



SHARAN BURROW
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PRÄSIDENTIN
PRESIDENTA

GUY RYDER
GENERAL SECRETARY
SECRÉTAIRE GÉNÉRAL
GENERALSEKRETÄR
SECRETARIO GENERAL

In reply please quote:
Circular N° 24(2007)

**To all affiliated organisations
To all Global Union Federations**

For information:
To all General Council Members

HTUR/JK/JB

29 May 2007

Forced Labour and Trafficking Survey

Dear Friends,

As announced in Circular n° 19 (2007)¹ the ITUC has started a new project on forced labour and trafficking, in cooperation with the ILO. The ILO Governing Body decided in November 2005 to approve a four-year action plan to build and consolidate a Global Alliance against Forced Labour, aimed at eradicating all forms of forced labour by the year 2015. Within this framework the ITUC is now undertaking an assessment of the needs, capacity and opportunities of trade unions on questions of forced labour and trafficking. Hence we need your cooperation. I kindly ask your organisation to fill in the enclosed questionnaire. The survey will form the basis of a new ITUC strategy to combat forced labour and trafficking, to be drafted by mid October 2007. Please read instructions in footnotes. The questionnaire has been designed to be completed in the shortest possible time. The deadline for replies is **15 September 2007**.

The international trade union movement has a long-standing tradition of defending human rights of workers in formal and in informal and unprotected work. Worldwide trade union action against child labour has illustrated this. Trade unions can help eradicate forced labour if they show the same level of commitment.

The ILO definition of Forced Labour is: *“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”*.²

The United Nations definition of Trafficking is: *“Trafficking in persons shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced*

¹ http://www.ituc-csi.org/IMG/pdf/No_19_Forced_Labour.pdf

² Art. 2 of the ILO Convention on Forced Labour n° 29, adopted in 1930.

*labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*³

Forced labour appears in many different forms, industries and regions. A few contemporary types of forced labour are:

- Children from Bangladesh, Pakistan, Sudan and Yemen are trafficked into being camel jockeys in the United Arab Emirates. The work is extremely hazardous and they are sometimes beaten, abused and deprived of food. They do not know the people, language or culture of their country of destination and are thus completely dependent on their traffickers and employers.
- Despite legal reform and a National Action Plan, bonded and forced labour remains widespread in various industries in Pakistan such as mining, agriculture and brick kilns. Just one example is that of women in Sindh province working long hours in the field. On top of this they are expected to attend their landlord's household as well as their own. Working in the landlord's house leaves them vulnerable to sexual abuse.
- In Niger, different ethnic groups, by virtue of their birth, are still in slavery of their traditional masters, primarily as herders of livestock, agricultural labourers or domestic servants. They work without pay in exchange for minimal amounts of food and a shelter they even had to build themselves. In most cases their master decides on their marriage and whether or not their children are allowed to attend school.
- Indigenous peoples in the Chaco in Paraguay are working in forced labour conditions on the estates; women are often employed as domestic workers on the ranch. Most estates pay under minimum wage and women domestic workers receive less than half of this. Their salaries are often unpaid for three or four months leaving them no other option than to take up a loan from their employer and to buy essential products in the estate store at inflated prices which take up their entire salary to reimburse.
- Gangmasters in the UK are providing casual labour in the agriculture and the horticulture industry through trafficking. People are being forced to work seven days a week and to repay travel costs, food and accommodation. Once their debts cleared, they are required to work for at least one year for very little or even no pay. They are being isolated and moved from house to house. Absence as a result of sickness is added to their debt. They are beaten and threatened of assaults on their families.
- The Burmese Government has repeatedly been condemned by the ILO for widespread and systematic use of forced labour with total disregard of human dignity. Deaths from illness and work accidents are frequent in certain public building projects, porters are sent ahead in suspected mine fields, injured or ill porters are left behind in the jungle. Forced labourers do not receive any food, are beaten, raped or killed.

Workers' involvement is key to the success of the ILO campaign to rid the world of forced labour and human trafficking by 2015. The ITUC urges you and your organisation to join the global Workers' Alliance against Forced Labour and Trafficking. In November 2006 the ITUC Constitution Preamble gave a new impulse to trade unions'

³ Art. 3, paragraph (a) of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children which supplements the United Nations Convention against Transnational Organised Crime, adopted in 2000.

struggle against forced labour. *“It shall strive for the universal respect of fundamental rights at work, until child labour and forced labour in all their forms are abolished, discrimination at work eliminated and the trade union rights of all workers observed fully and everywhere.”*

As mentioned in the questionnaire limited funds are available to support trade union initiatives. At the same time it should be stressed that trade unions can seize the opportunity to start or continue specific action themselves. Please subscribe to the mailing list and share knowledge and experience with other trade unionists in the struggle against forced labour. Contact Jeroen Beirnaert in the Department of Human and Trade Union Rights at the ITUC Secretariat in Brussels. (jeroen.beirnaert@ituc-csi.org, phone: +32 2 224.03.14, fax: +32 2 224.02.97).

Looking forward to your reply,

Yours sincerely,

A handwritten signature in cursive script that reads "Guy Ryde". The signature is written in black ink and is positioned above the printed name.

General Secretary



Survey Questionnaire on Forced Labour and Trafficking 2007¹

Name:
Position:
Trade Union:
Tel.:
E-mail:

Subscribe me to the ITUC Forced Labour and Trafficking mailing list

1. Forced Labour and Trafficking

1.1. Is there a problem of forced labour and trafficking in your country? yes no

1.2. Please describe briefly the current factual situation regarding forced labour and trafficking in your country, including an indication of which groups of the population are the most vulnerable to this practice, the sectors where forced labour and/or trafficking occurs, the nature and symptoms of the problem

1.3. What are the main countries of origin/destination of victims if trafficking for forced labour is taking place in your country?

2. Capacity

2.1. Does your trade union have a specific policy on forced labour and/or trafficking? yes
no

- If **yes**, please describe its objectives, scope, targets, and implementation mechanisms.
- If **no**, is there any intention to do so? yes no

2.2. Would your trade union like to receive assistance from ITUC?² yes no

2.3. Does your trade union have a specific department , unit , committee or person working on the issue of forced labour and/or trafficking?

2.4. Is your trade union undertaking any action in the field of forced labour? yes no
Please tick the appropriate boxes:

¹ For the purposes of the ILO Forced Labour Convention, 1930 (No. 29) the term forced or compulsory labour is defined 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”.¹ Art. 2, para. 1 of the Convention
Please answer questions by ticking boxes and adding pages for longer answers quoting the number of the answered question.

² A limited budget is available to finance a selection of the most meaningful and concrete trade union initiatives. Please contact Jeroen Beirnaert for more information. Please contact Jeroen Beirnaert for more information. This does not however relieve trade unions from the need to undertake action on their own initiative.

Type of measure	past	ongoing	planned
awareness raising/ advocacy			
legal reform			
inspection/monitoring mechanisms			
penal sanctions			
capacity building			
employment creation/income generation			
educational programmes			
international cooperation programmes or projects			
tripartite examination of issues			
research			
reporting			
investigation of cases			
data or information gathering			
organizing the informal sector			
promoting collective bargaining agreements			
outreach activities			
filing complaints to the ILO			
other			

- Please describe or attach any useful documentation.
- Can any special measure be regarded as successful in contributing to the elimination of forced labour? Please describe and/or attach any useful documentation.

2.5. Is your trade union providing any direct support to victims of forced labour and/or trafficking for forced labour? yes no

2.6. Has any cooperation taken place with international organisations , employers' organisations , government or municipality and/or civil society organisations? yes no

- Which one(s) and in what way?

2.7. Has any action against forced labour focussed on discriminated groups or the situation of particular groups of people or? yes no

- Men , women , girls , boys , indigenous , caste please specify other

3. Opportunities

3.1. Do you know of any victims of forced labour who have been helped by trade union action? yes no please enclose contacts (if the person agrees)

3.2. Do you have any ideas or plans for practical activities?

3.3. Could you identify opportunities for bipartite collaboration with employers' organisations, as well as tripartite collaboration involving also government and/or civil society organisations?

3.4. If there is trafficking to/from other countries, has there been any cooperation with trade unions in these countries? yes no In your own country? yes no

- Please specify which trade union and the kind of cooperation.
- Do you know of any possible trade union with which to cooperate?

3.5. Would your trade union be willing to undertake a project on forced labour and trafficking for forced labour if assisted by the ITUC.

- What kind of project would this be and what would you need in order to put it into practice?

4. Needs³

4.1. What are the main barriers to organising action against forced labour and trafficking?

- Insufficient funding
- Insufficient logistics (computers, projectors...)
- Insufficient staff
- Insufficient know-how
- Interference from the government in union affairs
- Insufficient cooperation with civil society organisation
- Insufficient public awareness and/or support
- Lack of available information and data
- Social values, cultural traditions
- Social and economic circumstances
- Political situation
- Legal provisions
- Lack of social dialogue on the principle
- Other, please specify

4.2. What are the main needs for organising action against forced labour and trafficking?

- Capacity building of staff
- Advocacy, training and other materials
- Communication and information exchange between trade unions
- Specialist assistance in any particular area relative to forced labour and trafficking
- Strengthening of data collection and capacity for statistical collection and analysis

³ Please make a selection of maximum three and indicate their relative importance by ranking them from 1 to 3.

- Sharing of experiences across countries/regions
- Policy advice
- Cross-border cooperation mechanisms
- Legal reform
- Other, please specify.

Please send any additional information: contacts, reports, brochures, policy statements, surveys, project outlines, links, images, photographs, advocacy materials (posters, leaflets...) to jeroen.beirnaert@ituc-csi.org or post or fax to coordinates mentioned beneath.

Thank you very much for providing this information which will be used to define a global trade union action strategy against forced labour.

¹ Send back this questionnaire as early as possible and **before 15 September 2007** to the ITUC Human and Trade Union Rights Dpt., Blvd du Roi Albert II, B-1210, Brussels, Belgium, e-mail to jeroen.beirnaert@ituc-csi.org or fax to +32 2 224.02.97 call Jeroen Beirnaert at +32 2 224.03.14 for further information.