

Sector-Based Approaches to the Identification of Human Trafficking & Forced Labor Risk

April 8, 2019

VERITÉ
Fair Labor. **Worldwide.**

About Verité

Verité is a global NGO that has worked since 1995 with companies, governments and civil society with a mission to ensure **workers worldwide work under safe, fair, and legal conditions.**

Examples of Activities and Services:

- Original field research and assessments that prioritize stories and voices of workers
- Consultation on systems to prevent and remediate risks identified
- Training for company staff, suppliers, workers, and auditors
- Creation of open source tools and resources
- Confidential and practical approach



Independent Research

- Sheds light on poorly understood dynamics and problems with labor rights in a variety of sectors and geographies
- Creates understanding of risks and vulnerabilities
- Provides a platform for engagement: open-source tools, awareness raising, policy advocacy

Featured Research



[Risk Analysis of Labor Violations Among Farmworkers in the Guatemalan Sugar Sector](#)



[Addressing Forced Labor in the Cocoa Sector in Côte D'Ivoire](#)



[Labor and Human Rights Risk Analysis of Ecuador's Palm Oil Sector](#)



[Strengthening Protections Against Trafficking](#)



[Recruitment Practices and Migrant Labor](#)



[Forced Labor in the Production of Electronic](#)

Sector-Based Research on Human Trafficking & Forced Labor



- Apparel – India, Myanmar
- Cattle – Bolivia
- Corn – Bolivia
- Cocoa – Cote d'Ivoire, Ghana
- Coffee – Brazil, Guatemala, Mexico, Uganda
- Fishing – Ecuador, Indonesia, Malaysia, Myanmar, Philippines
- Electronics – Malaysia
- Gold – Peru
- Palm oil – Guatemala, Indonesia, Malaysia
- Rubber – Liberia
- Sugar – Dominican Republic, Mexico
- Shrimp – Bangladesh
- Tea – Malawi
- Tobacco – Malawi
- Tree nuts – Bolivia

ILO Guidelines for Defining Forced Labor in Survey Research



International
Labour
Office

Hard to see, harder to count

*Survey guidelines to estimate
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)

2012

ILO Measurable Indicator Framework

INDICATORS OF INVOLUNTARINESS

- Unfree Recruitment
- Deceptive Recruitment
- Forced Overtime
- Hazardous Working Conditions to which worker did not consent
- Very Low or No Wage
- Degrading Living Conditions
- Limited or No Freedom to Terminate Work Contract
- Forced to Work for Longer Period than Agreed

INDICATORS OF THREAT AND MENACE OF ANY PENALTY

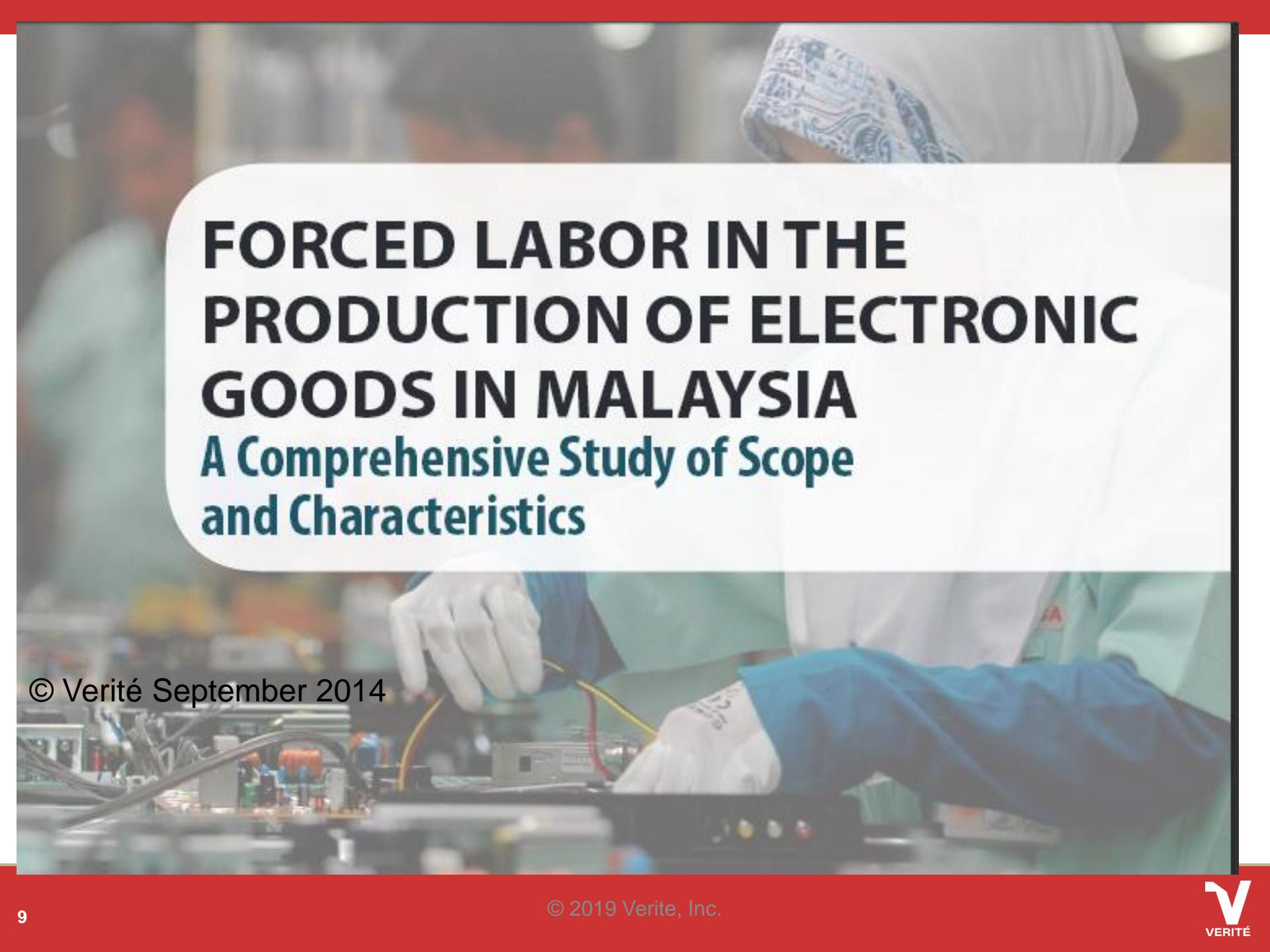
- Violence – Threat or Actual, against worker or family
- Limited Freedom of Movement or Communication
- Debt Bondage or Manipulation of Debt
- Withholding of Wages or Other Promised Benefit
- Withholding of Valuable Documents (such as identity documents or residency permit)
- Abuse of Vulnerability through Denial of Rights or Privileges
- Threat of Dismissal
- Threat of Deportation

Operationalizing the Indicators

- Rapid assessment to identify a set of indicators of potential relevance for the sector under study and
- Preliminary definitions of each indicator in terms of sector- and country-context
- Design of survey instrument to explore presence or absence of each indicator for each respondent
- Data collection with mixed qualitative quantitative instrument
- Research findings analyzed to evaluate nature of risk of each indicator in the sector

Advantages of the Indicator Approach

- Disaggregation of human trafficking or forced labor into component elements
- Root cause analysis
- Policy relevance
- Documents workers' exposure to human trafficking or forced labor risk even when those workers are not currently experiencing human trafficking or forced labor



FORCED LABOR IN THE PRODUCTION OF ELECTRONIC GOODS IN MALAYSIA

A Comprehensive Study of Scope and Characteristics

© Verité September 2014

Project Methodology

- Cross sectional research design
- Mixed-methods approach (quantitative survey plus qualitative text boxes and in-depth interviews)
- Purposive non-probability sampling to set regional and ethnic sampling targets, then snowball sampling to recruit participants
- Expert interviews and consultations

Sample Frame

- 501 workers (54% female, 46% male)
- All major migrant-sending countries, as well as Malaysians
- No more than 5 workers sampled from any one factory
- Nearly 200 factories sampled in all
- All electronics-producing regions of the country
- Makers of all major electronics product categories

Example of Indicator Definition

A respondent with **Limited Freedom of Movement and Communication** (a strong indicator of involuntariness in the Work and Life Under Duress dimension) was defined as being either:

- *provided housing by their employer (the facility or broker), is not allowed to come and go freely from their housing, and needs a pass or permit to go beyond a certain distance from their housing.*

OR

- *their passport is held by the facility or broker/agent, it is difficult or impossible to get their passport back when they need it, and they are unable to move around freely and safely without their passport or travel documents on them.*

Survey Questions for *Limited Freedom of Movement and Communication* Indicator

Corresponding Formula:

If Q106 =
“Facility” OR
“Broker/agent”
AND
Q115 = “No”
AND
Q116 = “Yes”

OR

If Q69 =
“Facility” OR
“Broker/agent”
AND
(Q69b = “Yes,
but difficult” OR
“No”) AND
(Q70 = “No” OR
Q78 = “Yes”)

106. In your current job, who provides your accommodations?
 Facility Broker/agent Self-hired

115. Are you allowed to come and go freely from your housing?
 Yes No

116. Do you need a pass or permit to go beyond a certain distance from your housing?
 Yes No

69. Who has your passport right now? *(if with the worker, skip to Question 70)*
 With the worker
 Facility
 Broker/agent
 Left behind when ran away from previous job
 Lost or stolen
 Not sure

69b. Can you get your passport back when you need it?
 Yes Yes, but difficult No

69c. When do you expect to get it back?
 When period of contract has ended or job is finished
 Don't expect to get it back
 Upon request
 Not sure

70. Can you move around freely and safely if you don't have your passport or travel document with you?
 Yes No

78. Does fear of trouble with A, B, C, or local gangs/thugs prevent you from moving freely in Malaysian society?
 Yes No



Forced Labor Indicators in Electronics Production in Malaysia

Fees and debt:

92% of foreign workers paid recruitment fees to get their job
94% (of those) paid illegally or unethically high fees
77% (of those who paid fees) had to borrow money to pay to get their job

Passport withholding:

94% of foreign workers did not hold their passports
71% of those did not have unrestricted access to their passports

Limited freedom of movement

62% of foreign workers surveyed were unable to move about freely

Inability to resign contracts:

57% of foreign workers could not resign without suffering some form of penalty such as a heavy fine or losing their passport

Deceptive recruitment:

22% of foreign workers surveyed were deceived about the terms and conditions of employment

Study Impacts

- ▶ Adoption of ‘no fees’ policies by electronics industry membership group and many major multinational electronics brands
- ▶ Reduction in level and frequency of fee charging in some supply chains
- ▶ Clarification by Malaysian government that it is illegal to withhold workers’ passports
- ▶ Increase in foreign workers holding their own passports
- ▶ More hotlines and grievance channels available to foreign workers
- ▶ Incubation of “ethical recruitment” approaches

© Verité February 2019



ASSESSMENT OF FORCED LABOR RISK IN THE COCOA SECTOR OF CÔTE D'IVOIRE



Forced Labor Indicators in Coca Farming in Côte d'Ivoire

- **Deceptive recruitment:** Young men seeking economic opportunity recruited in home country (Burkina Faso or Mali) and promised money and experience.
- **Induced/Inflated Indebtedness:** Workers incur debt to cover travel expenses like bus fees.
- **Withheld wages:** Workers are often not paid until after the harvest and debt obligations may take all of their earnings.
- **Isolation and Restricted Freedom of Movement:** Cocoa farms often very isolated, particularly when workers sleep near farm rather than village and migrants may not have an opportunity to contact family.

Example - Using Indicators to Inform Interventions – Cocoa Sector of Côte d'Ivoire

Indicator	Root Cause	Potential Intervention
Deception at recruitment	Migrant workers unaware of rights and conditions before arriving at farm	<ul style="list-style-type: none"> • Awareness raising for workers, producers, cooperatives, implementers of other community-based programming about rights and risk factors/nature of risk/profiles of at-risk workers and responsibilities of producers
Debt tied to recruitment (transport), inflated debt, wage withholding	Producers lack access to adequate credit and earn low incomes due to market structure → reliance on vulnerable labor; worker access to all credit linked to producer.	<ul style="list-style-type: none"> • Mechanisms to provide producers and workers with access to credit (i.e. building out VSLA programs) <ul style="list-style-type: none"> • Potentially including reimbursement for worker travel costs • Producers hiring workers have access to credit to pay worker before harvest if necessary
Isolation, multiple dependencies on employer	No means of registering grievance/seeking assistance after arrival. Limited on-going monitoring of conditions by “boots on the ground.”	<ul style="list-style-type: none"> • Development of grievance mechanism for workers; • Strengthen remediation procedures and systems for workers, particularly for migrant workers (including witnessing of verbal work agreements by neutral third party) via implementing partners • Integration/strengthening of forced labor monitoring in existing monitoring systems
Underlying infrastructure need – What will make this possible: <ul style="list-style-type: none"> • Increasing organization of sector – If more farmers participate in producer organizations/cooperatives/community-based initiatives with strong capacity, these efforts can serve as infrastructure for trainings, monitoring, grievance mechanisms, credit, and can support earnings. • Leveraging existing programming on the ground whenever possible 		

Thank You

Erin Klett
eklett@verite.org