on the basis of existing knowledge of the geographical distribution of forced labour.

Finally, surveys to estimate different forms of forced labour of children, either at national or regional level, were implemented in five countries: Bangladesh, Bolivia, Guatemala, Côte d'Ivoire and Mali.

The essential features of the ten surveys are presented in the following tables.

17 For Nepal, see S. Dhakal: "Haruwa, the unfree agricultural labourer: A case study from Eastern Tarai", in *Contributions to Nepalese Studies* (Kathmandu. CNAS/TU, 2007). See also Galy Kadir Abdelkader (ed.): *Slavery in historical, legal and contemporary perspectives* (Niamey, Anti-Slavery International and Association Timidria, 2004).

Forced labour of adults linked to labour migration¹⁸

	Armenia	Georgia	Moldova
Date of survey	November-December 2009	April-June 2008	April 2008
Type of survey	Ad-hoc household survey	Ad-hoc household survey	Continuous labour force survey (LFS) with special labour migration module
Coverage	National	National	National
Target group	Returned migrants	Returned migrants	Returned migrants
Type of sampling	Probability sampling plus snowball sampling (Lavallée method)	Probability sampling	Stratified multi-stage probability sampling for LFS + cumulative sample of households from previous LFS rounds, who had at least one migrant member
Number of households	5,309	8,000	12,430
Total number of respondents	20,092	21,564	37,218
Respondents for assessing forced labour	Returned migrants (over 16 years old)	Returned migrants (over 16 years old)	Returned migrants (over 16 years old)
Number of returned migrants interviewed	1,106	262	2,084
Implementing agency	National Statistical Office and consultant	Consultant, in collaboration with National Statistical Office	National Statistical Office and consultant

18 Pierre Lavallée: *Sondage indirect: Méthode généralisée du partage des poids* (Paris, Ellipses, 2002) and in Pierre Lavallée and Jean-Claude Deville: "Indirect sampling: The foundations of the generalized weight share method", in *Survey Methodology* (Statistics Canada), December 2006.

Traditional forms of forced labour of adults and children

	Nepal	Niger
Date of survey	April-December 2009	September-October 2008
Type of survey	Ad-hoc household survey	Child labour survey (CLS), with questions relating to forced labour embedded in various sections of the questionnaire
Coverage	12 districts in far western hills and eastern Terai	National, with focus on regions believed to be vulnerable to forced labour practices
Target group	Families from groups most at risk of forced labour (Haliya and Haruwa/Charuwa)	Working children and their parents
Type of sampling	Three-stage stratified probability cluster design (2/3 households from control group, 1/3 from target group)	Stratified multi-stage probability sampling for CLS with over sampling of some areas
Number of households	6,295	4,800
Respondents	All family members (over 5 years old)	All family members (over 5 years old)
Number of adult and child workers interviewed	3,901	4,792
Implementing agency	Private research centre linked to University	National Statistical Office

Forced labour of children

	Bangladesh	Bolivia	Côte d'Ivoire	Guatemala	Mali
Date of survey	February - June 2010	April - June 2008	April 2008	October 2009 - May 2010	June 2009
Type of survey	Establishment and household survey	Child labour survey	Living Standards Measurement Study	Household survey	Street survey
Coverage	4 districts in the Bay of Bengal	National	National	4 provinces	3 cities (Bamako, Mokti, Segou)
Target group	Children in dried fish industry	All working children	All working children	Children working in farms, with or without parents	Child beggars
Age group	5-17 years	5-17 years	5-17 years	5-17 years	5-17 years
Type of sampling	Two-stage stratified probability sampling	Two-stage stratified probability sampling	Two-stage stratified probability sampling	Three-stage stratified probability sampling	Capture-recapture
Number of units	597 establishments	4,229 households	12,600 households	1,028 households	N/A
Respondents	Working children and employers	All family members (above 5 years old)	All family members (above 5 years old)	All family members (above 5 years old)	Children aged 5-17 years
Number of workers interviewed	1,738	9,297	17,152	5,671	2,290
Implementing agency	National Statistical Office and consultant	National Statistical Office and consultant	National Statistical Office and consultant	National Statistical Office and consultant	National Statistical Office and consultant

In Bolivia and Côte d'Ivoire, a minimum set of questions was added to a national survey (a child labour survey and a household income and expenditure survey respectively). The forced labour module was designed by the National Statistical Offices in collaboration with the ILO, but without following the full process for identification of indicators, sectors and at-risk groups that was used in the other countries. The result, in these two cases, was a national estimate of children who

are “at risk” of being in forced labour, i.e. there is some evidence of forced labour but not enough to affirm with some degree of certainty that this is indeed the case.

In each participating country, the proposed methodology was presented and discussed with the National Statistical Office or other implementing agency, and lists of indicators were drawn up (along with the associated analysis grid) through a participatory process.

The instruments presented hereafter reflect the lessons learnt in the design and implementation of these surveys.

4.1 Preparatory steps

A key initial challenge facing researchers or national statistical offices intending to survey forced labour is to identify clearly and precisely the national legal framework for their research. The relevant legislation must be reviewed so that the correct legal definitions can be used to build a national framework which sets out the operational definitions and the forced labour indicators to be applied in the survey. Relevant legislation is not limited only to criminal law but also includes the constitution and labour law. Since the survey instruments will be tailored to specific forms of forced labour, researchers must have some preliminary knowledge concerning the nature of forced labour in the country, i.e. the sectors of activity, population groups and geographical areas where it may be prevalent. Suggestions for implementing a desk review are presented below. Based on this, the scope of the survey can be determined, including any forms of forced labour to be explicitly excluded from the analysis, if so desired.

Initial steps

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

Suggestions for implementation

1. Review national laws, the constitution and any other legal instruments which refer to forced labour, human trafficking, slavery, bonded labour, etc..
2. Identify the main national stakeholders concerned with forced labour and trafficking (government ministries, trade unions, employers' organizations, human rights commissions, international organizations, NGOs, religious leaders, etc.).
3. Review the literature on the subject as well as such quantitative information as is available, supplemented by interviews with selected key respondents, in order to map the forms of forced labour that exist in the country.
4. Invite the main stakeholders to participate in a two-day workshop to:
 - present the findings of the desk research
 - construct a national list of indicators
 - determine the scope of the survey
5. Based on the outcome of the workshop, draft the terms of reference for the survey.
6. Set up a national steering committee to oversee the survey process, from the initial selection of implementing agency through to the final publication of results (inviting representatives of the Ministry of Labour, Ministry of Interior/Migration, National Statistical Office, other United Nations agencies, trade unions, employers' organizations and NGOs to participate).

Surveys of forced labour of children

The same sequence of steps should be followed with respect to surveys of forced labour of children. During the second step, special attention should be given to those forms of forced labour which may affect entire families. All elements relating to the potential impact of the parents' situation on their children should be brought to the attention of participants in the workshop.

In addition, a review must be made of the extent and forms of child labour known to exist, including both quantitative data and qualitative indications as to the possible existence of forced child labour. The social partners, UNICEF, NGOs, hotlines and media sources are essential sources of information to be consulted in this process.

4.2 Desk review and qualitative survey

Desk reviews, case studies and qualitative surveys can all be used to gather the information needed for the sound preparation of the quantitative survey. They should focus in particular on providing clear evidence of:

- areas/regions of the country where different forms of forced labour are most likely to occur,
- population groups most at risk of forced labour (ethnic minorities, certain age groups, low castes, etc),
- sectors of activity and occupations prone to forced labour and nature of the exploitation,
- time of year when forced labour is most prevalent (if seasonal),
- times of day when specific tasks, including those involving children, are performed,
- times and places of movement of adults and children (bus stops, train stations, ferry and border crossings, etc.), involvement of intermediaries in movement,
- means of recruitment used in sectors/occupations prone to forced labour,
- means of coercion used by recruiters/employers.

This information can be collected through interviews with key informants, direct observation, focus group discussions,¹⁹ and review of court cases, law enforcement data and other relevant sources.

Information on regions and population groups at risk will be used in the choice of the type of survey and sampling method. The information on the means of recruitment and coercion and on the types of exploitation provides a basis for the selection of the most relevant indicators of forced labour, which will later be transformed into the questions contained in the survey instrument.

Regarding the time of year, forced labour may increase or decrease according to the season (in agriculture, for example), and this will therefore influence the choice of the survey period. For children, an obvious parameter is the school year, which has a direct impact on their availability to participate in a survey. Researchers must also take into account the seasonal nature of migration, where relevant; if the aim

¹⁹ Focus group discussions, if properly managed, can be powerful tools to collect information on forced labour taking place in a specific context. A fact (related to recruitment, working conditions or coercion) brought to the attention of the group by one participant may open the discussion to revelation of new facts by other participants.

is to survey migrants at their workplace, the period chosen should be the peak season for migration, whereas if the survey targets returned migrants, it should be conducted when they will be at home, for example during the main festivals (traditional or religious celebrations, New Year holidays, etc.).

During the qualitative research process, testimonies of victims of forced labour or their relatives should be recorded in order to facilitate the subsequent interpretation of the quantitative survey findings, providing a deeper insight into the victims' experiences.²⁰

Surveys of forced labour of children

Here again, the scope of the qualitative research must include the geographical areas, sectors of activity and groups most affected by forced child labour. The topics addressed are the same as for adults: recruitment process and possible movement, conditions of life and work, and means of coercion.

The involvement of children in this phase, through focus groups or in-depth interviews, is very important. Before entering into such discussions, however, the researcher must make absolutely sure that it is safe for the children concerned. All ethical rules must be strictly observed (see Chapter 7).

Meetings with parents engaged in forced labour are a particularly valuable source of information on the impact of their situation on their children. The possible existence of threats and the conditions imposed by employers or landowners can be discussed, as well as the prevalent debt mechanisms. Parents can also explain why their children have to work and how the recruitment process operates in cases of debt bondage and child migration. Such meetings, whether individual or group, can reveal many details of the mechanisms of child forced labour.

Last but not least, in-depth interviews or focus-group discussions with young adults who have previously been in forced labour can be highly informative. The fear felt by children, the impact of their isolation and the threats against their family can be explained more easily by those who have escaped the abusive situation than by those who are still suffering it.

4.3 Constructing a national set of indicators

The qualitative research should reveal the various forms of recruitment of victims of forced labour, their working and living conditions and the means of coercion used.

²⁰ Guidance on designing and implementing qualitative research on forced labour can be found in *Guidelines for qualitative research on forced labour* (provisional title, ILO/SAP-FL, forthcoming).

Based on this knowledge, the implementing agency should select the forced labour indicators which are most relevant and appropriate to the national context. As will be explained in Chapter 6, each indicator is subsequently transformed into one or more questions in the survey instrument.

There are two approaches to constructing a national set of indicators: bottom-up and top-down.

Constructing the national set of indicators

Bottom-up approach: the starting point is “reality” as described by knowledgeable stakeholders. In this approach, all known or possible forms of forced labour in the country are first identified by the stakeholders. They then examine and report the different known elements of involuntariness and penalty. Each element is then matched with the relevant indicator taken from the standard list, and these indicators will comprise the national list.

Top-down approach: the starting point is the standard list of indicators. These are reviewed one by one and their relevance to the national context assessed by knowledgeable stakeholders. Only those recognized as relevant appear in the national list, reformulated using local terms.

Example of bottom-up implementation

Country X wants to estimate the extent of forced labour resulting from labour migration of its citizens to foreign countries. Qualitative studies have shown evidence of recruiters promising good jobs to women as domestic workers in private households, where they would have their own room. It seems that, on arrival, women are forced to accept jobs as waitresses in bars and hotels and to live with other workers in a storage room provided by the employer. Other forms of deception are used to send men to work in remote destinations instead of in the capital city as was promised.

In this “story”, three promises are unfulfilled: occupation (the domestic worker becomes a waitress in a bar), living conditions (a personal room becomes a shared storage room), location (the capital city becomes a remote destination). The team designing the survey recognizes here a strong indicator of involuntariness (“Deception about the nature of the job”) and two medium indicators (“Deception about the living conditions” and “Deception about the location”).

Surveys of forced labour of children

The results of the qualitative research are also key to the design of indicators of forced labour of children, especially concerning the means of coercion employed. Careful attention must be paid to information provided by children, especially those who work or used to work in isolated conditions far from their family. What might be merely a difficult situation for an adult can constitute a real means of coercion for a child; unable to know how to escape or return home, a child may be forced to stay in an abusive situation from which an adult would have had no difficulty leaving.

More problematic is a child's fear of the parents' reaction in the event of dismissal or escape. Where parents have received a cash advance, for example, it may be hard to know whether, should a child be dismissed by an abusive employer, there will be real negative repercussions on his or her family or simply that the child fears this will be the case. When selecting the indicators – and, in this example, before deciding if “threat of dismissal” should be retained as a means of coercion – stakeholders must consider information available from the qualitative survey and the views of local people working with children. If it appears that there is indeed a potential threat for parents whose children run away or are dismissed (for example, loss of housing provided by the employer or loss of job opportunities for other family members), then the indicator should be kept.

Once the scope of the survey and the measurement framework have been specified, the next step is to choose a survey design that is both cost-effective and practical to implement.

Although forced labour may be present in many different areas of a country, in statistical terms the phenomenon is rare. It therefore calls for a survey design that minimizes the cost and effort involved in locating and surveying the target population. The survey design and implementation must also take into consideration the fact that, because forced labour is universally condemned and outlawed, it tends to be hidden so gaining access to victims may be difficult and, even once identified, potential victims may avoid giving truthful responses in a survey.

Survey planning involves choosing both the type and the structure of the survey. Choosing the type of survey means deciding on the survey unit, i.e. whether the data will be collected at the household where the worker resides, at the establishment where he or she works, or through other units such as service providers, news reports, etc. Survey structure means the way the survey operations are organized, i.e. whether additional questions or modules are included in an existing survey, a standalone survey is implemented, or a combination of both is used for different elements of the survey (partial survey integration).

5.1 Selecting the type of survey

The choice of survey type is limited to those which can be used for quantitative surveys at national level.²¹ The focus in these guidelines is on selecting a survey type specifically for estimating a particular form of forced labour. More general

21 Other types of surveys such as rapid assessments, baseline studies and community-level inquiries generally do not set out to measure the extent of forced labour at the national level. Some parts of these guidelines may nevertheless be relevant for such surveys, especially the indicators of forced labour described in Chapter 2.

information on survey design can be found in statistical manuals or in various sections of the ILO website dedicated to labour force surveys and child labour surveys.²²

Household surveys

A household survey is a statistical survey conducted at people's living quarters with the purpose of collecting data on the socio-economic characteristics of the household and of its members. This type of survey can be used to collect data on forced labour by questioning individual household members on relevant characteristics of their current or past work experience.

Household surveys have a number of strengths.

- In principle the survey covers all workers living in regular households, excluding national or foreign workers living in non-registered quarters such as tents, temporary shelters, street corners, or other public places. In most household surveys, workers living in churches, community lodgings, work camps, hostels, prisons, etc. are not covered, as the survey samples do not include institutional households.
- Workers who have been trafficked can be sampled in the same way as any other resident.
- Provided the sample size is sufficiently large and the households are selected with probability sampling, the survey allows a national estimate of forced labour to be calculated with a known margin of error.
- The survey permits the collection of additional data relevant to an analysis of the nature of forced labour, such as family characteristics, education, employment history, recruitment, hours of work, wages and working conditions.
- The results of the survey can be used to compare the situation of workers in forced labour with that of workers at large.
- As the survey addresses all household members, data can be collected to assess the impact of forced labour on the children and relatives in the household.
- Because the survey reaches respondents in their living quarters, they are likely to feel freer to talk about their work experience than they would at their workplace in the presence of their employer or work colleagues.

²² See for example unstats.un.org/unsd/demographic/sources/surveys/Handbook23June05.pdf, www.ilo.org/stat and www.ilo.org/ipecc/ChildlabourstatisticsSIMPOC.

Household surveys also have limitations.

- Workers living in housing units not covered by the survey, at their workplace, in hidden accommodation provided by the employer or in non-registered settings will not be reached in the survey, which results in a survey bias.
- Because not all households have members in forced labour and depending on the sample design, the sample size may have to be very large making the survey costly and complex to implement.
- It is difficult in a household survey to obtain information on households or household members who live and work abroad, unless it targets returned migrants. The characteristics of returned migrants may however differ systematically from those of other migrants.

Examples of household surveys

- Niger and Nepal conducted household surveys to estimate forced labour primarily in rural areas, in 2008 and 2009 respectively. The choice was motivated by the form of forced labour to be investigated, which was described as likely to affect several members of a single household owing to traditional relationships in rural areas.
- A household approach was also used in Armenia (2009), Georgia (2008) and Moldova (2008). The surveys addressed households comprising returned migrants, collecting data on workers who had migrated abroad and then returned to their country within the 12 month period prior to the interview. There were two reasons for this choice: the sampling could be based on previous household surveys that indicated the existence of labour migrants, and it was easier and safer to conduct the interview in the worker's household than at the workplace.

Establishment surveys

An establishment survey is a statistical survey that addresses businesses in order to collect data on their characteristics and operation. It can also be used to obtain information on the number and characteristics of employees and other persons engaged in establishments such as farms, mines, factories, workshops, shops, restaurants, offices or any other type of production unit where an economic activity is taking place.

As a means of obtaining data on forced labour, establishment surveys too have certain strengths.

- It is possible to analyze the “demand side” of forced labour, since in principle the employer is interviewed, as well as the workers if possible.
- Data can be collected not only through interviews but also through direct observation and access to the accounts and other administrative records of the establishment, thus providing a rich source of information on the work environment and conditions of work.
- The existence of auxiliary data in the sampling frame means that it is often possible to target specific branches of economic activity such as agriculture, manufacturing or hotels and restaurants. When the measurement exercise focuses on forced labour in a particular economic sector (or sectors) this is particularly useful.
- Because establishments tend to have a skewed distribution, with many small units and few large ones, the survey can be stratified by size of establishment, thus providing an efficient way of ensuring that the sample includes an adequate number of establishments in each size class.
- Provided the establishment owner agrees, interviews can be conducted with workers.²³ Victims of forced labour can thus be interviewed along with the other workers present in the establishment and not be singled out for special attention.

They also have some limitations.

- Interviewing workers at the workplace on such a sensitive issue as forced labour may be difficult in practice. Employers may refuse access²⁴ or the workers themselves may be reluctant to participate in the survey or to provide honest answers, even if the interviewing takes place away from the actual work site. The fact that the employer knows that a survey is taking place may create a climate of fear and suspicion, and workers may be threatened or face possible retaliation for participating in it.

23 In most countries, legislation does not allow enumerators of National Statistical Offices to interview workers at their workplace or even to enter work premises without the employer’s consent.

24 There are a number of ways of circumventing this “gate-keeper” problem, for example by framing the survey in terms of employment rather than forced labour, or by implementing a mixed survey of establishments and households. The establishment part is restricted to questions about the branch of economic activity, number of persons engaged, normal hours of work, etc., followed by a household survey in which working conditions, rights at work and nature of employer-employee relations are investigated.

- Calculation of reliable national estimates requires the existence of up-to-date and comprehensive registers or lists of establishments for sampling and extrapolation purposes. Given the high turnover of establishments in many countries, the maintenance of up-to-date registers and lists is complex and costly, especially in respect of the numerous small establishments.
- Establishments that rely exclusively on forced labour will most likely not be recorded in any business register because of its illegality, and therefore will not be accessible through establishment surveys. However, the sample for establishment surveys does not necessarily have to be selected from a business register. Many developing countries, in particular, conduct establishment surveys based on area sampling. In this case, establishments employing forced labour are recorded on the same basis as other establishments.

Example of an establishment survey

In Guatemala, an establishment survey of farms was implemented in 2009 to collect data on forced labour among migrant families working temporarily on farms.

Other types of survey

When national household or establishment surveys cannot be conducted, approximate estimates of the extent of forced labour may be obtained by means of alternative methods such as surveys of service providers, surveys of newspaper articles, and street surveys.

Surveys of service providers

This method entails interviewing workers at places where they are provided with services (such as health care centres, places of worship, counselling agencies, legal offices, etc.) or interviewing the managers of such services about their users without directly interviewing the people concerned.

Once the range of services to be considered is determined, an exhaustive inventory must be prepared of all relevant places in the country. The inventory is then used to select a sample of locations for the survey, and a sample of days is also selected for the interviews to take place. This method is known as time-location sampling (TLS).

Workers may well be visiting more than one service provider or the same service provider more than once during the survey period. In order to extrapolate the

survey results to national estimates, the questionnaire must therefore include questions as to how often the respondents visited the various service providers during the survey reference period.²⁵

Surveys of newspaper articles

An IPEC survey of newspaper articles over a period of two years²⁶ concluded that a third of all reported cases of trafficking in China took place at train stations. This was crucial information that prompted the ILO to collaborate with the railway authorities on a targeted awareness-raising campaign during the Chinese New Year, when millions of migrant workers are on the move.

In another survey of newspaper articles in the United States, some 300 news reports over a six-year period from 1998 to 2003 were reviewed²⁷. Some 131 separate cases of apparent forced labour were identified and key variables were recorded for each, including city and location of violation, country of origin of victims, number of victims, involvement of minors, economic sector of exploitation, type of visa held, country of origin of perpetrator and title and author of the report. The survey revealed that a total of 19,254 individuals had been subjected to forced labour during the 6 year period. On the basis of this estimate, a “stock” of persons engaged in forced labour at any given time was also calculated.

Street surveys

Only specific forms of forced labour can be estimated through street surveys: forced labour in the informal sector where workers live and work on the streets, forced labour involving begging, prostitution, drugs or arms trafficking, and some other illicit activities conducted in the street. Sampling methods such as random walk sampling²⁸ or capture-recapture²⁹ can be used as the basis for calculating national estimates.

25 A recent survey of homeless persons and drug users in France is an example of the same methodology used in a different context. See Martine Quaglia, Géraldine Vivier (Institut National d'Etudes Démographiques): *Construction and field application of an indirect sampling method (time-location sampling): An example of surveys carried out on homeless persons and drug users in France*, 2010, Methodological Innovations Online (2010) 5(2) 17-25.

26 IPEC/CP-TING Project unpublished report.

27 Free the Slaves and Human Rights Center: *Hidden slaves: Forced labor in the United States* (Berkeley, University of California, 2004).

28 “The method entails (1) randomly choosing a starting point and a direction of travel within a sample cluster, (2) conducting an interview in the nearest household, and (3) continuously choosing the next nearest household for an interview until the target number of interviews has been obtained.” Definition taken from *Sampling Guide*, Robert Magnani, December 1997, Food and Nutrition Technical Assistance Project (FANTA).

29 This is a double sampling method for estimating the prevalence of a condition in a population. While initially used in populations of wild animals, which were physically captured, marked, released and recaptured, the same statistical procedure is now used for sampling human populations.

Street surveys of child beggars were conducted in Senegal (2008) and in Mali (2009)³⁰, where estimates of the number of child beggars in selected cities were derived using a capture-recapture methodology.

Surveys at border points

Returned migrants can be identified by means of surveys at airports, seaports, and checkpoints that workers must pass through when returning home.³¹ In such a survey, the questionnaire should be sufficiently short and simple for it to be administered on the spot. The survey should distinguish between workers visiting home temporarily and those returning home for an indefinite period.

Again, these other types of surveys have their strengths. For example, they provide access to information directly (through service providers, border crossings and street interviews) or indirectly (through media surveys) in cases where household and establishment surveys are difficult or impossible to conduct. It may sometimes be possible to interview workers in locations that are more anonymous, and therefore safer for the respondents, than households or establishments, and this may lead to more reliable answers. The main drawback is the difficulty of extrapolating the results to the national level. The results and conclusions drawn must therefore be presented with caution.

Surveying “hidden” forms of forced labour

Even though forced labourers may sometimes be hidden, the goods or services they produce should at some point be marketed and the workers must live somewhere during and after their period of exploitation. Therefore, it should theoretically be possible to identify an entry point to survey “hidden” forms of forced labour. While these guidelines present various survey designs, the instruments described cannot necessarily be adapted to measure all forms of forced labour. Some instances may be impossible to sample because they occur in hidden, inaccessible workplaces or because the workers are forced to live in unregistered temporary quarters such as tents. This is the case of forced labour in illicit activities, such as the cultivation of secret plantations.

Although domestic work is often described as “invisible” because it takes place in private homes, it is possible to adapt these instruments to survey forced labour among domestic workers. One option, if preliminary research has shown that domestic workers can be interviewed in the employer’s home, is to sample the households where they work. Another possibility, where the domestic workers

30 ILO: *Etude sur l’exploitation des enfants mendiants au Mali*, to be published.

31 See for example, United Nations Inter-Agency Project on Human Trafficking (UNIAP): *Human Trafficking Sentinel Surveillance, Poipet, Cambodia 2009-2010*, December 2010.

are mainly migrants, is to interview them either upon their return to their place of origin or at border crossings, airports or other transit points.

5.2 Organizing the survey operations

Having decided on the type of survey, the next step is to determine how the survey operation will be organized, including the possible linkages with other surveys. Will it be conducted as a standalone survey or be linked to an on-going survey programme? While surveys of service providers or newspaper articles can normally only be conducted as standalone surveys, for household, establishment and street surveys a choice may have to be made between a standalone and a linked survey.

Standalone surveys

A standalone survey is organized independently of other on-going survey programmes. One of the strengths of such surveys is that they are more focused and can employ the most efficient methods for measuring forced labour. The questionnaire is specially designed for the purpose, with its own specific vocabulary and sequence, and its length need not be restricted by other considerations. The training of interviewers, too, will be devoted entirely to forced labour, leading to higher quality data. The most effective sample design and extrapolation procedures can be implemented without concession to the needs of other survey programmes.

On the other hand, the objective of a standalone survey on forced labour is likely to be more obvious to respondents, and this can increase the difficulty of collecting reliable data. As it cannot borrow information from another survey, a standalone survey needs to collect more information than a linked survey in order to have the same range of possibilities for data analysis. Moreover, the cost of the forced labour survey has to be borne entirely by the implementing agency, and cannot be shared with other programmes.

Examples of standalone surveys

The surveys in Armenia (2009), Georgia (2008) and Nepal (2009) were conducted as standalone surveys. Questions relating to recruitment, working and living conditions and coercion were embedded in more general questions on employment, thereby limiting the risks of having a questionnaire too obviously focused on forced labour.

Linked surveys

For practical or budgetary reasons, a forced labour survey may be linked to an existing household or establishment survey. Three broad types of linkage may be considered: linkage at the listing stage, linkage at the sampling stage, and linkage at the interview stage.³² A forced labour survey may be linked to a base survey at more than one stage.

Linkage at the listing stage

Most household surveys and certain establishment surveys are based on area samples selected from the most recent population or establishment census. To take into account changes since the last census, the selected sample areas are freshly listed to identify all households or establishments in them at the time of the new survey. The listing operation is generally expensive and so it is cost-effective to link the forced labour survey to it.

Linkage at the listing stage can serve as a screening device for identifying households or establishments where there are likely to be workers in forced labour. This means including one or two questions in the listing form for identification of such households/establishments. The choice of screening questions should be such that they err on the side of inclusion rather than exclusion.

Linkage at this stage also has the advantage of keeping the choice of survey operations open until a later stage. For example, sample selection of the ultimate units for the forced labour survey may be carried out independently of the sample selection for the base survey, rather than selecting the same ultimate sampling units for both surveys.

On the negative side, linkage adds to the burden of the listing operation of the base survey, especially if it is to be used also for screening purposes. Managers/interviewers of the base survey may therefore be reluctant, the quality of the listing may suffer and many households or establishments with forced labour may be omitted. Moreover, linkage at the listing stage is not useful in situations where the pattern of geographical concentration of forced labour differs from that of the target group of the base survey.

32 A fourth type of linkage is the sharing of a common sample of areas with another survey, with separate listing done for the two surveys. The cost saving will be less than with linkage at the listing stage.

An example of a forced labour survey linked at the listing stage is a household survey conducted in combination with a population census. During the household listing operation of the census, households with returned migrants can be identified, for subsequent sampling and interviewing in the forced labour survey.

Linkage at the sampling stage

58 A forced labour survey may also be linked to the sample selection operation of an existing survey. The linkage can be made at different stages of the sample selection process. At one extreme, the sample of the forced labour survey may be exactly the same as that of the base survey. At the other extreme, an independent sample may be drawn for the forced labour survey based on the sampling frame of households or establishments prepared at the listing stage of the base survey, making sure that the ultimate samples have no common elements although the two surveys share the same sample of enumeration areas. In this case, households or establishments with workers in forced labour can be selected at a higher rate from the lists to ensure that an adequate number of them are included in the sample of the forced labour survey. In between, other types of linkage may be envisaged, such as sub-sampling the base survey sample or boosting it with additional numbers using the same or a different sample design.

Using a common sample for both surveys at the final stage of selection clearly has the advantage of minimizing the cost and operational complexity of the forced labour survey. The drawback, however, is that the sample may include relatively few households or establishments with workers in forced labour.

In general, the more one departs from the common sample design, the more costly and complex sampling for the forced labour survey becomes. The complexity derives not only from the sample selection process but also from the calculation of extrapolation weights at the estimation stage. On the other hand, linkage at the sampling stage using different but appropriate sample designs (as described later in these guidelines) may substantially improve the efficiency of the sample design and reduce the margins of error of the final estimates.

An example of a forced labour survey with linkage at the sampling stage is the household survey of returned migrants conducted in Armenia (2009), where the sample of the general household survey was boosted with additional sample elements derived by snowball sampling.

Linkage at the interview stage

Linkage at the interview stage can take the form of a separate forced labour module attached to the base survey questionnaire, or the inclusion of a set of specially designed questions within the main questionnaire.

One advantage of the latter type of linkage is that the forced labour questions can be subsumed within the base survey instrument and the issue thus rendered less sensitive. Another advantage is that basic data on the households or establishments would normally already be collected in the base survey, thus reducing the cost of the forced labour component. Linkage at this stage also allows some of the base survey data to serve as background variables for the forced labour survey, thus permitting a more thorough analysis of the forced labour data.

A major drawback, however, is that the base survey operators, and interviewers in particular, may not attach much importance to the forced labour module or additional questions and pay insufficient attention to the answers given by respondents. Another potential drawback is that the sensitivity of the forced labour issue may negatively affect the response rate for the base survey and hence the data quality of its results.

An example of a linked survey at the interview stage is the Moldova survey (2008), where a special module on labour migration including working conditions abroad was inserted into the national labour force survey. Another example is Niger (2008), where questions on forced labour were inserted in different sections of the child labour survey questionnaire. Both surveys demonstrated the feasibility and advantages of this method.

5.3 Sample design

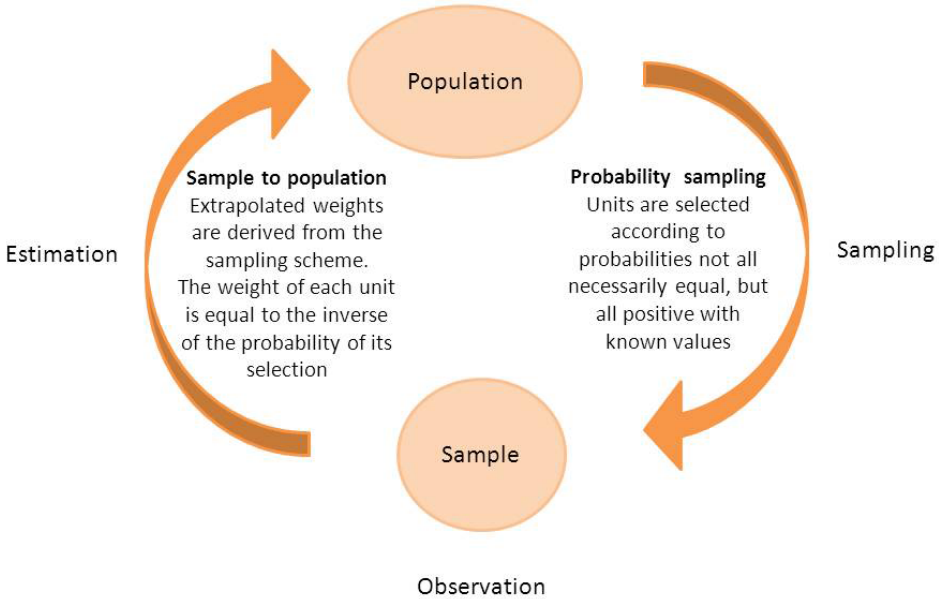
The purpose of this section is to review the main features of sampling theory in the context of rare and hidden populations and to examine a range of sampling designs that may be appropriate for estimating the number of adults and children engaged in forced labour in a country. In each case, the sample design is described along with its main advantages and drawbacks and its relevance to estimating forced labour is discussed. No attempt is made to provide a comprehensive review of sampling theory or an exhaustive list of designs that may be used to measure forced labour.³³

³³ For sampling theory in the context of national household and establishment surveys, see Vijay Verma: *Sampling methods: Training handbook* (Tokyo, Statistical Institute for Asia and the Pacific, revised, 2002); and Sixten Lundström and Carl-Erik Särndal: *Estimation in the presence of nonresponse*

5.3.1 Sampling framework

Sampling consists of selecting a number of units from a population for observation, with the purpose of extrapolating the sample results in order to make statements about the whole population. The full process involves three phases: sampling, observation and estimation.³⁴ The broad features of sampling theory are illustrated in the following diagram.

Basic Sampling Theory



Sampling phase

The sampling phase appears on the right side of the diagram, connecting the population to the sample. The population generally has a finite number of elements and is represented in practice by a sampling frame.

A good quality sampling frame is one which covers only and all units of the population, without duplication, and with sufficient information to access the units selected in the sample. Every unit of the population must have a chance of being selected in the sample. If the sample is drawn so that each unit in the sampling frame has a known, non-zero probability of selection, the procedure is referred to as probability sampling and the sample is said to be a probability sample.³⁵

and frame imperfections (Örebro, Statistics Sweden, 2001). For a general discussion of sampling elusive populations, see Leslie Kish: "A taxonomy of elusive populations", in *Proceedings of the Section on Survey Research Methods* (American Statistical Association, 1988).

³⁴ In principle, there is also an evaluation phase, when the final estimates are evaluated for their accuracy in terms of sampling and non-sampling errors.

³⁵ A sample is random if the process which generated it was random. Note that a random sample need not be "representative." Representativeness generally means that certain proportions of the

Observation phase

After selecting the sample, observations are made on every sample unit and the results are recorded according to a pre-determined procedure. The observation stage is generally based on the survey questionnaire and its accompanying manual, which explains the concepts and definitions and includes instructions on filling in the questionnaire.

Errors may occur during the observation process owing to such factors as non-response of the sample units. Measurement errors may also be attributable to the interviewer, the respondent, the measurement instrument or other factors intervening in the process.

Estimation phase

Following the observation process, the sample results are used to calculate estimates of the parameters of interest regarding the original population from which the sample was drawn.

One of the key features of probability sampling is that the sample-to-population extrapolation weights can generally be derived directly from the probabilities of selection. The weight of each unit is exactly equal to the inverse of its probability of selection.³⁶

In practice, however, because of errors that occur at earlier stages of the survey process, the basic extrapolation weights need to be adjusted. This usually takes place in two steps: the first to account for sample units that did not respond at the observation phase, and the second, “calibration” step, to ensure the consistency of the survey estimates with results from external sources known to be of higher quality, such as the population size of the country.³⁷

Sampling of rare populations

According to the latest ILO global estimate, 20,9 million persons are engaged in forced labour,³⁸ which means that 3 persons out of 1,000 are in forced labour in population are maintained in the sample, but for a sample to be random it is sufficient that the probabilities of selection of each unit are known and non-zero. Similarly, the probabilities need not all be equal. However, if the probabilities of selection are in fact all equal, a random sample is likely also to be “representative” in the sense mentioned above.

36 Another feature of probability sampling is that the sample itself provides sufficient information to calculate the sampling errors of the population estimates.

37 See Carl-Erik Särndal and Jean-Claude Deville: “Calibration estimators in survey sampling” in *Journal of the American Statistical Association*, June 1992.

38 ILO: *ILO Global Estimate of Forced Labour: Results and methodology*, Geneva, 2012.

the world today. Sampling for such rare populations from a sampling frame of the general population can be extremely difficult, as there is no agreement on precisely what “rare” signifies. For proportions of less than 1/100, the sample size required to achieve a reasonable degree of accuracy when estimating the size of the rare population can be very large. Moreover, the degree of accuracy of the estimate decreases rapidly with the disaggregation of the rare population into its component parts (male, female; age groups, etc.).

Various methods exist for efficient sampling of rare populations, and these are described below. They are all essentially designed to target the sample selection to those parts of the sampling frame where the rare population is concentrated, while retaining the basic requirement that each sampling unit has a known, non-zero chance of selection.

Sampling of “hidden” populations

An additional complication is the clandestine nature of forced labour. This affects not only the observation stage of the survey process with non-response or mis-reporting, but also the sampling stage, as certain units may not appear in the sampling frame and therefore have zero chance of selection. This difficulty should be discussed during the preparation phase, so that the decision on the scope and type of the survey is taken in full awareness of this point.

Not much can be done to address this aspect of forced labour at the sampling stage. A possible corrective action would be to apply appropriate calibration weights at the estimation phase.

5.3.2 Sampling schemes

Stratification and over-sampling

Stratification means dividing the units of the population into groups called “strata” and selecting a sample independently within each stratum. Certain strata may be sampled with a higher probability of selection (over-sampling) and others with a lower probability (under-sampling).

In a forced labour survey this means dividing the population of households or establishments into geographical areas or sectors of activity according to the expected concentration of workers engaged in forced labour, and then over-sampling those areas or sectors with a higher concentration of forced labour and under-sampling those with a lower concentration.

It is possible in this way to increase the effective size of the sample of workers in forced labour and thus reduce the sampling errors of the final estimates. It also reduces the survey cost per unit of forced labour. However, this method entails more complex data processing as it requires different extrapolation weights for the different strata.

The success of the approach depends on the availability of information in the sampling frame (for example, from previous surveys) and on the ability to form the strata prior to sample selection. The approach is in principle suitable for both establishment surveys, if forced labour is concentrated in certain known geographical areas or branches of economic activity, and for household surveys, if the places of residence of workers in forced labour are known to have certain areas of concentration.

Screening and sub-sampling of target units

Generally speaking, the sample requirement for estimating the size of a population is considerably larger than for estimating its structure. The idea, therefore, is to use a larger but “lighter” survey to screen the target population and then to conduct a smaller but more intensive survey on a sub-sample of it to measure its composition and characteristics.

In practice, in a household-based forced labour survey, the larger survey can be implemented as part of the listing operation. Listing covers all households living in the sample areas selected for the survey, and can therefore act like a large survey or census of the sample areas.

Using this approach, the extrapolation weights for estimating the size of the forced labour population are derived from the probabilities of selection of the sample areas alone. For estimating the characteristics of forced labour, on the other hand, the weights are obtained by the inverse of the product of the area sample probabilities and the subsequent sub-sample probabilities. The sub-sampling survey can be designed so that the product of these two probabilities is constant and the survey becomes self-weighted.

This approach is particularly efficient where the screening of households with members in forced labour can be based on a limited number of questions and accurate answers to these questions can be expected. If extra questions are necessary for tighter screening, these can be incorporated into the subsequent main survey, the result of which will provide an adjustment factor to be applied to the estimate of forced labour obtained from the screening survey. A detailed description

of this approach is given in the SIMPOC manual for child labour surveys.³⁹ The mixed household-establishment type of survey mentioned in the preceding section could be another way to implement this approach.

Capture-recapture sampling

The capture-recapture method was originally developed for estimating the size of elusive populations for which there was no sampling frame, such as the number of fish in a lake.⁴⁰ It has since been used in a variety of other applications, including the number of homeless people in a city, the number of sex workers in a region, the number of child beggars in an area and the global number of persons in forced labour.⁴¹

The method consists of obtaining an initial sample from a population (capture), marking or otherwise identifying the sample units, and then independently re-sampling the population (recapture) and counting the number of units in the second sample that were also marked in the first sample. If the second sample is representative of the population as a whole, the fraction of marked units should be the same as in the initial sample. From this relationship one can estimate the size of the original population, in its simplest form, as the product of the two sample sizes divided by the number of units common to the two samples.

Capture-recapture sampling was used to estimate the number of child beggars in three cities in Mali (2009). Based on lists provided by social organizations supplemented by a pilot survey in locations where street beggars were known to gather in Bamako, Mokti and Segou, these locations were surveyed during a two-day period : child beggars were identified (“capture” total is Z). The same locations were then surveyed for a second time, over a two-day period, and the number of child beggars was counted again (“recapture” total is Y). The children who were already at the locations during the first visit were identified (common “capture/recapture” total is W). The combination of these data gives the estimated total number of child beggars in the three cities as follows:⁴²

$$\text{Estimate} = \frac{Z \times Y}{W}$$

39 Verma, Vijay: *Sampling for household-based surveys of child labour*, ILO, International Programme on the Elimination of Child Labour (IPEC), Statistical Information and Monitoring Programme on Child Labour (SIMPOC), Geneva, 2008 (translated into French and Spanish), <http://www.ilo.org/ipecc>.

40 G.A.F. Seber: *The estimation of animal abundance and related parameters* (Caldwell, New Jersey, Blackburn Press, 2002).

41 P. Belser, Michaëlle de Cock and F. Mehran: *ILO minimum estimate of forced labour in the world* (Geneva, ILO, 2005).

42 In practice, the estimation was carried out for each of the three cities separately, using a slightly modified expression in Bamako, Mokti, and Segou.

Capture-recapture sampling is relatively simple to implement and is widely used in practice. The resulting estimates, however, generally have a high variance and their validity depends on the underlying assumptions, especially concerning the independence of the two samples. Capture-recapture sampling should be implemented only when other enumeration methods are not feasible.

Network sampling

Network sampling was developed to estimate the prevalence of a rare characteristic in a population. In its original form, it entails drawing a simple random sample of households and asking the respondents to report on the rare characteristic, not only among members of their own households but also among members of other households within a well-defined network of acquaintances.⁴³

The resulting estimate of the size of the rare population is unbiased and more accurate than an estimate derived from a regular survey with the same sample size. The main difficulty with network sampling has to do with the definition of the network itself. Even in the simplest case of a “family” network for example, the concept has to be clearly defined as to whether or not it includes grand-fathers or grand-mothers, cousins or nieces, etc.

As an example of network sampling in a forced labour survey, consider a random sample of places where migrant workers generally gather which is drawn from a comprehensive list of such places in a city. Migrant workers at the selected locations are asked about their working conditions in order to determine their forced labour status. The sample workers are then asked about other workers of the same nationality who have the same status. In this example, “nationality” defines the network, and appropriate calculations (including the use of information on the frequency of visits made to the gathering place) should in principle lead to an adequate estimate of the forced labour population.

Snowball sampling

Like network sampling, snowball sampling relies on the assumption that people in forced labour in a given area, or in a given activity, are likely to know other workers in the same situation. Snowball sampling starts with an initial sample of the target population, the exact nature of the sample being immaterial for the rest of the sampling process. After explaining to the respondents the type of units that are

⁴³ Extrapolation weights take into account the fact that persons with the rare characteristic living in different households (or even in the same household) may have different probabilities of selection depending on the number of acquaintances who know about their characteristic.. Network sampling methods are explained in two articles by M. G. Sirken: “Household surveys with multiplicity,” and “Stratified sample surveys with multiplicity”, in *Journal of the American Statistical Association*, March 1970 and March 1972 respectively.

acceptable, the initial sample units are asked to name other units belonging to the target population. The new units that are not already in the sample constitute the first wave of the snowball sample, which may be followed by a second and third wave and so on (the limit is generally set in advance).

As in network sampling, the calculation of the extrapolation weights should take into account the number of times a unit is cited; a unit that is known by several other units in the sample will have a higher probability of selection than a unit that is known by only one.⁴⁴

In snowball sampling it is possible to boost the size of the target sample at relatively low extra expense and to identify sample units that may be difficult to locate. The resulting estimates may, however, be biased if the correct extrapolation weights are not used. The method also requires specially trained personnel to ensure that the sample design is correctly implemented.

The household survey of returned migrants conducted in Armenia (2009) was based on one-wave snowball sampling. An initial sample of households was drawn using a stratified area sample based on the most recent population census. All sample households, with or without returned migrants, were asked to identify up to four households having returned migrant members in the same village or urban neighbourhood. This resulted in two separate samples for analysis: the initial sample for the general household population, and the second one for households with returned migrants.⁴⁵

Adaptive cluster sampling

Adaptive cluster sampling consists of drawing an initial probability sample of units of a given population and, whenever the target characteristic is found in a selected unit, adding units in the neighbourhood of that unit to the sample (the concept of “neighbourhood” can be defined in many ways and does not necessarily mean immediate proximity).⁴⁶ The sample is thus “adapted” to the target population as the interviews progress.

By way of illustration, consider an estimation of the number of domestic workers in a city. On the assumption that households with domestic workers are relatively well-off and that well-off households tend to be in the same area, a small sample of

44 For a description of different types of snowball sampling design and estimation methods, see O. Frank and T. Snijders: “Estimating the size of hidden populations using snowball sampling”, in *Journal of Official Statistics*, 1994, Vol. 10, No. 1.

45 The extrapolation weights of the General Survey may be calibrated to the estimate of total returned migrants obtained from the second survey in order to ensure consistency between the results.

46 See Steven Thompson: *Adaptive sampling* (New York, Wiley-Interscience, 1996).

households is initially drawn. Each sample household is then visited to determine whether or not one or more domestic workers are present in the household. If a household has a domestic worker, the neighbouring households are also visited and so the process continues. The process stops when no neighbouring household has a domestic worker. This can provide a relatively large sample size of households with domestic workers, with little wasted effort.

This sampling method is versatile and can be used in many instances. The basic idea is that, if you find what you are looking for at a particular location, you continue to sample around that location in order to find more information. Like snowball sampling, adaptive cluster sampling increases the effective size of the sample and thus produces more precise estimates than would a conventional sample design with an equivalent sample size. Also, as the location and shape of clusters of the target population are generally unknown prior to the survey, adaptive cluster sampling helps to construct them and can be used in situations where stratification may not be possible.

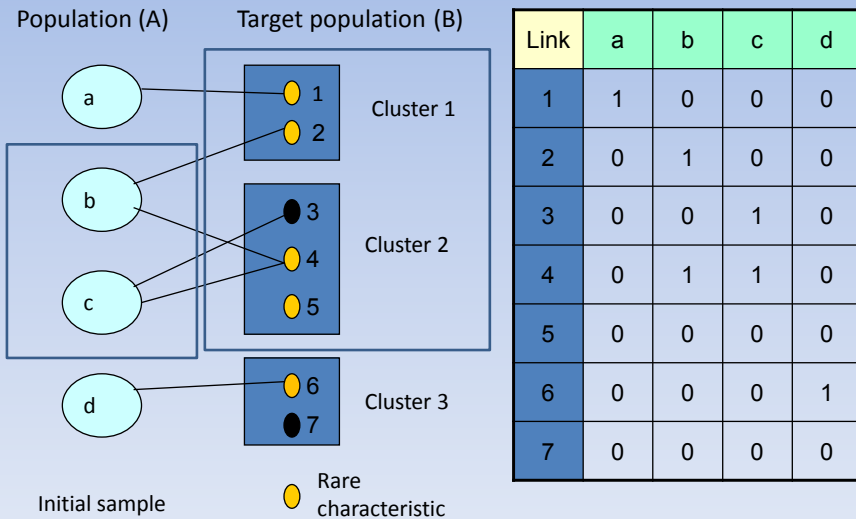
A drawback of adaptive cluster sampling is the difficulty of determining and controlling the total sample size of the survey and hence its costs. Another is the fact that not all of the information on the sample units is used. In the example above, the information on households with no domestic workers at the edge of the clusters is used only if they are part of the initial sample. Other limitations, shared with snowball and network sampling, are the relative complexity of the calculation of the extrapolation weights and the organization and implementation of the survey process.

Indirect sampling

Network, snowball and adaptive cluster sampling can be viewed as special cases of the broader framework of indirect sampling. Indirect sampling distinguishes between two populations: a population (A) for which a sampling frame is available and from which sample units can be drawn directly; and a target population (B) for which a sampling frame is not available but from which sample units can be drawn indirectly, in clusters, through its link to population (A).

The framework of indirect sampling is illustrated in the following diagram.

Indirect sampling



In this simple example, population (A) has four units: a, b, c, and d. The target population has seven units identified by the numbers 1 to 7 and organized in three clusters: cluster 1, cluster 2 and cluster 3.

The units in population (A) are related to the units in population (B) through the links shown by the lines connecting the two sets of units. The links can also be described in terms of the matrix shown on the right, which has four columns corresponding to the size of population (A) and seven rows corresponding to the size of population (B). Each cell has a value of 0 or 1 according to whether or not the corresponding units have a link. Thus, for example, the entry 1 in the top left corner of the matrix indicates that unit a of population (A) has a link to unit 1 of population (B). To give meaning to this example, let us suppose that population (A) refers to the household population of a country and population (B) refers to the returned migrants, and that the clusters refer to the households in which the returned migrants live. Returned migrants who were engaged in forced labour are indicated by yellow dots and others by black dots. The size of the forced labour population in this hypothetical country is thus 5.

Consider now a simple random sample of two households drawn from population (A) – for example, households b and c shown in the box to the left of the diagram. Sample household b is interviewed and identifies returned migrant 2 in cluster 1 and returned migrant 4 in cluster 2 (one of which could be its own household). Sample household c identifies returned migrants 3 and 4 in cluster 2 (one of which

could again be its own household). In an indirect sampling, all units in the identified clusters of population (B) are included in the sample. Thus, in this example, the initial sample of two households in population (A) leads to a sample of five returned migrants in population (B), as shown in the middle box.

The sampled returned migrants are then interviewed and their forced labour status in the country of destination determined. In this example, the sample contains four persons who are identified as victims of forced labour.

The estimate of the total number of workers in forced labour among returned migrants is obtained by applying extrapolation weights calculated by the method of generalized sharing of weights, as follows:

$$w_i = \frac{\left(\frac{N}{n}\right) \sum_{i \in \text{cluster}, j \in s} l_{ij}}{\sum_{i \in \text{cluster}, \text{all } j} l_{ij}}$$

where the index i refers to each unit in the same cluster (thus all units in the same cluster have the same weight), N is the size of population (A), n is the size of the initial sample drawn from population (A), and l_{ij} denotes the link between unit i from population (B) and unit j from population (A). The value of l_{ij} is 1 if there is a link between i and j , and 0 otherwise. The summation in the numerator is over all units i in the cluster and all units j in the initial sample; while in the denominator the summation is over all units i in the cluster and all units j in the base population (A). It can be verified that for the particular example presented here, the weights, calculated using the link matrix shown earlier, simplify to:

$$w_1 = w_2 = 1$$

$$w_3 = w_4 = w_5 = 2$$

Applying these weights to the sample data gives the following estimate of forced labour⁴⁷:

$$\text{estimate of forced labour} = 1 \times 1 + 1 \times 1 + 2 \times 0 + 2 \times 1 + 2 \times 1 = 6$$

The indirect sampling framework has much to recommend it. It is applicable to situations where a sampling frame for the target population is not available but

47 Details of the estimation method in general settings and the calculation of the sampling variance can be found in Pierre Lavallée: *Sondage indirect: Méthode généralisée du partage des poids* (Paris, Ellipses, 2002) and in Pierre Lavallée and Jean-Claude Deville: "Indirect sampling: The foundations of the generalized weight share method", in *Survey Methodology* (Statistics Canada), December 2006.

where links can be established to a base population for which a sampling frame does exist. Network sampling, one-wave snowball sampling and adaptive cluster sampling are particular instances of indirect sampling. The framework is applicable to sampling designs with unequal probabilities of selection, and the resulting estimates are unbiased. The clustering of units in the target population is not a strict requirement but can often be satisfied with appropriate definitions of the units. Information on the total number of links between the sample units in (B) and the elements in (A) is more demanding, but it can be obtained from the respondents by careful design of the questionnaire.

5.4 Selection of respondents

The choice of survey respondents is critical and has a great influence on the success or otherwise of a survey. No single rule can be applied to all situations; the person actually engaged in forced labour is usually the most knowledgeable respondent on all matters concerning recruitment, working conditions, and coercion/penalties, but also may be the most difficult to reach. Moreover, self-identification by victims of forced labour is simply not possible, mainly because the concept is too complex. Even in countries where campaigns have raised awareness of the issue using a specific terminology (such as “slave labour” in Brazil), it is not possible to rely on selecting respondents with a filter question using self-identification, as most victims of forced labour do not recognize themselves as such.

In the case of migrant workers, ILO experience and pilot surveys have shown that their family members are usually not aware of the real situation of their relatives working abroad and therefore cannot answer reliably as to whether they are engaged in forced labour.

In some cases, the main indicators of forced labour can be found in the situation of the household (in cases of inherited debt, of housing provided in exchange for labour involving the whole family, etc.). It is for this reason that it is recommended that a module is included relating to the overall situation of the household, to be answered by the household head or other well-informed member. In situations where the recruitment of an adult may be conditional upon an obligation for the spouse and/or children to provide free labour for the same employer, all family members need to be interviewed. There are also special cases where the forced labour of children can be detected only by interviewing their parents/guardians, for example where a child is recruited as collateral for a debt taken from the employer.

In establishment surveys, the employers should be interviewed (as well as the workers, if possible), to give important additional information on the “demand” side of forced labour. This does however raise ethical issues, and much caution must be exercised to avoid creating any danger to the workers or rendering a subsequent survey of the workers impossible. The solution adopted in Bangladesh, where both employers and employees were interviewed, was to insert the “sensitive” questions on recruitment of children between more general questions about the establishment.

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

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



6.1 Questions to be included in the questionnaire

Many guidelines exist on questionnaire design.⁴⁸ They usually refer to length, clarity, reliability, wording and accuracy of translation into local languages, gender sensitivity, and so on. The present guidelines focus only on issues specifically related to measuring forced labour. The questions on forced labour do not need to be grouped together in a single section of the questionnaire, but can be scattered in different sections so as to help alleviate respondents' possible fear of talking about sensitive issues.

In the case of household surveys, a first set of questions is designed to capture information related to characteristics of the household and its members:

- Composition of household, by age and sex of household members
- Legal status and birth registration of household members
- Ethnicity of household members
- Access to services
- Ownership of dwelling, land, etc. of household members
- Major events having affected the household during the reference period (family events, health problems, economic crises, natural disasters, etc.)
- Economic status (household income)
- Social protection (health insurance)
- Employment history of household members
- Debt history of household members
- Migration history of household members
- Level of education of household members
- Current occupation of household members

⁴⁸ See, for example, ILO/IPEC: *Child labour statistics: Manual on methodologies for data collection through surveys* (Geneva, 2004); and Edith D. de Leeuw, Joop J. Hox, Don A. Dillman: *International Handbook of Survey Methodology*, Lawrence Erlbaum Associates, Taylor & Francis Group, 2008. See in particular chapters 8 (Writing effective questions), 9 (The logic and psychology of constructing questionnaires), and 10 (Testing survey questions).

Answers to these questions will be used to compare the situation of households affected by forced labour with that of households that are not affected. They will also be used to compare the socio-demographic profile of victims of forced labour with that of other workers.

In the case of establishment surveys, the first set of questions will be about:

- Type of establishment (branch of economic activity, legal organization, etc.)
- Location of establishment (geographic location, urban vs. rural area, etc.)
- Number of workers (permanent/seasonal, by sex, age group, local/migrant)
- Economic characteristics (type of goods/services produced, quantity, etc.)

The next step is to translate or transform the most relevant indicators of involuntariness and penalty (or menace of penalty) into a set of specific questions. A single question can be asked for each indicator, but more probably several pieces of information will need to be collected to assess a single indicator. In addition to information on involuntariness and penalty, collecting data on working conditions is important. By measuring and rating working conditions in relation to several variables (working hours, days of leave, wages, social benefits, etc.), it is possible to look for a possible correlation between coercion and the level of exploitation.

The indicators presented in Chapter 2 can be transformed into the following four groups of questions.

1. Questions relating to initial and subsequent recruitment (including travel)

- Use of deception, false promises
- Payments to intermediaries to obtain jobs, identity papers, travel documents, etc.
- Job imposed as a condition for other benefits (for example, recruitment of a relative imposed by a landowner as a condition for permission to cultivate land)
- Forced recruitment, kidnapping
- Kind of travel arrangements (if relevant)
- Third party involvement in arranging and undertaking travel
- Change of job/tasks imposed without any possibility of refusal
- Violence or threats of violence in case of refusal to change job or tasks.

2. Questions about the conditions of work and employment

- Hours of work in relation to age
- Days of leave
- Hazardous and arduous tasks

- Lack of adequate safety protection
- Delays in payment of wages
- Salary paid in kind/cash/both
- Salary compared to minimum wage or average wage in the same branch of activity
- Social security coverage (health insurance, pension, etc.)
- Violence by colleagues/customers.

3. Questions about living conditions

- Freedom to choose living quarters
- Imposition of wage deductions for board, lodging or working tools
- Freedom to leave the premises, to contact family, to talk with people outside the living quarters
- Surveillance of the living quarters
- Quality and quantity of food received from employer, freedom to buy food outside the workplace, comparative prices.

4. Questions relating to the use of coercion to make the employee work or to restrict the possibility of leaving

- Withholding of salary
- Debt manipulation
- Abuse of worker's vulnerability resulting from irregular migration status
- Retention of identity papers or travel documents (i.e. not available to the worker on demand)
- Close surveillance of worker's movements
- Impossibility of leaving the work premises
- Violence or threat of violence
- Threats against worker or family members if worker leaves
- Threats of denunciation/deportation.

Many of the terms used, such as “hazardous tasks” and “adequate safety protection”, will need to be more precisely defined based on national labour law or the specific context to which they refer.

Because of the sensitivity of the forced labour topic and the high cost of standalone surveys, these guidelines do not present complete model questionnaires. Nor do they present entire modules on forced labour for inclusion in host surveys. Rather, they suggest various questions that can be inserted in the most appropriate places in a questionnaire, which may vary across surveys. Only some of the answers to these questions (those highlighted in orange in the following section) are used to assess forced labour. The “matching” of questions to indicators is presented in Chapter 9 on data analysis.

6.2 Questions for adults

The questions presented in this section are intended to serve as a general model. The precise wording of a question, the sequencing of questions, etc. should be carefully adapted to the local context and target population. Many of the suggested questions can allow multiple answers.

Questions relating to the use of deception when recruiting adults

Deception can be considered a feature of involuntariness in all cases where, had the worker known the real working situation, he/she would not have accepted the job offer. One way of distinguishing genuine deception from mere disappointment is to combine two questions, as suggested below.

The first question seeks to assess the level of information that the worker received from the recruiter⁴⁹/employer and the promises made, for example: *“For each of the following topics, can you tell me what your level of information was at the time of your recruitment?”*

	Not discussed with recruiter or employer	Promised/ agreed verbally	Written in contract	Not relevant
Living conditions				
Legal status				
Nature of the job				
Location of the job				
Employer’s name/business				
Wages				
Volume of work (per day/week/month/year)				
Social security coverage				

The second question might be formulated as follows: *“As compared to the information you received beforehand, was the job you found on arrival...?”* – with a

⁴⁹ The term “recruiter” is used here to denote any third party (intermediary) who assists a child or adult worker, whether or not in return for a fee, to find or take up a job. In some instances, the “recruiter” may be an immediate family member or a more distant relative, friend or acquaintance.

filter to eliminate those respondents who did not receive any promise or contract, or for whom the question was not relevant.

	Much worse	Worse	As promised/ agreed	Different but equally good or bad	Somewhat better	Much better
Living conditions						
Legal status						
Nature of the job						
Location of the job						
Employer's name/business						
Wages						
Volume of work (per day/week/ month/year)						
Social security coverage						



Information relating to deception can also be obtained by more objective questions, asking for precise details of what was promised and what was in fact provided. For example: “*What wages were promised?*”; and, “*What were the actual wages paid?*” In this case, the assessment of deception is made during analysis of the data.

Questions relating to forced recruitment of adults

Who took the decision that you should work?

- myself
- a relative
- a third party
- the employer

Who chose the employer?

- Myself alone or together with the employer
- a relative
- a third party
- the employer alone

Were you free to refuse to work for this employer? Yes / No.

If No, what would you have risked in the case of refusal?

- Nothing, but work opportunities are scarce
- The employer would have tried to prevent other employers in the area from hiring me
- Other people from my family would lose their job
- My family would have lost access to land or other productive assets
- Threats of violence against myself or my family
- Other, specify

Questions relating to working conditions of adults

The main aspects of exploitation that are taken into account are related to wages (amount and regularity of payments), hours of work (normal and overtime), days of weekly and annual leave, health hazards and protection, sick leave, social security coverage and other benefits.

Wages

- Is your salary equal to or higher than the statutory minimum wage (if this exists)?
- Are **unfair⁵⁰ deductions** from your salary made by the employer?
- [For internal or cross-border migrants] Are you paid the same wages as (or more than) a local worker doing the same job?
- Are you paid regularly on fixed dates? Yes / No. If no, why not?
 - * Employer doesn't have enough money to pay me
 - * **Employer wants to keep me working here longer than agreed**
 - * **I am not paid on the basis of time worked (i.e. I am paid upon the completion of certain tasks or the production of a specific number of articles or some other specified quantity of output)**
 - * Other, specify...

Hours of work

- How many hours do you usually work (per day/week)?
- How many hours of overtime do you usually work (per day/week)?
- How many days of leave can you take (per week/month/year)?

Social protection benefits

In your job, are you entitled to any of the following benefits?

50 The notion of "unfair" deductions should be explained in the questionnaire and interviewer training, so that statutory deductions for taxes and social benefits are not taken into consideration.

	Yes	Yes in theory, but it was refused when I asked for it	No
Health insurance			
Paid sick leave			
Contributions to a pension fund			
Compensation for work-related accidents or illness			
Unemployment insurance			

Questions relating to coercion, threats and penalties against adults

In your job, does the employer force you to do any of the following?

	Never	Sometimes	Regularly
Perform tasks that are not part of your contract or verbal agreement			
Perform hazardous tasks without adequate protection			
Work overtime without pay			
Work overtime with pay			
Provide sexual services for employer or associates			
Work for another employer without your consent			
Work for a longer period than agreed in order to be paid			
Commit illicit/criminal activities			

What kind of force does the employer use against you?

- Physical violence
- Non-payment of wages
- Threats against myself
- Threats against my family
- Isolation, confinement or surveillance
- Punishment (deprivation of food, sleep, etc.)
- Confiscation of identity papers or travel documents
- Threats of denunciation to the authorities
- Outstanding debt or manipulation of the amount owed
- Fines/financial penalties
- Other, specify...

Can you leave your employer?

- Yes, at any time, as long as the terms of the contract are respected (notice, etc.)
- No, because there are no jobs available locally
- No, the employer would not let me go [In this case, go to next question]
- I don't know

What do you risk if you were to leave?

- I would have no income
- The employer would get other employers from the area to boycott me or my family
- Violence to myself by the employer or recruiter
- Violence against my family
- Denunciation to authorities and possible deportation
- Other members of my family would be dismissed
- Loss of benefits for myself/members of my family

6.3. Questions for children

The questions target two types of respondent: the parents/guardians of the children, and the children themselves. As for other aspects of child labour, the same questions can be asked of both the child and the parents (with different wording, if necessary) in order to cross-check the answers. The survey-implementing agency should design procedures for analysing cases of inconsistency in the responses.

The following examples show how information can be captured through structured questions. In most cases these questions should be reworded to fit the local context and the age group of respondents. The term “employer”, for example, may have to be replaced by “master”, “marabout”, “landowner” or whatever is the most appropriate local term. In all cases, the child should be encouraged to answer in his or her own words, which can later be coded in the questionnaire.

The questions, which should allow for multiple answers, are presented in three groups:

- Forced and deceptive recruitment
- Working and living conditions
- Impossibility of leaving the employer

Forced and deceptive recruitment of children

What were the main reasons for taking your current job?

- Need for money for myself
- Need for money for my family
- Nothing else to do
- No interest in attending school
- No school in local area
- Employer provides me food and accommodation in exchange for my work
- My recruitment was part of an agreement made when my parents borrowed money from the employer
- My recruitment was part of an agreement made when family members were recruited by the employer
- My family has always worked for this employer (or his/her family), and we have no choice but to accept
- My parents received an advance on my salary
- I had to replace a member of my family who was working for this employer but is now unable to work
- Other, specify...

Who decided that you should take your current job?

- Myself
- My parents/guardians, of their own accord
- My parents, forced by a third party
- My parents' employer/landowner
- The person from whom my parents borrowed money
- My previous employer, who sent me here without my consent
- My current employer
- Other, specify...

What risk would you face if you refused to work for this employer?

- My family would lose some benefits (land, housing, etc.)
- Other family members would lose their job
- The employer would tell other employers in the area not to hire me
- The employer would tell other employers in the area not to hire my relatives
- Physical violence against me or family members
- My parents would not receive any more loans from the employer/landowner
- Not having any income
- Other, specify...
- None

Did you have to travel outside the administrative district or boundary of your place of residence (home) to reach your place of work?

- Yes⁵¹
- No

If Yes, under what conditions?

- I/my parents organized the trip
- The recruiter/future employer organized the trip for me but I travelled on my own
- The recruiter/future employer sent someone to watch over me during the trip

Did you travel with other children who were going to work at the same place / for the same employer? Yes / No

Did you feel safe during the trip?

- Yes
- No,

If No, why not?

- Because of the adult who was sent to watch over me/us during the trip
- Other reason, specify...

At the time of your recruitment, did you or your parents receive any information regarding the following?

	Not discussed with the recruiter/future employer	Promised/ agreed verbally	Written in contract	Not relevant
Access to education				
Living conditions				
Frequency of visits to parents				
Contact with family				
Nature of the job				
Location of the job				
Employer's name/business				
Wages				
Volume or hours of work (per day/week/month/year)				
Social security coverage				

51 This question is used to assess possible isolation of the child.

Who made these promises?

- Employer
- Recruiter
- Other

How did the situation which you found once you started to work compare with the information that you received beforehand? (with a filter to eliminate those who did not receive any promise/contract beforehand or for whom the question was not relevant).

	Much worse	Worse	As promised/ agreed	Different but equally good or bad	Somewhat better	Much better
Access to education						
Living conditions						
Frequency of visits to parents						
Contact with family						
Nature of the job						
Location of the job						
Employer's name/ business						
Wages						
Volume or hours of work (per day/ week/month/year)						
Social security coverage						

Could you have refused the job or quit when you found that it was not what had been promised? Yes/No

- If No, why not?
 - * I was too far away from my family
 - * I was isolated and had no one to ask for help
 - * My parents had received money from the employer in advance
 - * The employer threatened those who wanted to leave
 - * The employer was violent
 - * Other, specify...

Working and living conditions

When you are at work, does your employer ever do any of the following?

	Never	Sometimes	Often
Force you to go on working once the agreed working day is over?			
Force you to work for him/herself or his/her family/relatives in their private house?			
Force you to work when you are sick or injured?			
Force you to perform hazardous tasks without protection?			
Force you to work on days off?			
Force you to perform tasks that are not part of the job you agreed to do?			
Force you to take drugs, alcohol or other illegal substances?			
Force you to engage in illicit activities: selling drugs, arms, etc.?			
Force you to have sexual activity with him/herself, friends, relatives or others?			
Force you to produce or earn a minimum amount every day?			
Refuse to give you health care when you are injured or sick?			

How does your employer force you to do these things? (multiple answers possible)

- By shouting or insulting me
- By kicking me or inflicting other forms of physical or sexual violence
- By depriving me of food
- By depriving me of sleep
- By depriving me of water
- By locking me in a room
- By deducting money from my wages
- By saying that I have to work harder to pay off the debt
- By threatening me with physical or sexual violence
- By threatening me with dismissal
- By threatening me with other forms of punishment
- By making threats against my family
- By other forms of punishment, specify...

Have you witnessed other children refusing to obey the employer and being punished for it? Yes / No

If Yes, what happened?

- The employer shouted at the child in front of other children
- The child was beaten
- The child was otherwise physically or sexually assaulted
- The child was deprived of food
- The child was deprived of sleep
- The child was deprived of water
- The child was deprived of health care
- The child was locked in a room
- The child was dismissed from the job
- The child was threatened with physical violence/dismissal/other forms of punishment
- The child was fined or money was deducted from the child's wages
- The child received other punishment, specify

During your working hours, are you free to do the following?

- Talk to other children (Yes/No/Not applicable)
- Go to the toilet when you need to (Yes/No)
- Leave the workplace at lunchtime (Yes/No)

If no to any of the above, how does your employer prevent you?

- By keeping me under constant surveillance
- By violence or threats of violence/punishment
- By threatening to deduct money from my wages
- By locking me in the workplace
- Other, specify...

Outside your working hours, are you free to do the following?

- To talk to other children from the area (Yes/No)
- To talk to adults from the area (Yes/No)
- To leave your living quarters (Yes/No)
- To contact your parents/relatives (Yes/No)
- To travel alone or with other children to the nearest village/city (Yes/No/Not applicable)
- To practice your religion (Yes/No)
- To attend school (Yes/No)

If no to any of the above, how does your employer prevent you?

- By locking me in my living quarters
- By keeping me under constant surveillance
- By violence or threats of violence/punishment
- Because the workplace is totally isolated and there is no transport
- By confiscating my identity papers
- Other, specify....

Impossibility of leaving employer

If you find a better job or wish to leave your current employer for another reason, are you free to do so?

- Yes, at any time
- Yes, at the end of my contract
- Yes, if I respect the terms of the verbal agreement or written contract
- No
- Do not know

If “No”, why not?

- My parents would lose benefits (land, housing, etc.)
- Other family members would lose their job
- Because of a salary advance given to me or my parents
- Because of a loan received by my parents
- Because my employer owes me unpaid wages
- Because my employer has kept my identity papers and I cannot get them back if I ask
- Other, specify....

What would you risk if you left in spite of your employer’s refusal? (multiple answers possible)

- I would not be paid my wages
- My employer would tell other employers in the area not to hire me
- My employer would beat me if he caught me
- Other family members would lose their job
- My employer would take other types of revenge on me or my family
- I would have no income
- Other, specify...

6.4. Additional questions

Some additional features may be identified in order to assess possible factors of vulnerability. While surveys can be designed to measure a wide range of those factors, two are particularly relevant, namely movement and intervention of a third party.

Questions designed to assess movement must address cross-border as well as internal displacement (whether from rural to urban area, rural to rural area, or from one city to another). There is no rule as to what constitutes the minimum distance from place of origin to place of work in order to qualify as “movement”. These guidelines suggest that national stakeholders decide on the criteria to define movement, taking into due account the age of the worker. For example, if the workplace is more than a day’s walk from home, or if a child is obliged to sleep away from home in order to work for an employer, it is enough for the child to be isolated and thus vulnerable. For movement to be a factor of vulnerability for adults, it may require for example the crossing of a national frontier or internal/regional border (e.g. department, province or district, depending on the national context).

Questions for assessing movement

- How far is your place of work from your place of origin/home?
- What is the usual way you travel from your place of origin to your place of work – on foot, by bicycle, by car, by bus, by train, by air, by boat?
- How long does it take to travel from your place of origin to your place of work?
- What is the cost of one return trip (compared to a day’s wage at the place of origin, for example)?
- How often can you return home? Every night? Every week? Every month? Less often? Never?
- Do you need identity papers to travel from your place of origin to your place of work?

For those who are working in a foreign country:

- Do you need a visa to live at the place of work?
- Do you need a work permit to live at the place of work?

There are different types of intermediaries who may knowingly or inadvertently contribute to forced labour, such as private employment agencies and their sub-agents, individual recruiters, money lenders, travel agents, mail-order-bride or marriage agencies, smugglers or organised criminal groups. Questions designed to address the involvement of a “third party” may refer to these or other types of

intermediaries, the level of recruitment fees, promises made, contracts signed (if any) and possible connection with the employer.

Questions for assessing the intervention of a third party

- Did anyone help you to buy your ticket?
- Did anyone help you to obtain a visa?
- Did anyone help you to find your job?
- Did anyone help you to travel from your living place to the place of work?
- If “Yes” to any of the above questions, was this person:
 - * A direct relative (parent, brother/sister, child)?
 - * A member of your extended family?
 - * A friend/acquaintance?
 - * An informal broker/intermediary?
 - * Someone from a private recruitment agency?
 - * Someone from a public employment office?
 - * The employer?
 - * Other, specify?

Questions to assess whether the worker had to pay the intermediary or employer

If someone helped you, did you have to pay him/her for the service?

- Yes, total amount in cash up-front
- Yes, some money was later deducted from my wages to pay for the service
- No, the intermediary (or employer) helped me free of charge

If total amount in cash, how much was paid?

In case of deductions from wages, what proportion of your wages/amount per week/month? For how long?

Did you have to borrow money in order to pay? Yes/No

If “Yes”, from who?

- From the intermediary (or employer)
- From someone the intermediary (or employer) directed me to
- From somebody not connected with the intermediary (or employer)
- Other, specify...

Ethical rules for conducting a survey on forced labour

7

In almost all countries, the exaction of forced labour is a crime and therefore research on the topic may expose both interviewees and interviewers (and supervisors) to danger. The perpetrators, who may be recruiters, other intermediaries, employers or people hired by employers, are usually aware of the illegality of what they are doing and may actively oppose and resist any contact between the workers and the world outside the workplace. The primary rule to follow is that interviewers must make absolutely sure that the survey does not in any way endanger the adult or child respondent. If there is any risk of negative repercussions, then they should not conduct the interview.

In addition to the usual ethical rules requiring the informed consent of the respondent, showing respect for the respondent, respect of cultural norms e.g. regarding gender and privacy, strict confidentiality of the information provided by the respondent, and the right to refuse the interview or to answer any question included in it, the following remarks are specifically relevant to surveys of workers who are exploited or subject to coercion.

- The interviewer must find a safe, neutral place for the interview. The adult respondent should normally be alone; he or she may feel more able or more at ease to answer questions truthfully without the presence of witnesses, as even close relatives may be unaware of the real working conditions. However, if the worker asks for others to be present, the interviewer should agree. It is essential to make sure that no employer, supervisor or guard can overhear the conversation; if this is not possible, the interviewer can either skip potentially sensitive questions or note down the fact that the interview took place in the presence of the employer or supervisor.

- Words relating explicitly to forced labour and trafficking should not be used during the interview. Since some respondents may be aware that courts can award compensation to victims of trafficking or forced labour, it is essential to make it clear at the outset that the objective of the survey is simply research so that no false expectations are raised.
- Some interviewers may encounter workers in very dangerous situations who need immediate help. The interviewers should have been instructed during their training what to do in this type of situation and must be ready to indicate some kind of solution or intervention to assist workers in distress.
- Some workers may take the opportunity of meeting someone from the outside to seek help, or to ask where they can make a complaint. Interviewers should have with them cards that are easy to distribute discreetly and that give the addresses or phone numbers of government or non-government offices (including medical centres) in the area that can provide appropriate support for the workers.
- If preliminary research has revealed that women and girls risk sexual violence or are being forced into prostitution, or that there are restrictions on freedom imposed on women/girls in general, special attention should be given to having women in the teams of interviewers.
- Interviewers must be familiar with national laws relating to forced labour and trafficking, especially with regard to complaints procedures and victims' rights.
- Interviewers may be threatened upon entering a village or the vicinity of an enterprise or farm. Their training should include procedures for immediately leaving an area in case of danger, and they should be equipped with mobile or satellite phones in order to be able to contact their supervisors at any point during their work.
- During the interview, workers may sometimes start talking freely about their experience of forced labour and may describe means of coercion, threats or penalties that are not listed in the questionnaire. It is very important to let workers talk like this and to note down these aspects discreetly.
- Given the possible danger to which interviewers may be exposed, they must have the option to withdraw from the survey at the end of the training period without suffering any penalty, if they feel that the task may be too risky for them.

- There is a possibility, as with all surveys, that adult or child respondents may ask for cash or presents in exchange for the time they spend being interviewed. The appropriate response to such requests needs to be discussed and agreed during training, and clear rules be laid down and strictly adhered to by researchers in the field. It is common practice to give respondents some awareness- or health-related items, or some light refreshment, but remuneration in cash is not recommended. In any event, the duration and timing of the interview should be such that it causes the least disruption possible to the work or daily schedule of the respondent.

Special case of surveys of forced labour of children

All the ethical rules for interviewing adults potentially in forced labour apply also to children, but in the latter case there are some additional rules to follow.⁵²

- The researcher must give careful thought to the risk involved for children who participate in the survey. The place of interview (living quarters, workplace or a neutral location) should be selected in the best interests of the child, the choice being guided by considerations of privacy.
- The time of day that the interview takes place is crucial. If it takes place during working hours, interviewers should make sure that the child will not be penalized for the work not done because of the interview. If it takes place outside working hours, interviewers must bear in mind the child's need for rest after a day's work.
- The notion of "informed consent" is central to all surveys. In the case of forced labour, which children may not be aware of, they have the right to be informed of the objectives and possible outcome of the research. This can be done without using the terms "forced labour" or "trafficking" as such. Instead, sections of the questionnaire can be presented in simple terms, for example: "We are now going to talk about why you work here, how you happen to be working for this person". If the forced labour is taking place in a family context, the parents should also consent to the interview.
- The "right to say no" applies to both adults and children. But children are probably used to obeying adults without question or may be afraid to say no. Interviewers must be trained to explain to children that they really are free to refuse to participate or to answer certain questions.

⁵² The ethical rules cited here were originally designed by the ILO for surveying the worst forms of child labour in Nepal.

- In order to avoid situations where interviewers have to rephrase some questions so that child respondents will understand them, the vocabulary used in the questionnaire should be reviewed by children's specialists and tested before being finalized. In all cases, interviewers should let children answer in their own words, and then match their answers with the predefined list of response categories.
- As the survey will raise issues of possible coercion and violence by employers, some children may be overwhelmed with emotion and start crying or suddenly stop talking. They may also talk about highly abusive or dangerous conditions, in which case the interviewer should be prepared to indicate some psychological, medical or social assistance, or even to remove the child from the place if they believe that he or she is in immediate danger. This course of action must be carefully planned during the training.
- Should a child be found in a situation of forced labour, but not be at immediate risk, the interviewer must similarly be prepared to indicate effective assistance, by referring him or her to local service providers and ensuring that he or she is not put in danger during this process.

Preparation for data collection and pilot testing

8

Pre-testing the questionnaire

The need to pre-test the draft questionnaire is as important as in any other survey, with special attention being given to potentially sensitive questions and those relating specifically to means of coercion and involuntariness. Questions which a large number of respondents refuse or are unable to answer should be reworded and tested again.

Selecting and training interviewers

Given the sensitivity and complexity of the forced labour topic, special attention must be given to the selection and training of interviewers. The training should be designed in collaboration with a forced labour specialist. In addition to all standard recommendations for such training, it is important to note the following points:

- It is generally recommended that the interviewers be recruited from the area where the survey is taking place. Nevertheless, as the recruiters or employers of persons in forced labour may come from the very same villages as the interviewers, the person/organization responsible for their selection must consider possible conflicts of interest. If there is any doubt as to whether interviewers from the survey area should be hired, the pros and cons of doing so should be discussed at the survey preparation stage.
- The composition of the teams of interviewers, particularly the ratio of women to men must take into account the type(s) of forced labour being addressed, the type of respondents (age and sex) and the places where the interviews are to be held.

- If the survey sampling method entails decision-making by the interviewer (such as “stopping rules” for snowball methods), the selection process must take into account the capacity of candidates to understand such statistical issues. Specific modules on sampling should be included in the training programme.
- Role play games and mock interviews may help interviewers learn how to behave should they face a strong negative reaction from an employer, recruiter, local figure of authority or even worker, or if they are faced with respondents in need of urgent assistance.
- The definitions, concepts and terms used in the questionnaire should be very carefully explained to the interviewers during training. Interviewers must learn to introduce the survey without using key words and terms that relate explicitly to the concept of forced labour.
- The questionnaire may include some open-ended questions, for instance regarding the means of coercion, and interviewers must be trained to recognize and note down key words or expressions used by respondents.
- Both adult and child respondents should be encouraged to reply in their own words and interviewers should be trained to code their answers correctly in the questionnaire. During training, exercises or role plays should be organized in which interviewers learn how to do the coding of answers, particularly relating to questions addressing aspects of involuntariness and coercion.

Importance of accurate translation

As the forms of forced labour and the means of coercion are often specific to each national or local context, or are determined by traditional relationships between ethnic or social groups, they may require the use of specific terms that are difficult to translate from English into the national language, and subsequently into local languages. If the survey takes place in an area where a dialect is spoken, for instance, special attention must be given to translating terms accurately so that important information is not lost or concepts misunderstood.

There are normally four levels of data analysis in a forced labour survey.

- At the first level, the answers to key questions are analysed in order to identify those respondents who qualify as victims of forced labour.
- The second level consists of computing estimates, using the results of the first level in which workers in forced labour have been identified and marked as such in the database.
- The third level is a descriptive analysis of the victims of forced labour that provides information on their socio-economic profile, their conditions of recruitment and work, and the means of coercion applied by their employers.
- Whenever possible, a fourth level of analysis provides information on the determinants of forced labour in the country i.e. the causal factors with which it is associated.

The analysis of the data can be used by a variety of actors to design policies and programmes for the prevention, detection and rehabilitation of victims of forced labour.

9.1. Identification of the victims of forced labour

Identification of adults in forced labour

It is recommended that the elements of involuntariness and penalty/menace of penalty be assessed separately so as to generate two variables recording the respective information for each respondent. The three dimensions of involuntariness (i.e. unfree recruitment, work and life under duress, and impossibility of leaving the employer) should also be analysed separately.

Creating the variable “Forced labour of adults”

- Identify all adults who are employed and exclude those who are self-employed (i.e. employers, own-account workers, members of producers’ cooperatives or contributing family workers), unless the survey explicitly covers forced labour within these sub-groups).
- For each indicator, all combinations of answers to those questions which validate (relate to) it are translated into a set of commands in the statistical software language.
- For each dimension, if the respondent has at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension, and at least one of these indicators is strong, then the dimension is marked as positive.

Penalty = 1, if *Violence-Threat*>0 OR *Restriction of freedom* >0 OR *Debt bondage* >0 OR *Retention of wages*>0 OR *Retention of docs* >0 OR *Abuse of vulnerability* >0

Unfree recruitment = 1 if (*Tradition*>0 OR *Coercive recruitment* >0 OR *Debt bondage*>0 OR *Cultural practices* >0 OR *Deceptive recruitment* >0) AND (**Penalty** ==1)

Work and life under duress = 1, if (*Dependency*>0 OR *Limited freedom* >0 OR *Forced work* >0 OR *Degrading living conditions imposed*>0) AND (**Penalty** ==1)

Impossibility of leaving = 1, if *Impossibility of leaving* >0 AND **Penalty** ==1

- All respondents identified as having at least one dimension marked as positive, are identified as victims of forced labour.

Forced Labour = 1, if

Unfree recruitment ==1

OR

Work and life under duress ==1

OR

Impossibility of leaving employer ==1

It may sometimes happen that a single question validates an indicator (for example “Have you been abducted?”), but more often the indicators are validated on the basis of a logical combination (AND and OR) of answers to several questions. The following example refers to the “forced recruitment” dimension, but a similar approach should be applied for all dimensions.

Example of association between one indicator and several questions regarding the unfree recruitment of adults

The sub-indicator “Deceived about the conditions of work” is associated with the following questions:

- What was your level of information at the time of your recruitment?
- As compared to the information you received beforehand, was the job you found on arrival: Much worse/worse/as promised-agreed/different but equally good or bad/somewhat better/much better ?

This is later translated into a command in the statistical software.

Example of command for one indicator

Indicator	Command
Deceived about the conditions of work (medium indicator)	If “Volume of work” has been “promised/ agreed verbally” or “written in contract” AND “Volume of work” is “Worse” or “Much worse” than agreed, then the indicator is positive

In order to allow more precise data analysis, it is suggested that several variables be created for each dimension of forced labour, as follows:

1. Unfree recruitment
 - a. Tradition, birth in a bonded family
 - b. Coercive recruitment
 - c. Recruitment linked to debt
 - d. Recruitment due to employer’s pressure and cultural practices
 - e. Deceptive recruitment

2. Work and life under duress
 - a. Dependency
 - b. Limited freedom
 - c. Forced work
 - d. Degrading living conditions

3. Impossibility of leaving employer

The same can be done for the variable “penalty/menace of penalty” within each dimension, as follows:

Penalty/Menace of a penalty (means of coercion)

- a. Threats and violence
- b. Restriction of a worker’s freedom of movement due to isolation, confinement or surveillance
- c. Debt bondage or debt manipulation
- d. Retention of wages or other benefits
- e. Retention of passport, identity papers or travel documents
- f. Abuse of vulnerability

Identification of children in forced labour

As for adults, it is necessary first to identify all children who are employed and then to exclude those who are self-employed (i.e. employers, own-account workers, members of producers’ cooperatives or contributing family workers), unless the survey explicitly covers forced child labour within these sub-groups).

The identification of children engaged in forced labour is a two-stage process. First, when forced or bonded labour is taking place in a family or traditional context, all adult household members engaged in forced labour must be identified and marked as such in the dataset. The economic activity and employment status of each child is then assessed, and all those working with or for parents who are themselves in forced labour are marked as victims of forced labour. This process requires that the household and family links between children and their parents are recorded in the dataset.

The second stage is to identify forced labour among children irrespective of the situation of their parents. The process derives directly from the operational definition

of forced labour of children, in which each of the four dimensions of forced labour (“unfree recruitment”, “work and life under duress” and “impossibility of leaving the employer”, as well as “penalty”) is first assessed separately. The dimensions are then combined following the method described above for identifying forced labour of adults.

As with adults, each indicator can be associated with one or more questions, as illustrated below.

Example of association between one indicator and several questions regarding the unfree recruitment of children

The sub-indicator “Employer’s pressure/Cultural practices” is associated with the following questions:

- Was the recruitment of the child part of an agreement by the employer to give parents/relatives a job?
- Was the child sent by a previous employer with neither his or her own nor the parents’ consent?
- Is the recruitment of children part of a tradition imposed by people in authority?

Creating the variable “Forced labour of children”

First stage

In the case of children, the first step of the identification process is to identify children working with or for their parents, one or both of whom have already been identified as being in adult forced labour.

Forced Labour = 1, if the child works in a family context **AND** a parent is engaged in forced labour

Second stage

The second stage is the identification of children in forced labour, where the parent or parents are not themselves in forced labour.

Penalty = 1, if *Violence-Threat*>0 OR *Restriction of freedom* >0 OR *Debt bondage* >0 OR *Retention of wages*>0 OR *Retention of docs* >0 OR *Abuse of vulnerability* >0

Unfree recruitment = 1 if (*Tradition*>0 OR *Coercive recruitment* >0 OR *Debt bondage*>0 OR *Cultural practices* >0 OR *Deceptive recruitment* >0) **AND** (**Penalty ==1**)

Work and life under duress = 1, if (*Dependency*>0 OR *Limited freedom* >0 OR *Forced work* >0 OR *Degrading living conditions imposed*>0) **AND** (**Penalty ==1**)

Impossibility of leaving = 1, if *Impossibility of leaving* >0 **AND** **Penalty ==1**

Forced Labour = 1, if

Unfree recruitment ==1

OR

Work and life under duress ==1

OR

Impossibility of leaving employer ==1

9.2. Estimating the extent of forced labour

Once the respondents (adults and children) have been identified and marked in the dataset as victims of forced labour, the extrapolation factors can be applied and the estimate generated with the level of disaggregation decided on at the sampling design stage. The estimate should be presented along with the associated margin of sampling error, as computed according to the sample design and selection. Estimates disaggregated by sex and by geographical area should be presented as long as they are statistically robust. The calculation of extrapolation factors, as well as margins of sampling error, must follow strictly the statistical rules associated with the sample design and selection used for the survey.

In the case of traditional forms of forced labour in which adults and children within the same household are engaged together, it is suggested that the concept of “household affected by forced labour” be introduced. This is defined as any household in which at least one member is in forced labour. Estimates and analyses can then be made at the household level, instead of or in addition to the level of individual workers.

It is possible to distinguish five predominant ways in which individuals or households become trapped in forced labour:

- Membership of a family or social group subjected to forced labour by tradition: Children or adults who belong to an ethnic, religious or other sub-group of the population which, by tradition, is forced to work for another sub-group.
- Debt bondage: Children or adults who are recruited either as collateral for a loan (in the case of children) or in exchange for a loan or advance of wages paid either to themselves or to parents/other family members, or who are forced to work to pay off a debt owed to a third party complicit in their recruitment.
- Coercive recruitment: Children or adults who are recruited by physical force/abduction or by non-physical means of coercion such as threats of denunciation or expulsion from land.
- Deceptive recruitment: Children or adults who are recruited through false promises (about schooling, working conditions, marriage etc) made either to themselves or to their parents or relatives.
- Abuse of power or of cultural practices: An individual who abuses the position of power he or she enjoys in the community for cultural or economic reasons, in order to exact forced labour from children or adults.

These categories are not mutually exclusive; a person may be both subject to forced labour by tradition and be held under debt bondage, for example. The estimates of forced labour may be presented according to these categories, modified as necessary to correspond to national circumstances, so as to shed light on the different means by which people enter into forced labour.

9.3. Descriptive analysis of the victims of forced labour

For both adults and children, the descriptive analysis of the victims of forced labour should cover, at a minimum:

- their socio-economic profile
- the four dimensions of forced labour (unfree recruitment, work and life under duress, impossibility of leaving the employer, penalty/coercion)
- their working conditions (type and volume of work, wages, social benefits, etc.).

In all three areas a comparison will be made between workers (male and female) in forced labour and other employed persons working in the same branch of economic activity (but not in forced labour) in order to highlight the differences. It is suggested that a third category of workers be included in the analysis, namely those who are exploited through work in sub-standard conditions but who do not suffer from coercion. This will serve to illustrate the continuum of situations between decent work and forced labour⁵³ and is the reason why examples of questions to capture sub-standard working conditions were presented earlier.

It has already been explained that the “strength” of the indicators can be translated into a system of ratings, whereby each indicator is associated with a number of “points” according to the severity of the situation described. It is therefore possible not only to use the dimensions of involuntariness, penalty/menace of penalty and exploitation as binary variables (Yes or No) but also to rate them according to the number of indicators present for each dimension. For each respondent, the sum of the ratings of all indicators for each dimension is computed. This provides new quantitative variables for further analysis. In particular, these numeric variables can be used to test for the existence of a positive correlation between coercion and exploitation. Each “new” variable associated with a dimension of forced labour can

⁵³ The continuum is from decent work at one extreme (non-exploitative and free labour), through sub-standard work (exploitative work that is not forced) to, at the other extreme, forced labour (exploitative work that is also forced).

be the sum of all associated elementary variables. This can be used in the analysis to create groups of workers according to their rate of engagement in forced labour, or even to compare the degree of exploitation with the degree of coercion.

In addition to age-related patterns, special attention should be given to the gender dimensions of forced labour, in order to highlight aspects that are specific to the situation of girls and women, and to that of boys and men in their recruitment, in the work imposed, in their living conditions and in the type of penalties they face. Again, more sophisticated analysis could explore a possible correlation between coercion and exploitation, according to the sex of the victim.

Analysis of the socio-economic profile of persons in forced labour

The type of analysis described in this section is designed to answer the questions: Who are the victims of forced labour? Where do they come from? What is their family background?

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

A second set of variables covers the victim's household. In the case of children, it may be useful to distinguish three groups, if the information on the situation of parents is available:

- working children not in forced labour
- children in forced labour whose parents are not in forced labour
- working children whose parents are in forced labour

The variables to be analysed according to whether or not the household is affected by forced labour include household size, household assets, ownership of land/house, household income, household indebtedness and employment status of the head of household.

For adults, it will be important to compare the socio-economic profile of those persons in forced labour and those not in forced labour.

For children, the analysis must compare at a minimum the group of children in forced labour with the group of working children who are not forced. If relevant, the group of non-working children may also appear in some tables.

This analysis provides policy-makers with a picture of the profile of victims of forced labour, as accurate as possible, in the context studied. It may contradict existing understanding of the problem, which may have been based either on a priori

assumptions or solely on information about “rescued” victims and therefore reflect only the situation of this sub-group (which may well not be representative of the entire population of forced labourers).

Analysis of the mechanisms of forced labour

This analysis is crucial to an understanding of the nature of forced labour in the particular context studied. The variables employed are the same as those used for the identification of forced labourers for measurement purposes. In particular, the four dimensions of forced labour (unfree recruitment, life and work under duress, impossibility of leaving employer and coercion) should be thoroughly analysed. For each dimension, along with information on the extent of the different forms of abuse used, further detail can be provided on the most prevalent indicators. For example, if a majority of victims are recruited through a loan or a wage advance, it is recommended that a detailed analysis be made of household or individual debt (duration, interest rate, reason, etc.).

If possible, the use of penalties and menace of penalties as means of coercion should be analysed with respect to each other dimension of forced labour (as prescribed in the case of children). This analysis will provide policy-makers with important information relating to how adult and child workers are forced to take a job or perform work against their free will. The discussion of “work and life under duress” should include the means used to force workers to work more or to perform hazardous or illicit activities.

There are some aspects of the means of coercion used against children that are specific to their age, their vulnerability and their willingness to believe what adults and figures of authority say to them. The use of the qualitative information collected during the preliminary research is particularly important for complementing the quantitative analysis and facilitating the interpretation of quantitative results.

If the number of children found in forced labour is large enough to allow disaggregation, the difference in the means of coercion used by employers according to the age and sex of the child should give insights into specific vulnerabilities. Special attention should be given to all variables relating to violence against children in forced labour. Its form, extent and frequency require careful analysis.

Impact of coercion on working conditions

A careful analysis of working conditions will shed light on the ways in which victims of forced labour may be liable to higher degrees of exploitation than other workers

who are not coerced. It is recommended that the following aspects be included in the analysis of working conditions:

- The volume of work (including the number of hours of work per day, the number of working days per week and per month).
- The wages paid in cash and in kind. (It is recommended that the same unit of payment be used to compare the two groups of workers. The wages of workers in forced labour who are paid on a daily basis should be compared, if possible, with the wages of other workers paid on a daily basis).
- The risks to safety and health faced by workers in forced labour, such as hazardous tasks performed without protection, night work, etc. (Variables relating to injuries and illness due to work should be analysed here.)
- The existence or absence of a contract, its form (verbal or written), etc.
- The social benefits received by the workers (paid sick leave, holidays, health insurance, etc.)

Thresholds may be determined at the national level in order to classify respondents who do not fall in the “forced labour” category as being subject or not to sub-standard or “exploitative” working conditions. This is, however, likely to be a very sensitive topic on which it may be difficult to establish a consensus among stakeholders at the national level. There is no accepted international definition of labour exploitation. Special consideration would of course need to be given to the age of the worker, as for example a task which is deemed as hazardous for a 15 year old, might be perceived differently for an adult worker.

9.4. Identification of the determinants of forced labour

Researchers are encouraged to run a multivariate analysis of the dataset to look for causal relationships. If necessary, data from other sources can complement the data obtained from the forced labour survey. In the pilot surveys, a regression analysis was made taking as the dependent variable the “forced labour status” variable that was created during the processing of data for the identification and measurement process. The independent variables have to be selected from the dataset according to their relevance in the national context.

Independent variables related to the socio-economic profile of workers are usually included, such as sex, area of origin, level of education and employment history. For example, the regression analysis in Niger revealed that the risk of being in forced labour is more than twice as high in households headed by women than in those headed by men, a finding that is explained in part by the sociological status of single women and widows in Nigerien society.

Multivariate analysis is the only analysis which can provide insights into the relative importance of the various underlying causes of forced labour. One of the outputs of the analysis can be a profile of the persons most at risk of forced labour, and this can provide policy-makers with key information that can be used to devise plans for preventive action.

These guidelines have presented, for the first time, specific guidance and tools for the design, implementation and analysis of quantitative surveys on forced labour of adults and children. The pilot surveys conducted by the ILO and its national partners revealed both the strengths and limitations of the survey instruments applied. The high quality of the results obtained demonstrated the potential of the innovative methods used, which complement the more widespread use of qualitative data collection methods in this field. Taken together, these research tools can provide policy-makers with reliable evidence of the nature and extent of forced labour, so that more effective and better targeted policies and programmes can be designed, implemented and monitored for impact.

The survey instruments still require further development in order to respond fully to the wide spectrum of data and information needs expressed by countries affected by forced labour. For example, new tools should be designed and tested to sample establishments or vulnerable populations in the destination countries of migrant workers. Specific tools are also required for investigating forced prostitution and illicit activities. By developing and sharing these guidelines, the ILO hopes to stimulate further debate and reflection in the research community on how the interests of actual and potential victims of forced labour can best be served through rigorous yet sensitive research.



Publications

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Measuring the costs of coercion to workers in forced labour, ILO, Geneva, 2009

Operational indicators of trafficking in human beings. Results from a Delphi survey implemented by the ILO and the European Commission, ILO, Geneva, 2009

The cost of coercion, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, ILO, Geneva, 2009

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A global alliance against forced labour, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, ILO, Geneva, 2005

ILO minimum estimate of forced labour in the world, ILO, Geneva, 2005

Every child counts: New global estimates on child labour, ILO, Geneva, 2002

Websites

Special Action Programme to combat Forced Labour (SAP-FL)

www.ilo.org/forcedlabour

International Programme on the Elimination of Child Labour (IPEC)

www.ilo.org/ipec

Statistical Information and Monitoring Programme on Child Labour (SIMPOC)

<http://www.ilo.org/ipec/ChildlabourstatisticsSIMPOC/lang--en/index.htm>

Annex

Proposed outline of a report on the results of a quantitative survey on forced labour⁵⁴

1. Preface and Acknowledgements
2. Table of contents (including lists of tables, boxes, figures)
3. Executive summary
4. Introduction
 - a. National context as it relates to forced labour and trafficking
 - b. National legislation
 - c. Justification for the survey
 - d. Objectives of the survey
5. Conceptual framework, with operational definitions and national sets of indicators
6. Methodology for data collection and analysis
 - a. Type of survey and description of base survey, if relevant
 - b. Scope and coverage of the survey
 - c. Target groups

⁵⁴ The suggested generic outline is more adapted to adult workers, and would need to be suitably modified in the case of children.

- d. Questionnaire design
- e. Sampling design
- f. Pilot test
- g. Training of interviewers and supervisors
- h. Data collection
- i. Data processing
- j. Weighting and estimation
- k. Reliability of estimates

7. General characteristics of the population covered by the survey

8. Characteristics of each form of forced labour surveyed

- a. Incidence of forced labour (by sex, area, age group)

- b. Description and analysis of the mechanisms of forced labour (with a comparison between victims of forced labour and other groups)

- i. Recruitment (deceptive, coercive, with or without movement)

- ii. Work and life under duress

- iii. Impossibility of leaving the employer

- iv. Means of coercion (can also be integrated with each of the other dimensions listed above)

- c. Profile of victims of forced labour, with, where possible, tables comparing the profile of forced labour victims with that of “exploited” (but not forced) workers and of workers suffering neither forced labour nor exploitation

- i. Age specifics

- ii. Socio-economic background

- iii. Level of education

- iv. Legal status

- v. Migration status

- vi. Previous work experience

vii. Process of recruitment

viii. Branch of economic activity, occupation

ix. Geographic distribution

d. Consequences of forced labour

i. Current status of victims

ii. Health

e. Determinants of forced labour

i. Results of multivariate analysis

9. Implications for policy and programmes against forced labour

10. Conclusions





International Labour Office, Route des Morillons, 4, CH - 1211 Geneva 22

International Programme on the
Elimination of Child Labour

Tel. + 41 22 799 81 81
Email: ipec@ilo.org
www.ilo.org/ipec

Special Action Programme
to combat Forced Labour

Tel. + 41 22 799 63 29
Email: forcedlabour@ilo.org
www.ilo.org/forcedlabour