

## Defining **Forced Labour**

SAI Platform follows the definitions given by conventions 29 and 105 of the **International Labour Organisation (ILO)**.

These conventions refer to forced labour as situations in which persons are **coerced to work through the use of violence or intimidation, or by more subtle means** such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities.

**The purpose of this guidance document is to facilitate the development of SAI Platform's Members' policies.**

The information in this document is based on public sources, an expert consultation<sup>1</sup> and discussion in SAI Platform's Horizon committee.

The suggestions in this guidance document are essential elements to a proper forced labour policy.

SAI Platform Members are direct or indirect buyers of agricultural raw materials, so the link to the farm can be direct or multiple tiers upstream.

Regardless of their position in the value chain, Members share the view that forced labour is a serious challenge facing many supply chains, in particular those that originate in developing countries.



<sup>1</sup>Steve Jennings, consultant and former OXFAM advisor in SAI Platform's Advisory Council.



According to ILO research  
almost 21 million people are victims of forced labour<sup>2</sup>.

Domestic work, **agriculture**, construction, manufacturing and entertainment are  
among the sectors where forced labour is most prevalent.

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SAI Platform Members share the view that  
conditions in which forced labour occurs are of a  
diverse nature, therefore a diversified approach  
is needed.

Ultimately, our Members' business depends on  
farmers and communities that benefit from and  
see a positive future in agricultural production.

Forced labour has no place in this future.

<sup>2</sup>See Annex.

## Developing and implementing your **Forced Labour Policy**

In order to set up and implement a forced labour policy, SAI Platform encourages Members to consider the following elements:

1 Have an approach that focuses on eliminating forced labour from operations and supply chains, with the definition of 'forced labour' following that of the ILO.

2 Evaluate supply chains with regard to forced labour at farms and factories in the supply chain.

Adopt as a minimum, a risk-based approach to prioritise action and focus on areas and/or crops where the highest incidence and worst forms of forced labour are reported.

When evidence of forced labour is found, act with further investigation and, if necessary, time-bound corrective action, with suspension of business as a possibility if corrective actions are not undertaken or are not effective.

3 Track and report progress on eliminating forced labour.

4 Actively pursue improvement and solutions on a regional basis, in the awareness of the complex economic, political and social conditions that 'breed forced labour'.

5 If possible and applicable, join in collaborative efforts with regard to specific crops and/or regions to address forced labour and seek eradication of it.

(within SAI Platform or elsewhere, eg. :  
<http://www.theconsumergoodsforum.com/files/Publications/2016-CGF-Social-Sustainability-One-Pager-Complete.pdf>)

ANNEX - from [www.ilo.org](http://www.ilo.org)

## **Forced labour, human trafficking and slavery**

Forced labour takes different forms, including debt bondage, trafficking and other forms of modern slavery. The victims are the most vulnerable – women and girls forced into prostitution, migrants trapped in debt bondage, and sweatshop or farm workers kept there by clearly illegal tactics and paid little or nothing.

### **Facts and figures**

Almost 21 million people are victims of forced labour:

- 11.4 million women and girls
- 9.5 million men and boys

Almost 19 million victims are exploited by private individuals or enterprises and over 2 million by the state or rebel groups.

Of those exploited by individuals or enterprises, 4.5 million are victims of forced sexual exploitation.

Forced labour in the private economy generates US\$ 150 billion in illegal profits per year.

Domestic work, agriculture, construction, manufacturing and entertainment are among the sectors most concerned.

Migrant workers and indigenous people are particularly vulnerable to forced labour.

## Business and Forced Labour

The international labour standards on forced labour include the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105).

The 1998 ILO Declaration on Fundamental Principles and Rights at Work calls on all member states to promote and realise this right within their territories whether or not they have ratified Conventions 29 and 105.

The 1998 Declaration and the MNE Declaration<sup>3</sup> call upon enterprises to help combat forced labour.

While companies operating legally do not normally employ forced labour, they may become associated with such practices through their business links with others, including contractors and suppliers. As a result, all managers should be aware of the forms and causes of forced labour, as well as how it might occur in different industry sectors and along the supply chains.

<sup>3</sup> Tripartite declaration of principles concerning multinational enterprises and social policy (MNE Declaration) - 4th Edition

Forced or compulsory labour is any work or service that is exacted from a person under the threat of penalty, and for which that person has not offered himself or herself voluntarily.

Penalties may include imprisonment, the threat or use of physical violence and preventing a worker from moving freely outside the work site. Threats also may be more subtle such as threats to harm a victim's family; threats to denounce an illegal worker to the authorities; or withholding wages to compel a worker to stay in hopes of eventually being paid.

Labour should be freely given and workers should be free to leave, subject to previous notice of reasonable length.

Determining whether work is performed voluntarily often involves looking at external and indirect pressures, such as the withholding of part of a worker's salary as part-repayment of a loan, or the absence of wages or remuneration, or the seizure of the worker's identity documents.

Debt bondage is another way many workers end up in a situation of forced labour. Debt bondage exists when labourers (sometimes with their families) are forced to work for an employer in order to pay off their own debts or those they have inherited. The victims of debt bondage, if they try to leave their employment, are usually caught and returned by force.

Providing wages or other compensation to a worker does not necessarily indicate that the labour is not forced or compulsory.

The ILO estimates that almost **21 million people** are **victims of forced labour worldwide**, 80% of whom are victimised by private agents.

Most victims receive little or no earnings, and work for long hours in extremely poor and unsafe conditions.

Many of the victims are trafficked, usually across international borders.

**Forced labour is a truly global problem, also present in developed countries where it affects mainly trafficked migrant workers.**

Both women and men can be victims.

**At least 40% of all victims are children.**



# Guidance document on **Child Labour**

*By and For* SAI Platform Members

## Graphics and illustrations used in this document

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