

ILO GLOBAL BUSINESS NETWORK ON FORCED LABOUR

Pharmaceutical Supply Chain Initiative
15 October 2020



International
Labour
Organization

**ILO GLOBAL BUSINESS NETWORK
ON FORCED LABOUR**

Overview

1. ILO and FPRW
2. Forced labour and statistics
3. ILO indicators of forced labour
4. ILO Global Business Network on Forced Labour

The International Labour Organization (ILO)

- Specialized agency of the United Nations - tripartite in structure
- Establishes and oversees international labour standards
- Promotes opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity.

ILO Fundamental Principles and Rights at Work

1

Freedom of Association and Protection of the Right to Organise Convention, 1948 (C. 87)

Right to Organise and Collective Bargaining Convention, 1949 (C. 98)

2

Forced Labour Convention, 1930 (C. 29)

Abolition of Forced Labour Convention, 1957 (C. 105)

3

Minimum Age Convention, 1973 (C. 138)

Worst Forms of Child Labour Convention, 1999 (C. 182)

4

Equal Remuneration Convention, 1951 (C. 100)

Discrimination (Employment and Occupation) Convention, 1958 (C. 111)

WHAT IS FORCED LABOUR?

All work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself or herself voluntarily

ILO Forced Labour Convention, 1930 (No. 29).



Almost 25 million people
are in forced labour globally



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Some 4.3 million
are children



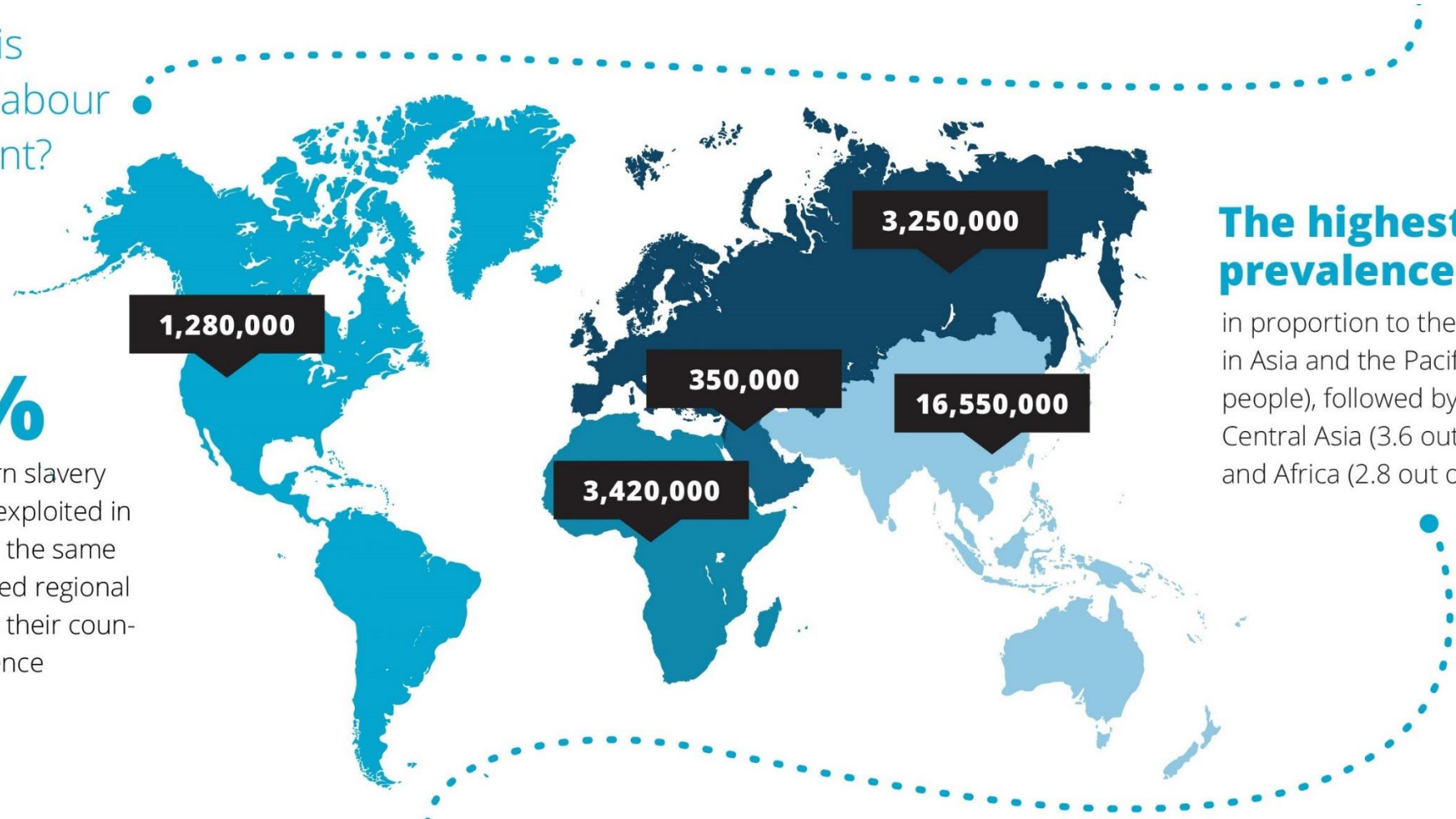
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Where is forced labour prevalent?

94%

of all modern slavery victims are exploited in a country in the same income-based regional grouping as their country of residence



The highest prevalence

in proportion to the population is in Asia and the Pacific (4 in 1,000 people), followed by Europe and Central Asia (3.6 out of 1,000) and Africa (2.8 out of 1,000)

(modern) Forced labour

- Every region is affected
- Often linked to discrimination against minority groups and women, and to poverty
- Often associated with sub-contracting arrangements, use of labour agents and recruitment intermediaries
- Increased vulnerabilities of workers, including irregular migrant workers
- Hidden in thriving informal and illegal economies
- Subtle forms of coercion

Forced labour in India

- Ratification of ILO Forced Labour Convention C29 and Abolition of Forced Labour Convention (C105)
- Informality and poverty are root causes
- Prevalent indicators include: unpaid wages, confiscation of identity documents, long working hours without days off, restrictions on movement, deception about terms and conditions of work, sexual violence, and intimidation.
- Bonded labour still prevalent despite laws (informal economy, agriculture)
- Socio-economic effects of COVID-19 are likely to worsen the situation

11 ILO INDICATORS

1. Abuse of vulnerability
2. Deception
3. Restriction of movement
4. Isolation
5. Physical and sexual violence
6. Intimidation and threats
7. Retention of identity documents
8. Withholding of wages
9. Debt bondage
10. Abusive living and working conditions
11. Excessive overtime

1. ABUSE OF VULNERABILITY

- Anyone can be a victim of forced labour and trafficking
- But certain characteristics make people more vulnerable:
 - Disabilities (physical or mental)
 - Age (children or minors)
 - Residence/work permit tied to employer
 - Irregular work status
 - Poverty/lack of education
 - Migrants/nationality status
- Situations of “multiple dependency” (housing, food, jobs of family members)
- Ask: Does the employer take advantage of the worker’s vulnerability? Did the employer/recruiter create or contribute to the worker’s situation of vulnerability?

2. DECEPTION

- Often related to recruitment, e.g. false promises regarding wages, housing and living conditions, nature of work, job location, legal status
- Signs:
 - so-called “substitution” contracts (new contract upon arrival)
 - contracts in another language
 - no employment contract or terms and conditions poorly defined
- Possible Questions:
 - How did worker learn about the job?
 - What was the worker promised?
 - Is the worker vulnerable to deception?
 - If he had known real conditions, would he have accepted the job?

11. EXCESSIVE OVERTIME

- Long hours (in excess of national law) are not enough to amount to forced labour
- But they should prompt further investigation
- Look for the following signs:
 - Work is “piece rate” and bound to unrealistic production targets
 - Overtime needed to reach minimum wage
 - Working hours are loosely defined, if at all
 - Person works “on call” (24 hours a day, 7 days a week)
 - Denied breaks, days off, free time
 - Overtime beyond national law or collective agreement
 - Penalty if overtime is refused (for ex. blacklisted)

Is this a case of forced labour?

Scenario 1

In order to meet production deadlines, the Chemical Company A obliges its employees to work overtime, beyond the monthly limits permitted by law. Chemical Company A said to the workers that they won't get their monthly salary if they do not accept to work overtime.

Scenario 2

Ramesh is an employee of Manufacturer B. He is unhappy with his salary and poor working conditions and he would like to leave his job. However, he feels obliged to keep working as he does not have other real work opportunities and he would not be able to sustain himself without a job.

What would you have done?

In 2018, a large company was sourcing generic drugs from India and became concerned about forced labour in the factory after reports in the media. The company investigated further and discovered that there were many workers who were working 14 hours per day some of which were internal migrants and/or young workers. The workers reported that they were not able to refuse overtime due to fear of losing their jobs. Other workers reported not receiving wages but repaying debt repayments to their employer.

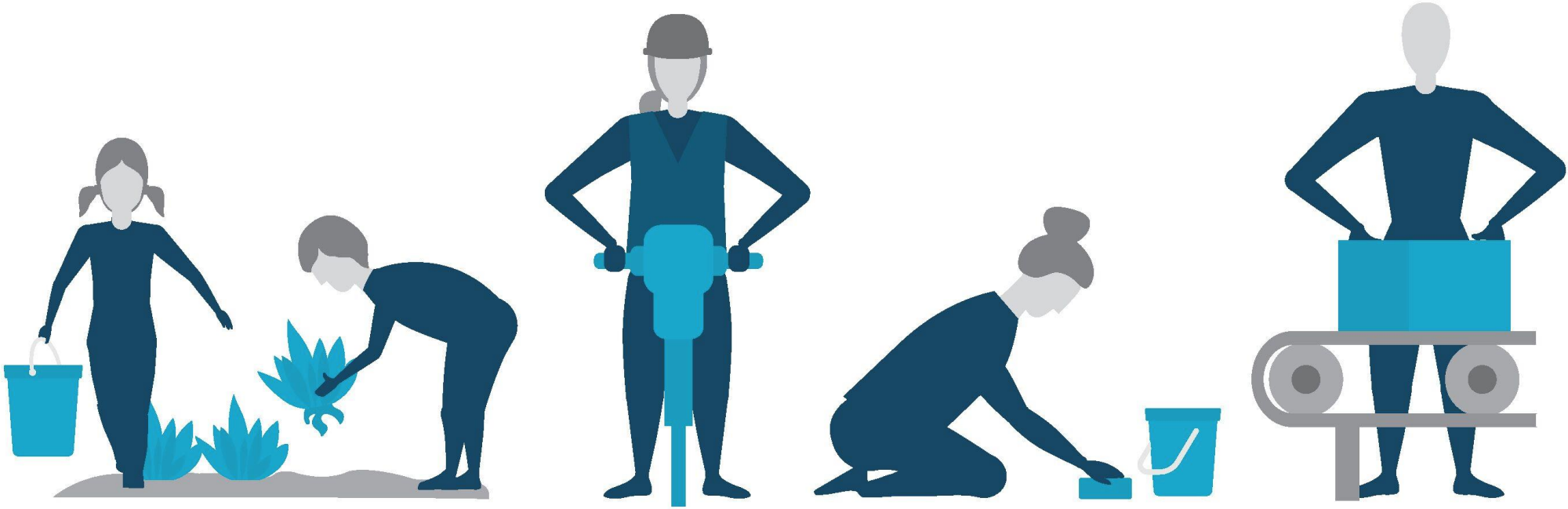
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Doing things differently:

- SMEs come first
- Locally-owned and driven solutions
- Collective business voice for government advocacy on forced labour elimination
- A network of networks



We are the global business network
building a future without forced labour.



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MEMBERS

Companies



Gap Inc.

MARS



CORPORATION

The
WALT DISNEY
Company

Business networks



PARTNERS



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Q&A



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USEFUL RESOURCES

- [ILO Indicators of Forced Labour](#)
- [ILO GBNFL Resource webpage](#)
- [ILO Checkpoints App](#)
- [ILO helpdesk: Q&As on Business and Forced Labour](#)
- [General principles and operational guidelines for fair recruitment & Definition of recruitment fees and related costs](#)
- [ILO Handbook for Employers and Business](#)
- Country/region specific guides:
 - [Malaysia](#)
 - [Viet Nam \(textiles and garments\)](#)
 - [Middle East \(construction\)](#)



THANK YOU

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Speaker Bio – Peter Nestor

Laura Greene and Peter Hall – Conversation