

**Committee:** International Labour Organization

**Issue:** Abolition of forced labour worldwide

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**Position:** Deputy President

### **Important note from the chairs' team**

In order for the chairs to fully understand the dynamics of the committee, discovering any misunderstanding prior to the debate and for the better preparation of the delegates you are asked to proceed as indicated below; 1) Conduct your chairs via email and informing them about your mun experience so that they can know what exactly to expect of you.

2) Prepare and send your chairs by 11:59 of the 6th of November one position papers for each of the topics you are going to discuss during the conference. You can contact the expert chair of each topic for further information concerning your country's policy if needed, and for general guidance when it comes to your position papers (word limit structure etc). You are going to receive general comments during the lobbying for your position papers as well as personal feedback and grades for your papers. The points you will receive will add up to your general score which is one of the factors that determine the best delegate award. If you for any reason fail to send your papers before the final deadline you will not be eligible for any award.

Find your expert chair for this topic at [nikos\\_souris@yahoo.com](mailto:nikos_souris@yahoo.com).

## INTRODUCTION

*“Whereas universal and lasting peace can be established only if it is based upon social justice;*

*And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; [...]*

*Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries; [...]*” (Preamble of ILO Constitution)

From the founding document of the International Labour Organization (ILO) it can be clearly derived that its main aim is to pursue the establishment of decent working conditions globally as a means to personal growth, social justice, international stability and peace. Bearing that in mind, it is self-evident that forced labour consists a major hindrance to the achievement of this goal. It therefore comes to no surprise that from early on the ILO puts strong emphasis on eradicating this abhorrent and inhumane phenomenon. In particular, starting with the “Forced Labour Convention, 1930 (No. 29)” the ILO has adopted a series of Conventions, Protocols and Recommendations, that have subsequently been ratified and put into force by most of the contracting states, aiming at the mitigation of forced labour and its eventual abolishment. As a result, the number of people subject to forced labour was reduced to less than 25 millions in 2017 (*Global estimates of modern slavery: forced labour and forced marriage, 2017*).

Nevertheless, there is long distance to be covered yet to the total eradication of forced labor. Nowadays, forced labour is present in some form on all continents, in almost all countries, and in every kind of economy, taking various forms and affecting indigenous peoples, domestic workers, migrant workers, victims of trafficking etc. In response to this situation, the UN has included “[taking] immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking [...]” in its 2030 Sustainable Development Goals (Goal 8.7). It is thus imperative that the ILO and its member states reinforce their efforts and implement proper policies toward the eventual abolition of forced labour worldwide.

Unfree labour, which encompasses exploitative practices often described as forced labour, human trafficking, and ‘modern slavery’, is a stable feature of the contemporary global economy. Unfree labour has been well documented as a core component of several industries ranging from mica mining to seafood processing, and is especially pervasive in low value-added and labour intensive activities like those found within agriculture, construction, and some forms of manufacturing.

Although unfree labour takes a variety of forms in the contemporary global economy, at its core unfree labour involves the use of coercion or compulsion to extract labour from workers. In the business context, unfree labour often involves deception at the point of entry into work, as well as coercion that precludes workers from exiting labour relationships that are highly exploitative. Common attributes of unfree labour include debt bondage, manipulation of contracts and credit, violence and threats of violence against workers or their families, and the predatory overcharging of workers for services such as accommodation or recruitment fees.

In recent years, both scholarly debates and policy discussions about the global problem of unfree labour have been gathering pace. While this new wave of scholarship on unfree

labour has lent fresh and valuable insights into its extent, nature and dynamics, there remains a weak link – namely, the question of how national states fit into the picture. States are commonly incorporated in indirect fashion into the theoretical, analytical and empirical frameworks for understanding the political economy of unfree labour, lurking in the background but rarely being brought to the centre of attention. The result is that their central role in shaping the global conditions that facilitate the emergence and persistence of unfree labour remains obscured and under-emphasised.<sup>1</sup>

## DEFINITION OF KEY TERMS

### Forced labour

Forced labour is any work or service which people are forced to do against their will, under threat of punishment. Almost all slavery practices contain some element of forced labour. It affects millions of men, women and children around the world. It is most often found in industries with a lot of workers and little regulation. These include:

Agriculture and fishing

Domestic work

Construction, mining, quarrying and brick kilns

Manufacturing, processing and packaging

Prostitution and sexual exploitation

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<sup>1</sup> Genevieve LeBaron & Nicola Phillips (2019) “States and the Political Economy of Unfree Labour”, *New Political Economy*, 24:1, 1-21

#### Market trading and illegal activities

Forced labour is the most common element of modern slavery. It is the most extreme form of people exploitation. Although many people associate forced labour and slavery with physical violence, in fact the ways used to force people to work are more insidious and ingrained in some cultures. Forced labour often affects the most vulnerable and excluded groups, for example commonly discriminated Dalits in India. Women and girls are more at risk than boys and men, and children make up a quarter of people in forced labour. Migrant workers are targeted because they often don't speak the language, have few friends, have limited rights and depend on their employers. Forced labour happens in the context of poverty, lack of sustainable jobs and education, as well as a weak rule of law, corruption and an economy dependent on cheap labour.

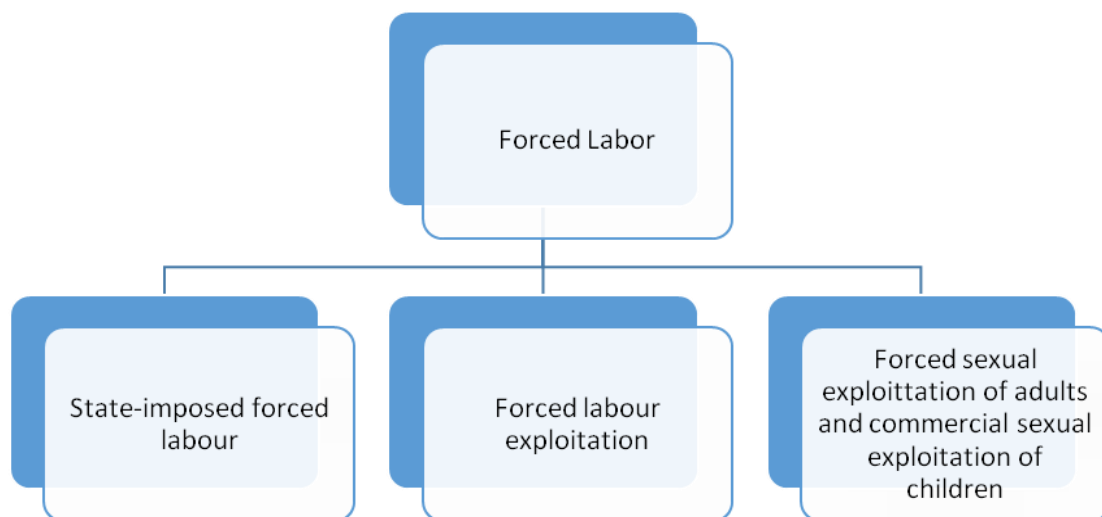
According to the ILO Forced Labour Convention, 1930 (No. 29), forced or compulsory labour is: "all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily."

This definition consists of three elements:

- Work or service refers to all types of work occurring in any activity, industry or sector including in the informal economy.
- Menace of any penalty refers to a wide range of penalties used to compel someone to work.
- Involuntariness: The terms "offered voluntarily" refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker take a job he or she would not otherwise have accepted.

Article 2(2) of the same Convention describes five situations, which constitute exceptions to the “forced labour” definition under certain conditions:

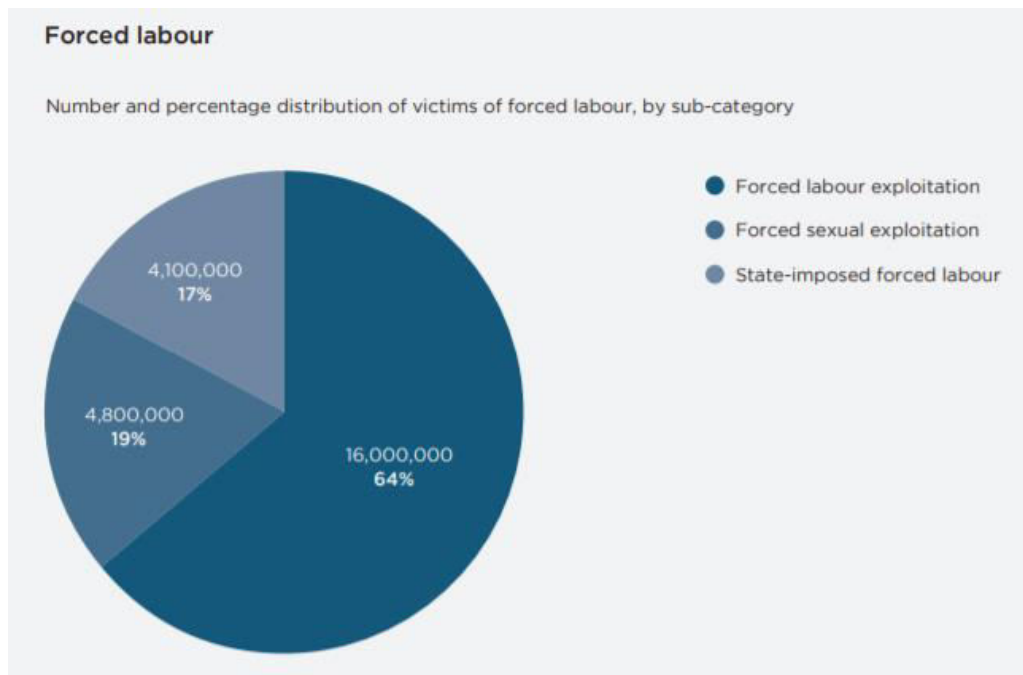
- Compulsory military service.
- Normal civic obligations.
- Prison labour (under certain conditions).
- Work in emergency, situations (such as war, calamity or threatened calamity e.g. fire, flood, famine, earthquake)
- Minor communal services (within the community).



There are three main categories of forced labour defined as follows:

- State-imposed forced labour, including work exacted by the public authorities, military, or paramilitary, compulsory participation in public works, and forced prison labour.
- Forced labour exploitation, 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.
- Forced sexual exploitation of adults, imposed by private agents for commercial sexual exploitation, and all forms of commercial sexual exploitation of children. This

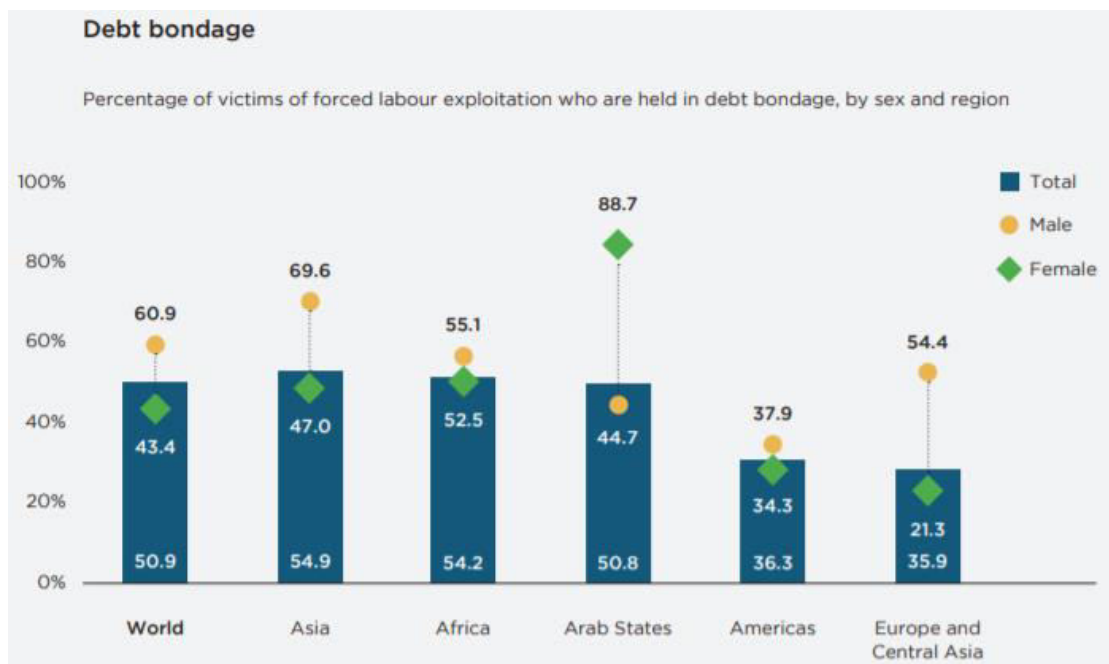
encompasses the use, procuring, or offering of children for prostitution or pornography.



### Main forms of forced labour

- Slavery: the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. (*League of Nations Slavery Convention of 25 September 1926*)
  - Debt Bondage: 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. (*Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956*)
- Debt bondage is a dominant form of coercion that affects more than half victims of forced labour exploitation by private actors, while the figure rises to more than 70

per cent of the total for adults forced to work in agriculture, domestic work, or manufacturing.



- Trafficking in persons: 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 (*Palermo Convention*)
- Prison labour: the forced labour done by the convicts in a prison. It is permitted under certain conditions.
- Abuse of homeworkers: forced labour done by employees working in private homes that are forced into serving and/or convinced that they have no option to leave.

## BACKGROUND INFORMATION

### The facts at a glance



- At any given time in 2016, an estimated 40.3 million people are in modern slavery, including 24.9 million in forced labour and 15.4 million in forced marriage.
- It means there are 3.3 victims of modern slavery for every 1,000 people in the world.
- Out of the 24.9 million people trapped in forced labour, 16 million people are exploited in the private sector such as domestic work, construction or agriculture; 4.8 million persons in forced sexual exploitation, and 4 million persons in forced labour imposed by state authorities.
- Women and girls are disproportionately affected by forced labour, accounting for 99% of victims in the commercial sex industry, and 58% in other sectors<sup>2</sup>
- According to an article in *The Guardian* "An estimated 40.3 million people were victims of modern slavery in 2016, a quarter of them children [...]. The figures, from the UN's International Labour Organisation (ILO) and the Walk Free Foundation, show 24.9 million people across the world were trapped in forced labour and 15.4 million in forced marriage last year. Children account for 10 million of the overall 40.3m total. The 2017 Estimates of Modern Slavery report calculates that of 24.9 million victims of forced labour, 16 million are thought to be in the private economy, 4.8 million in forced sexual exploitation and 4.1 million in state-sponsored forced labour including mandatory military conscription and agricultural work. [...] The new global estimate also deals with forced marriage, the first time it has been included in any reporting of modern slavery figures. [...] Researchers found that more than 70% of the 4.8 million victims of sex trafficking were in the Asia and Pacific region, while forced marriage was found to be the most prevalent across African countries. The global estimates were calculated by drawing on a range of data over a five-year period, including interviews with more than 71,000 people across 48 countries. The

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<sup>2</sup> Source: [Global Estimates of Modern Slavery: Forced Labour and Forced Marriage](#), Geneva, September 2017.

ILO and Walk Free Foundation also used figures from the UN's International Office for migration (IOM) and other UN agencies."<sup>3</sup>

- An article by the BBC named the industries where and ways in which modern slavery can manifest. According to the BBC "More than 45 million people are living in modern slavery, with Asia accounting for two thirds of the victims, a new report says. The 2016 Global Slavery Index, from the Walk Free Foundation in Australia, defines slavery as "situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, abuse of power or deception"". The categories the article named were: the seafood industry, cannabis factories and nail bars, sexual slavery, forced begging, and "behind closed doors" (as in private and domestic forced labour).<sup>4</sup>

Forced labour					
Number and prevalence of persons in forced labour, by category, sex and age					
		Forced labour sub-categories			Total forced labour
		Forced labour exploitation	Forced sexual exploitation of adults and commercial sexual exploitation of children	State-imposed forced labour	
World	No. (thousands)	15 975	4 816	4 060	24 850
	Prevalence (per thousand)	2.2	0.7	0.5	3.4
Sex	Male	No. (thousands)	6 766	29	2 411
		Prevalence (per thousand)	1.8	0	0.6
	Female	No. (thousands)	9 209	4 787	1 650
		Prevalence (per thousand)	2.5	1.3	0.4
Age	Adults	No. (thousands)	12 995	3 791	3 778
		Prevalence (per thousand)	2.5	0.7	0.7
	Children	No. (thousands)	2 980	1 024	282
		Prevalence (per thousand)	1.3	0.4	0.1

<sup>3</sup> Annie Kelly, "Latest figures reveal more than 40 million people are living in slavery", *The Guardian* (19 Sep. 2017) <https://www.theguardian.com/global-development/2017/sep/19/latest-figures-reveal-more-than-40-million-people-are-living-in-slavery>

<sup>4</sup> BBC NEWS, "What does modern slavery look like?" (31 May 2016), <https://www.bbc.co.uk/news/world-asia-36416751>

## State-imposed forced labour

It is estimated that 4 million people were in state-imposed forced labour at any given point in time in 2016. This is considerably lower than in the past, in the 1930s or during the peak of the Cold War. However, the amount of people still under state-imposed forced labour remains alarming.

Of people in the above category, the majority (64 per cent) were forced by their government to serve purposes related to economic growth. The rest of them were either subjected to abuse of conscription (15 percent) or forced to carry out prison labour under conditions that violate the pertinent ILO standards (14 percent) or forced to perform their civil obligations and communal services in a way exceeding the nature and scope of these activities as permitted by the ILO standards (8 percent).



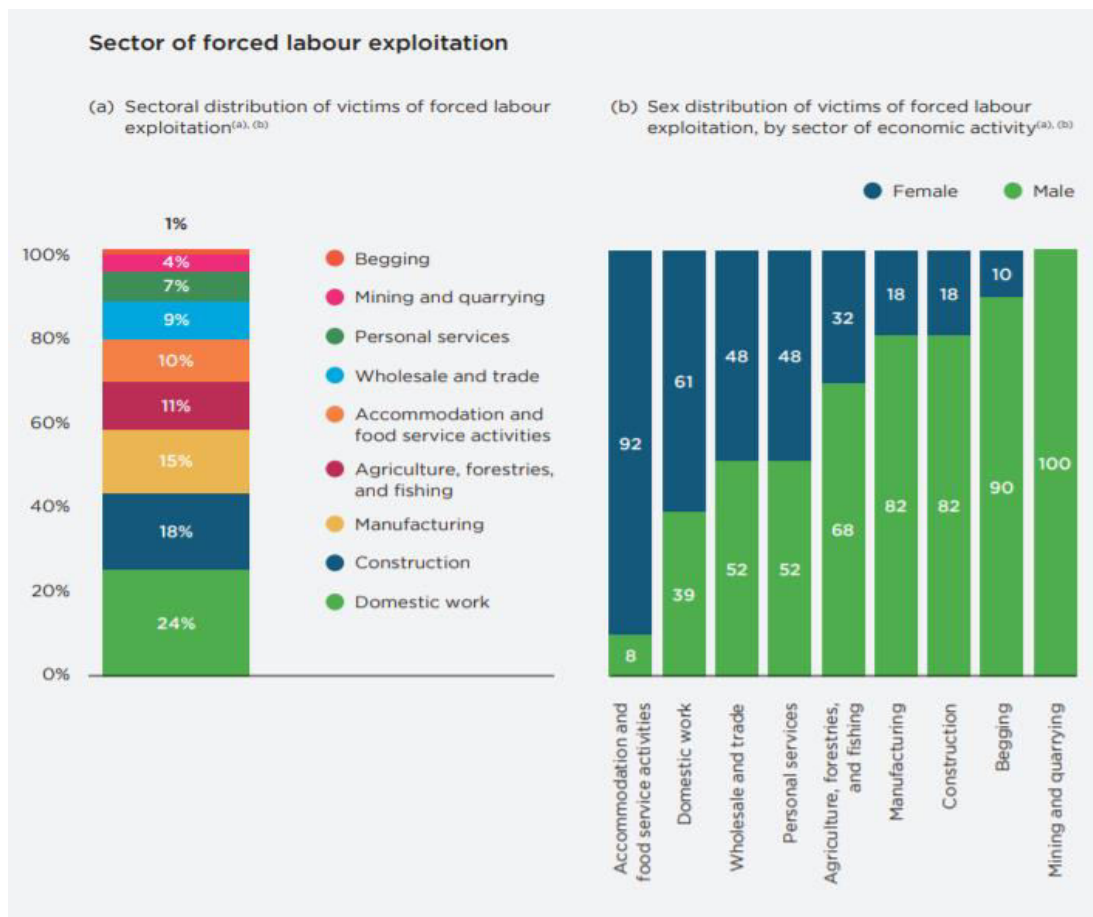
As for the demographic synthesis of the certain group, men consist a considerable majority, since more men than women are affected by abuse of conscription and prison labour in all concerned countries. Seven percent of victims of state-imposed forced labour

was represented by children, most of whom were used by state authorities in minor communal services or civic obligations and, to a certain extent, in work for purposes of economic development. Forced labour was usually imposed to them as part of their schooling, but their engagement in such work greatly exceeded the goals of vocational education and was also highly demanding in physical terms.

Finally, the duration of the exploitation in the former cases varied widely with respect to each state that imposed it and the type of forced labour that was imposed.

### **Forced labour exploitation**

It is estimates that 16 million people were victims of forced labour exploitation imposed by private actors in 2016. Demographically, women represented a significantly larger percentage (57%) than men (43%). The latter were much more likely to be in mining, manufacturing, construction, agriculture sector and begging, while the former were more probably involved in accommodation and food services industry and in domestic work. Nearly 20% of the victims of forced labour were children. The most dominant form of forced labour was domestic work (almost 25%), followed by construction (18%), manufacturing (15%), and agriculture and fishing (11%) sectors. It is necessary to bear in mind that several means of coercion are used by both recruiters and employers. Withholding of wages, or the threat that this would be done, was the most common means of coercion, experienced by almost a quarter of people (24 per cent) forced to work. This was followed by threats of violence (17 per cent), acts of physical violence (16 per cent), and threats against family (12 per cent).



Domestic Work: Main characteristics of domestic work are the involvement of forms of violence, even extreme ones, and a strong link with immigration, as migrants account for 11.5 out of 67 million domestic workers (not all of them are victims of forced labour). Most of domestic workers (three quarters) are women as well. Geographically, Asia and the Pacific Region hosts the greatest percentage of female migrant domestic workers (almost 25%), followed by Europe (22.1%) and the Arab States (19%). In most cases, domestic workers lack protection from national labour legislation while the coercion domestic workers often face typically stems from recruitment and job placement mechanisms. In particular, the fragmented nature of recruitment can lead to “excessive (recruitment) fees, working conditions akin to forced labour (such as unpaid wages, the withholding of wages, lack of overtime pay, long hours and heavy workloads, inadequacy of rest days, absence of health

care and maternity leave, poor living conditions), contract substitution, visa trading, and ineffective complaint and grievance procedures”.

Manufacturing: Forced labour in the manufacturing sector mainly concerns lower-income countries. Although small garment and footwear production had long been the point of attention regarding forced labour exploitation in this sector, recent developments have shed light to a large variety of other forms of exploitation that had long been unknown. Those, for instance, include the manufacture of garments for medical use and the production of electrical and electronic devices. The documented concerns in this sector include excessive working hours and production targets, payment of high recruitment fees, illegal retention of passports, and sometimes illegal imprisonment and beatings of workers.

### **Forced sexual exploitation of adults and commercial sexual exploitation of children**

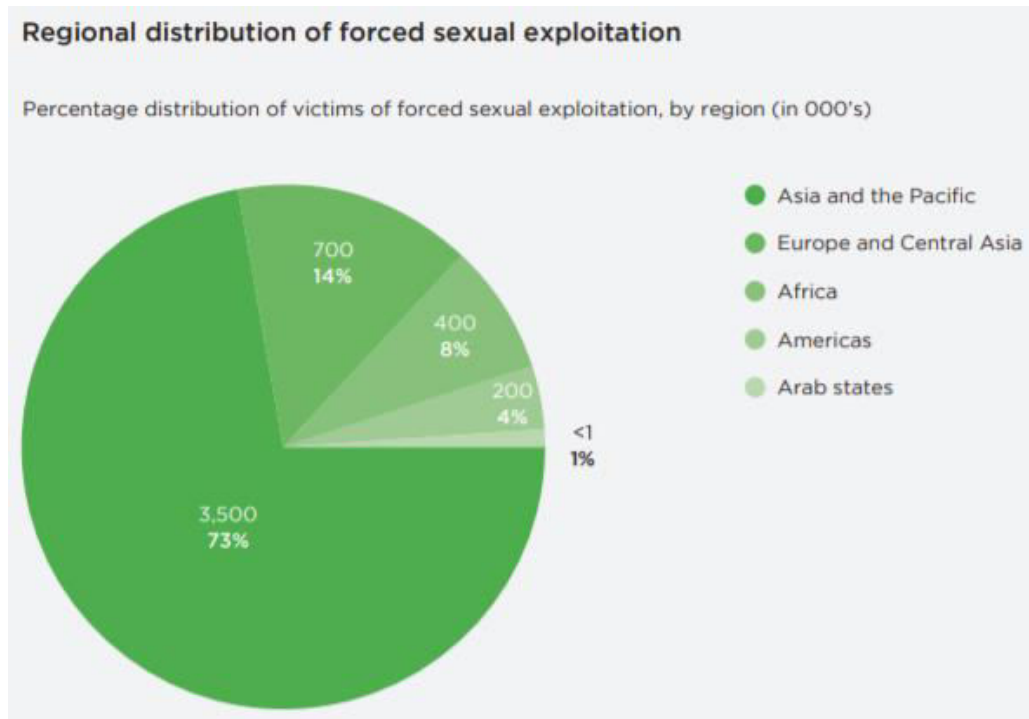
This sub-category of forced labour refers to persons in forced labour and services imposed by private actors for sexual exploitation. This includes women and men who have involuntarily entered a form of commercial sexual exploitation, or who have entered the sex industry voluntarily but cannot leave. It also includes all forms of commercial sexual exploitation involving children.<sup>5</sup>

Almost all of the 4.8 million victims of sexual exploitation (99 per cent) were female. From a geographical perspective, the majority of them (more than 70 per cent) were found in Asia and the Pacific Region, followed by Europe and Central Asia (14 per cent), Africa (8 per cent), the Americas (4 per cent), and the Arab States (1 per cent).<sup>6</sup> As far as the duration of the exploitation is concerned, it typically exceeded two years before the eventual liberation or escape.

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<sup>5</sup> Source: Source: [Global Estimates of Modern Slavery: Forced Labour and Forced Marriage](#), Geneva, September 2017, p.39

<sup>6</sup> International Organization for Migration data portal



Children under the age of 18 years comprised more than 20 per cent of all victims of commercial sexual exploitation, which corresponds to more than 1 million of them. Due to the fact that the detection of child victims of sexual exploitation either by law enforcement agencies or by survey data collection is particularly hard, the actual number of them is probably much bigger than the present estimates.

## MAJOR ORGANISATIONS INVOLVED

### International Labour Organisation

The International Labour Organisation (ILO) is constantly engaged in the aim of fighting forced labour. Since 1930, it has adopted numerous Conventions, Recommendations and Protocols concerning the issue, that have been ratified by the majority of the International Community. At the same time, the ILO remains committed to closely monitoring the situation of forced labour globally. For this purpose, it keeps conducting surveys and issuing reports concerning the development in this field.

## Anti-Slavery International

Anti-Slavery International is the oldest human rights organization in the world. Since 1839, it has developed a strong reputation in advancing the political agenda on slavery through cutting-edge research, advocacy, campaigns and work with local communities. Anti-Slavery was involved in ending various manifestations of slavery in many corners of the world, including slavery in British colonies, as well as in the development of all major laws against slavery, including ILO's Conventions on forced and child labour.<sup>7</sup>

## Human Resources without Borders (HRWB)

RHWB is a non-governmental, non-profit organisation set up in 2006 by a team of HRM and Corporate Social Responsibility (CSR) professionals (Managers, HRD) and academic experts.<sup>8</sup>

## TIMELINE OF EVENTS

Date	Description of Event
C029 Forced Labour Convention, 1930	It is one of eight ILO fundamental conventions of the International Labour Organization. Its object and purpose is to suppress the use of forced labour in all its forms irrespective of the nature of the work or the sector of activity in which it may be performed. The Convention was adopted in Geneva 28 June 1930 and came into force on 1 May 1932. The Convention has been ratified by 178 of the 187

<sup>7</sup> <https://www.antislavery.org/what-we-do/how-we-work/>

<sup>8</sup> [www.rhsansfrontieres.org](http://www.rhsansfrontieres.org)



	ILO members (Afghanistan, Brunei, China, Marshall Islands, Palau, South Korea, Tonga, Tuvalu, United States have not ratified it).
R035 Forced Labour (Indirect Compulsion) Recommendation, 1930	It was adopted complementarily to C029 Forced Labour Convention, and it included principles that ought to be taken into consideration by Contracting States when dealing with indirect compulsion to labour.
R036 - Forced Labour (Regulation) Recommendation, 1930 (withdrawn)	It was adopted complementarily to C029 Forced Labour Convention with the desire “to give expression to certain principles and rules relating to forced or compulsory labour which appear to be of a nature to render the application of the said Convention more effective”. It was withdrawn by decision of the International Labour Conference at its 92nd Session (2004).
C105 Abolition of Forced Labour Convention, 1957	Abolition of Forced Labour Convention is one of the eight ILO fundamental conventions of the International Labour Organization, which cancels certain forms of forced labour still allowed under the Forced Labour Convention of 1930, such as punishment for strikes and as a punishment for holding certain political views. It was adopted on 25 June 1957 and came into force on 17 January 1959. The Convention has been ratified by 175 of

	the 187 ILO members, two of which (Malaysia and Singapore) have since denounced it.
P029 Protocol of 2014 to the Forced Labour Convention, 2014	The protocol was adopted with a wide majority. It obligates states parties to provide protection and appropriate remedies, including compensation, to victims of forced labour and to sanction the perpetrators of forced labour. It also obligates states parties to develop "a national policy and plan of action for the effective and sustained suppression of forced or compulsory labour". The Protocol, which has been ratified by nine states, entered into force on 9 November 2016.
R203 Forced Labour (Supplementary Measures) Recommendation, 2014	The Recommendation was adopted on 11 June 2014. It includes a series of measures concerning the prevention of forced labour, the protection of its victims and possible remedies for them, such as compensation and access to justice, the enforcement of legislation regarding forced labour and the fostering of international cooperation in order to achieve the effective and sustained suppression of forced or compulsory labour.

## ILO INVOLVEMENT: SPECIAL ACTION PROGRAMME TO COMBAT FORCED LABOUR

In order to implement the 1930 Forced Labour Convention and the 1957 Abolition of Forced Labour Convention, the Special Action Programme to Combat Forced Labour (SAP-FL) was set up. Its mission is to offer evidence-based policy advice, tools and services to social partners, such as governments, workers' and employers' organizations, and, therefore, to facilitate them to implement effective and coordinated policies aiming at the abolishment of forced labour. On those grounds, SAP-FL runs advocacy and communication campaigns that raise public and policy makers' awareness of the issue and its consequences as well as of the means necessary to combat forced labour. On an international level, their work is complemented by field-based operational projects which aim to the development, assessment and demonstration of the effectiveness of a distinct ILO approach to eradicating the various forms of forced labour.

## POSSIBLE SOLUTIONS

For the effective alleviation of the problem of forced labour we need to adopt a spherical and well-aimed approach. For this purpose, it is important that we implement policies and solutions that address all prominent manifestations of forced labour by focusing on their root causes for each specific region and ensure their effectiveness through the proper analysis of accurate data concerning the issue. Therefore, some indicative solutions that could be adopted are the following:

- High quality research and knowledge management: An accurate account of the current situation regarding forced labour as well as the proper interpretation of the data collected are instrumental for the effective determination of future strategic actions. Thus it imperative that the ILO reinforces its already industrious efforts in

this direction by highlighting factors such as the economic determinants of forced labour, profits and economic incentives.

- Elimination of forced labour from global value chains<sup>9</sup>: ILO's expertise in sectors that are particularly prone to forced labour exploitation could be used as a useful means for eliminating forced labour in global value chains, with priority given to manufacturing. Furthermore, the ILO could insist on the creation of legally-binding mechanisms to abolish forced labour from all stages of production, the elimination of exploitative labour recruitment practices and the importance of the role of labour brokers.
- Implementation of country-based interventions: It is important that the ILO particularly focuses on specific areas where exploitation of forced labour is extensive, such as Asia and the Pacific Region for forced sexual exploitation or low-income countries for manufacturing. The ILO intervention should combine preventive and law enforcement measures.
- Government responsibility: The ILO ought to press national governments to strengthen immigration and labor policies, reinforce enforcement mechanisms and ensure victim protection and recovery services by implementing the ILO Conventions, Protocols and Recommendations.
- Transparency in working conditions: Avoiding the deception of victims of forced labour regarding the terms of their employment would be an important step forward. For this purpose, it is imperative to ensure clearly and understandably documented working conditions and a fair negotiation mechanism as well as to establish in cooperation with worker unions a reliable complaint process for workers

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<sup>9</sup> Definition: A value chain is a business model that describes the full range of activities needed to create a product or service. For companies that produce goods, a value chain comprises the steps that involve bringing a product from conception to distribution, and everything in between—such as procuring raw materials, manufacturing functions and marketing activities. (Investopedia)

- Trade solutions: The ILO could insist on the reduction of the marketability of goods produced with forced labour by leveraging the exclusion of such goods from lucrative markets (e.g. US, EU) through the imposition of legal barriers and prohibitions.
- Partnerships: In 2005, the ILO launched a 'Global Alliance against Forced Labour' that focuses on strengthening partnerships and increasing the role of labour market institutions to effectively address forced labour. For this purpose, strategic partnerships were established with the International Trade Union Confederation (ITUC) and the International Organization of Employers (IOE).<sup>10</sup> The ILO could further utilize those partnerships in order to introduce joint programmes, put pressure for severe restrictions of labour exploitation and strengthen global cooperation in the direction of abolishing forced labour.

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- All graphs, tables and statistical representations were taken from “Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, Geneva, September 2017”