**Information note concerning the ILO's**

**Protocol on Forced Labour**

**PROTOCOL TO THE FORCED LABOUR CONVENTION, 1930 (N. 29)**

**What is the Forced Labour Protocol?**

The Protocol is a new legally binding instrument that will strengthen global efforts to eliminate forced labour, human trafficking and slavery-like practices. It was adopted with overwhelming support by governments, employers and workers at the International Labour Conference in June 2014. It supplements and modernizes the ILO's Forced Labour Convention, No 29 (1930), complements existing international instruments and provides new tools to address a problem that is of growing concern.

**Why is a new Protocol needed?**

**25 million victims generating US$ 150 billion in illicit profits**

There is an urgent need to address the immense challenges posed by contemporary forms of forced labour. The ILO estimates that about 25 million men, women and children today are in forced labour trafficked, held in debt bondage or working in slavery-like conditions.

When the ILO's first Convention on the subject was adopted in 1930, forced labour was primarily used by colonial administrations. Today, forced labour victims are found in every region, and 83 per cent are exploited in the private economy. They include brick kiln workers trapped in vicious cycles of debt, children trafficked for forced begging and domestic workers in private households deceived about their conditions of work. Victims often work hidden from public view and are difficult to identify. While many victims, in particular women and girls are subjected to commercial sexual exploitation, forced labour is also prevalent in agriculture, fishing, domestic work, construction, manufacturing and mining.

It is not only the victims who suffer from forced labour but also the industries and businesses face unfair competition and states lose billions in tax income and social security contributions.

**Strengthening the global fight against modern forms of slavery**

The Protocol complements and strengthens existing international law, including the UN Slavery Conventions as well as the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children. These instruments have contributed to widespread prohibitions of slavery, forced labour and human trafficking practices. But the scale of the problem suggests a need to focus actively on prevention, for instance through strategies that strengthen the role of labour inspection and workers' and employers' organizations. A greater emphasis on protection and access to justice will also help to ensure that the human rights of victims are respected and that perpetrators are punished.

**What's new about the Protocol?**

**Prevention**

While the Protocol reaffirms the obligations to end all forms of forced labour and effectively punish perpetrators as required by the Forced Labour Convention, 1930, it places new emphasis on prevention, protection and remedies.

The Protocol lays out new strategies to prevent forced labour, such as through:

- Awareness raising, of those at risk, employers, and the wider public

- Extending the coverage of relevant laws to all workers and sectors

- Improving labour inspection and other services

- Protection from abuses arising during the recruitment process

- Due diligence by the public and private sectors

**Protection**

The Protocol requires States to take measures to identify, release and provide assistance to victims. It specifically requires that victims receive protection from punishment for illegal activities that they were forced to commit.

**Remedies**

Recognizing failures in access to justice, the Protocol also obligates States to ensure that victims have access to appropriate and effective remedies, such as compensation.

In order to ensure the effective implementation of those measures, the Protocol calls for States to consult with employers' and workers' organizations to develop national policies and action plans against forced labour.

**How are the ILO's Forced Labour instruments related?**

**The Forced Labour Protocol**

A Protocol, just like a Convention, is an international, legally-binding instrument subject to ratification. In the context of the ILO, a Protocol is always linked to a Convention-in this case, the Forced Labour Convention, 1930. The new Forced Labour Protocol can be ratified only by ILO member States that have ratified the Convention.

**The Forced Labour Recommendation No. 203**

The Forced Labour (Supplementary Measures) Recommendation, 2014, also adopted by the International Labour Conference of 2014, provides non-binding practical guidance. It covers the areas of prevention, protection, remedies, enforcement and international cooperation. Together, the Protocol and the Recommendation lay out a common strategy for States to eliminate forced labour in a modern day context.

**Which countries have ratified the Protocol so far, and how will ILO supervision work?**

The Protocol came into force since 9th November, 2016. A total of 26 member states have already ratified the Protocol by the end of September 2018.

As is the case with other ILO Protocols and Conventions, ratifying Members have an obligation to submit reports to the ILO on the measures they have taken to implement the Protocol. The Protocol's relationship to the Forced Labour Convention, a fundamental ILO Convention, also means that it is covered by the 1998 Declaration on Fundamental Principles and Rights at Work and its Follow-up. This implies that Members that do not ratify the Protocol will still be required to participate in the annual reporting and review process set out in the Follow-Up.

For contact in Geneva:

From Protocol to Practice: A Bridge to Global Action on Forced Labour (The Bridge Project)

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