



International  
Labour  
Organization

► **Hard to see,  
harder to count**  
**Handbook on forced  
labour surveys**

Third edition



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harder to count**  
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## ► Abbreviations

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<b>ACS</b>	Adaptive cluster sampling
<b>C29</b>	Forced Labour Convention, 1930 (No. 29)
<b>C105</b>	Abolition of Forced Labour Convention, 1958 (No. 105)
<b>CAPI</b>	Computer assisted personal interview
<b>DOSM</b>	Department of Statistics Malaysia
<b>EPSEM</b>	Equal probability of selection method
<b>ICSE</b>	International Classification of Status in Employment
<b>ICLS</b>	International Conference of Labour Statisticians
<b>IOM</b>	International Organization for Migration
<b>ISIC</b>	International Standard Industrial Classification
<b>MAR</b>	Missing at random
<b>MPOB</b>	Malaysian Palm Oil Board
<b>MSE</b>	Multiple systems estimation
<b>OSH</b>	Occupational safety and health
<b>PAPI</b>	Paper and pencil interview
<b>PSU</b>	Primary sampling unit
<b>RDS</b>	Respondent driven sampling
<b>SIFL</b>	State-imposed forced labour
<b>SSU</b>	Secondary Sampling Units
<b>WHO</b>	World Health Organization
<b>UN</b>	United Nations
<b>USU</b>	Ultimate sampling units

## ► Introduction

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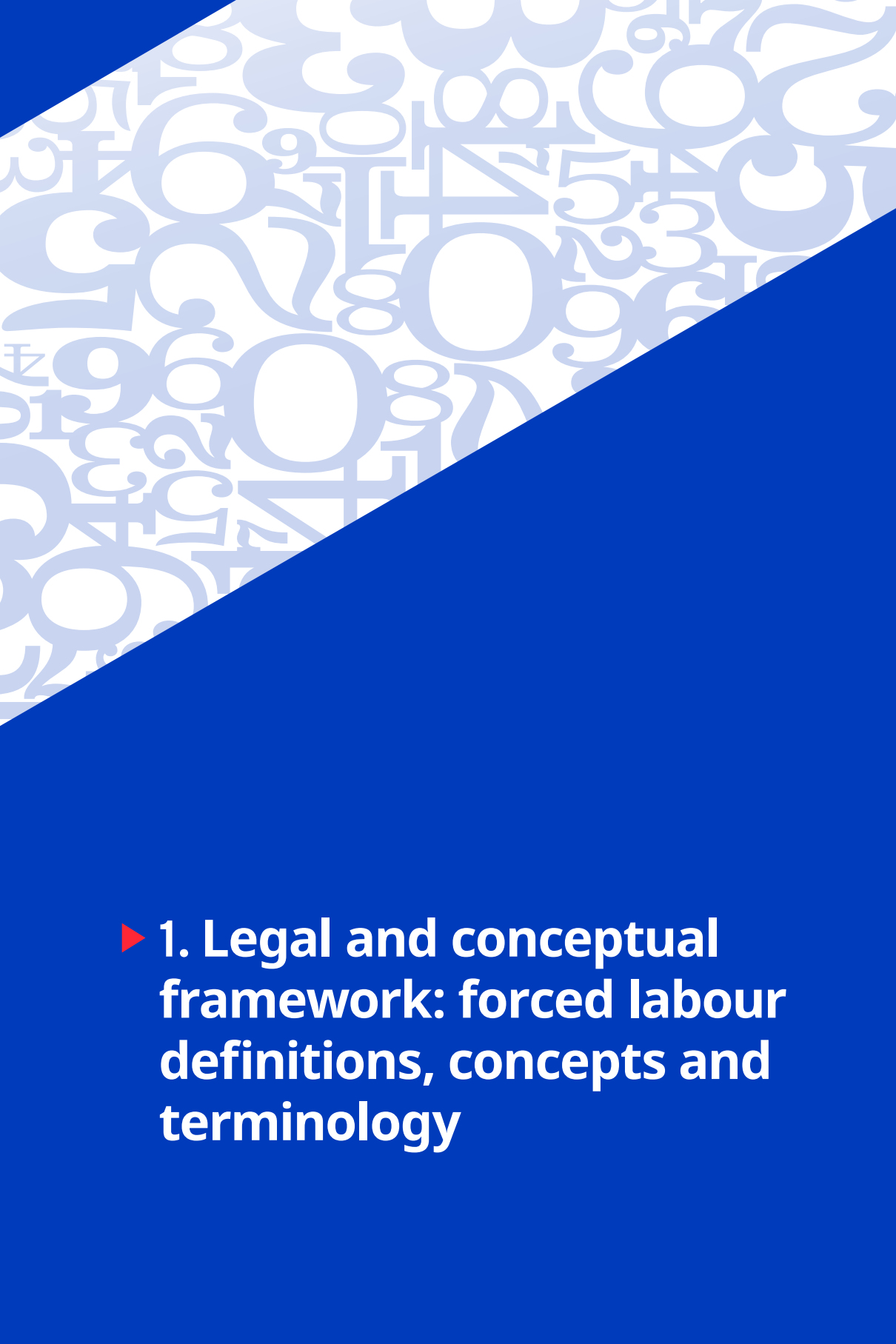
Data collection and analysis lie at the heart of sustainable action to combat forced labour. Reliable statistics are essential to understand the nature and extent of the problem, its causes and consequences, and to inform the efforts of policy-makers and other stakeholders against forced labour. Regular data collection also enables the assessment of progress and impact of policy implementation, action plans and specific programmes and projects to eradicate forced labour.

The 20th International Conference of Labour Statisticians (ICLS) in 2018 endorsed, for the first time, Guidelines Concerning the Measurement of Forced Labour. In 2022, the ILO, Walk Free and the International Organization for Migration (IOM) published “Global Estimates of Modern Slavery: Forced Labour and Forced Marriage”. This was the fourth effort by the ILO to produce global regional estimates of forced labour (2005, 2012, and 2017) and the first global estimates published after the adoption of the ICLS Guidelines. In addition, a total of 17 national and sectoral forced labour prevalence surveys have been undertaken with ILO support since 2018.

In 2012, the ILO published the handbook *Harder to See, Harder to Count*, the first practical guidance on forced labour prevalence surveys. Based on new ICLS guidelines, and drawing on the lessons learnt from the subsequent global estimates exercise and forced labour prevalence surveys, this version 2.0 of the *Hard to See, Harder to Count* handbook presents an updated measurement framework and set of tools for the design, implementation and analysis of surveys of forced labour. The revised handbook presents a new unified set of core indicators of involuntary work and coercion and contains two new dedicated chapters, one on research ethics and the other on state-imposed forced labour.

Starting with an introductory discussion of legal and conceptual frameworks (Chapter 1), the handbook takes a researcher sequentially through all the key stages of a forced labour survey, from initial stakeholder consultations, the conduct of a preliminary scoping study, and the identification of the survey scope and research questions (Chapter 2), to the selection of the survey type and modality (Chapter 3), sample design (Chapter 4), questionnaire design (Chapter 5), fieldwork (Chapter 6) and finally to data analysis (Chapter 7). It also covers key ethical considerations across all these survey stages (Chapter 8). Chapter 9 offers specific guidance to researchers for the measurement of state-imposed forced labour.



- 
- ▶ **1. Legal and conceptual framework: forced labour definitions, concepts and terminology**

## ▶ 1.1 Legal framework

The ILO Forced Labour Convention, 1930 (No. 29) provides the bedrock of the ILO normative framework and jurisprudence concerning the elimination of forced labour, and the main reference point for its statistical measurement. Forced labour is defined by Convention No. 29 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*” (Art 2.1), with five limited exceptions.<sup>1</sup> The essential elements of this forced labour definition are “work or service”, “involuntary” and “menace of any penalty.”

The scope of Convention No. 29 is broad – it relates to *all* work or service and is *not* limited to specific types or sectors of work or specific employment status categories. This means that its scope extends to deeply engrained practices of forced labour, such as vestiges of slavery or slave-like practices, serfdom, and various forms of traditional debt bondage, as well as new forms of forced labour that have emerged in recent decades, such as human trafficking for forced labour.

Convention No. 29 is referred to in other ILO legal standards and recommendations without modifying the definition of forced labour provided within it, including the ILO Abolition of Forced Labour Convention, 1957 (No. 105), ILO Worst Forms of Child Labour Convention, 1999 (No. 182), ILO Protocol of 2014 to the Forced Labour Convention, 1930, and the ILO Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203) (see insert).

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1 The five limited exceptions relate to: compulsory military service for work of a purely military character; normal civic obligations; work as a consequence of a conviction in a court of law and carried out under the control of a public authority; work in emergency situations such as wars or other calamities; and minor communal services. (Convention No. 29, Art. 2.2)

## Other key ILO legal standards and recommendations relating to forced labour

The [ILO Abolition of Forced Labour Convention, 1957 \(No. 105\)](#), specifies that labour shall never be used as a means of political coercion or education or as a punishment for expressing political views; as a punishment for participating in strikes; as a method of mobilizing labour for the purpose of economic development; as a means of labour discipline; or as a means of racial, social, national, or religious discrimination.

The Convention further specifies that while States have the power to impose compulsory work on citizens, the scope of these prerogatives is limited to specific circumstances, for example, compulsory military service for work of purely military character; normal civic obligations of citizens of a fully self-governing country and assimilated minor communal services; work or service under supervision and control of public authorities as a consequence of a conviction in a court of law; work or service in cases of emergency.

The [ILO Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#), states that “worst forms of child labour” shall include “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict”.

The [ILO Protocol of 2014 to the Forced Labour Convention, 1930](#) is a legally-binding instrument that requires States to take measures of prevention, protection and remedy in giving effect to the Convention’s obligation to suppress forced labour. The Protocol explicitly reaffirms the definition of forced labour in Convention No. 29 and confirms that it encompasses situations of trafficking in persons for the purposes of forced labour.

The [ILO Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\)](#), which supplements both the Protocol and Convention No. 29, provides non-binding practical guidance concerning the operationalization of these two instruments.

Neither Convention No. 29 nor the other ILO legal standards on forced labour deal explicitly with what constitutes the forced labour of children and there is hence no agreed legal definition of forced labour among children.<sup>2</sup> There is a need for further methodological development on the measurement of forced labour of children (box 1) and it is therefore beyond the scope of this handbook.



### **Box 1. Need for further methodological development on measurement of forced labour of children**

The [Guidelines Concerning the Measurement of Forced Labour](#) endorsed at the 20th International Conference of Labour Statisticians in 2018 presented for the first time a broad framework for the measurement of forced labour among children. For statistical purposes, forced labour of children is defined as work performed by a child during a specified reference period falling under one of the following categories:

- (i) work performed for a third party, under threat or menace of any penalty applied by a third party (other than the child's own parents) either on the child directly or the child's parents; or
- (ii) work performed with or for the child's parents, under threat or menace of any penalty applied by a third party (other than the child's parents) either on the child directly or the child's parents; or
- (iii) work performed with or for the child's parents where one or both parents are themselves in a situation of forced labour; or
- (iv) work performed in any one of the following worst forms of child labour:
  - all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, [as well as forced or compulsory labour], including forced or compulsory recruitment of children for use in armed conflict;
  - the use, procuring or offering of a child for commercial sexual exploitation or for the production of child sexual abuse materials; and
  - the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties.

Progress in fully implementing this measurement framework has, however, been hitherto limited, owing to the numerous ethical, technical and practical challenges associated with research on forced labour of children. Most forced labour surveys to date have only addressed some dimensions of the phenomenon among children. Further work on questionnaire design and pilot implementation should improve the measurement of forced labour of children. The ILO has produced ethical guidelines on child labour (ILO 2024a) and forced labour research (ILO 2024b). These guidelines play a critical role in guiding research practices in this sensitive area.

<sup>2</sup> Article 3 of the Worst Forms of Child Labour Convention, 1999 (No. 182) does, however, make explicit reference to one specific form of forced labour among children – the “forced or compulsory recruitment of children for use in armed conflict”.

## ► 1.2 Statistical framework

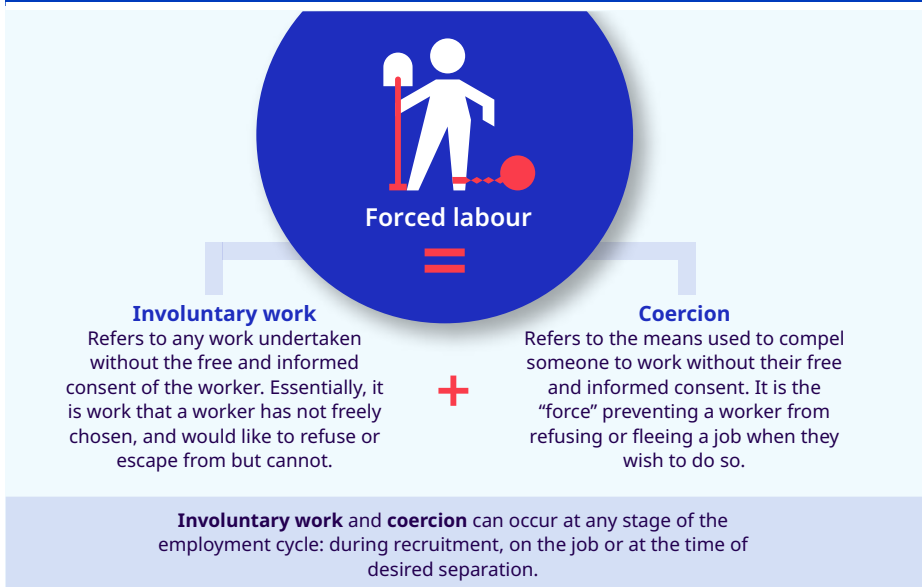
Statistical standards on forced labour serve to translate the ILO forced labour Conventions into clear, quantifiable terms for the *purpose of forced labour measurement*. The statistical standards utilised in this handbook are those adopted in 2018 at the 20<sup>th</sup> International Conference of Labour Statisticians, the world’s acknowledged standard-setting body for labour market statistics (see insert).

While derived from and aligned with the ILO Forced Labour Convention (No. 29) and the other main international legal standards on forced labour, these statistical standards do not, in and of themselves, hold legal standing in national or international law. Rather, the statistical standards provide a common “statistical language” for measuring forced labour in the variety of different forms and contexts in which it occurs.

### 1.2.1 Statistical definition of forced labour

For statistical purposes, in accordance with the ICLS guidelines and with reference to Convention No. 29, ***an adult<sup>3</sup> is classified as being in forced labour if engaged during a specified reference period in any activity to produce goods or to provide services for use by others or for own use that is both involuntary and under penalty or***

► Figure 1. Statistical definition of forced labour of adults



3 The statistical definition and the measurement of forced labour among children is beyond the scope of the current handbook.



**menace of a penalty (coercion).** Forced labour refers, in other words, to work imposed on a person *against their will* through *coercion*.

The statistical determination of forced labour requires that both these conditions – involuntary work and coercion – are present simultaneously at some point in the specified reference period. The reference period may be short, such as last week, last month or last season, or long such, as the past year, two years, or five years. The selection of the appropriate reference period for a survey is discussed in section 3.4 of the handbook.

Critically, consistent with the broad scope of Convention No. 29, the statistical determination of forced labour does *not* depend on the type or sector of work, or the technical nature of the employer-employee relationship. This means that forced labour is not “visible” through observation alone – rather, information is needed about involuntary work and coercion to make a determination of forced labour for statistical purposes.

**Work** is defined in line with the international standards concerning statistics of work, employment and labour underutilization adopted by the 19th International Conference of Labour Statisticians, 2013. It comprises any activity performed by persons of any sex and age to produce goods or to provide services for use by others or for own use. In certain circumstances, the scope of work for the measurement of forced labour may be broadened to include activities such as child begging for third parties that go beyond the scope of production of goods and services covered by the general production boundary of the System of National Accounts (SNA).

**Involuntary work** refers to any work undertaken without the free and informed consent of the worker. Involuntariness may relate to hazardous work conditions, or degrading living conditions at the worksite, or deception at recruitment, or to any number of other factors.

**Coercion** refers to the means used to compel someone to work without their free and informed consent. It is the “force” preventing a worker from refusing or fleeing a job when they wish to do so. Workers can be directly subjected to coercion or be witness to coercion imposed on other co-workers. Workers can also be coerced through threats or other forms of coercion directed towards members of their families, co-workers or close associates. The results of global estimates of forced labour indicate that most workers in forced labour are subjected to multiple forms of coercion simultaneously.

## A first-ever set of guidelines on forced labour measurement

A first-ever set of *Guidelines concerning the measurement of forced labour* was endorsed in October 2018 by the 20th International Conference of Labour Statisticians (ICLS).

The culmination of an extensive process of consultations involving representatives from governments, workers’ and employers’ groups and other experts, the landmark guidelines represent a critical step forward towards the improved measurement of forced labour.

The guidelines break new ground in providing recommendations for the collection and analysis of forced labour statistics, and in facilitating the international comparability of forced labour statistics by minimizing definitional and methodological differences across countries.

They will provide a much-needed impetus to national efforts to accurately measure and monitor forced labour using standardised concepts and definitions.

Involuntary work and coercion can occur at any stage of the employment cycle – at recruitment, to compel a person to take a job against their will; during employment, to compel a worker to work and/or live under conditions to which they do not agree; or at the time of desired employment separation, to compel a person to remain in the job for longer than the worker would like.

**The scope of the statistical definition of forced labour**

The International Classification of Status in Employment (ICSE-93) defines six employment status categories (employees, employers, own-account workers, members of producers' cooperatives, contributing family workers and workers not classifiable by status), which can be grouped into two categories of jobs: paid employment and self-employment.

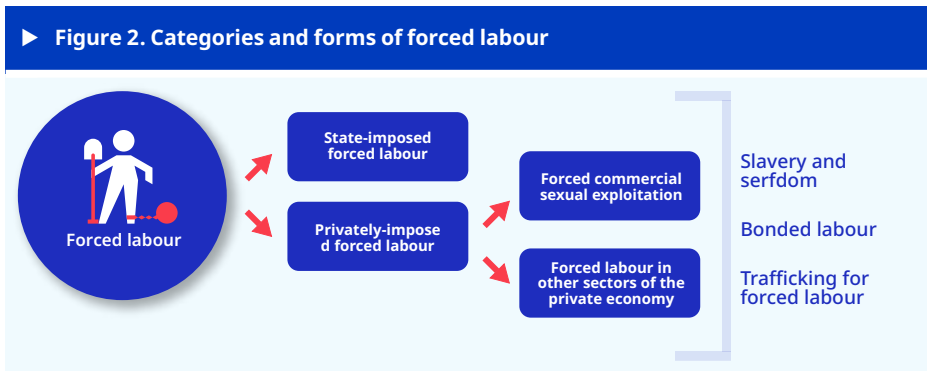
Consistent with the broad legal definition of forced labour provided in Convention No. 29 (see previous discussion), the statistical definition of forced labour of adults applies to all workers, regardless of which of these employment status categories into which they fall.

This means that someone can be in forced labour even if technically in a self-employment arrangement rather than in either a formal or informal employer-employee relationship.

**1.2.2 Forced labour typologies for the purpose of measurement**

For statistical purposes, again in accordance with the ICLS guidelines, forced labour can be divided into two broad categories - state-imposed forced labour and privately-imposed forced labour. Forced labour may take different forms within each of the two broad categories of forced labour (see figure 2). In addition to the forms of slavery and serfdom defined in the UN Slavery Convention (1926) and Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), bonded labour and trafficking for forced labour are among the forms of forced labour commonly assessed in forced labour research.

**Privately-imposed forced labour** refers to forced labour in the private economy imposed by private individuals, groups, or companies in any branch of economic activity. It may include activities such as begging for a third party that go beyond the scope of the production of goods and services covered in the general production boundary of the System of National Accounts. For the purpose of measurement,



privately-imposed forced labour is commonly divided into two sub-types: forced labour in the private economy imposed by private individuals, groups, or companies in any branch of economic activity with the exception of commercial sexual exploitation; and forced commercial sexual exploitation imposed by private agents for commercial sexual exploitation.

**State-imposed forced labour** refers to forms of forced labour that are imposed by state authorities, agents acting on behalf of state authorities, and organizations with authority similar to the State, regardless of the branch of economic activity in which it takes place. State-imposed forced labour includes labour exacted by the State as a means of political coercion or education or as a punishment for expressing political views; as a punishment for participating in strikes; as a method of mobilizing labour for the purpose of economic development; as a means of labour discipline; and as a means of racial, social, national, or religious discrimination.

The tools presented in this handbook are designed primarily for estimating forced labour in the private economy in any branch of economic activity apart from commercial sexual exploitation. The underlying forced labour concepts, however, also apply for the two other categories of forced labour, namely forced labour imposed by the State and forced commercial sexual exploitation, and many of the tools and methods are therefore also of relevance for research on these typologies. A separate standalone chapter is dedicated to the unique challenges of researching state-imposed forced labour (Chapter 9).

## ► 1.3 Measurement framework

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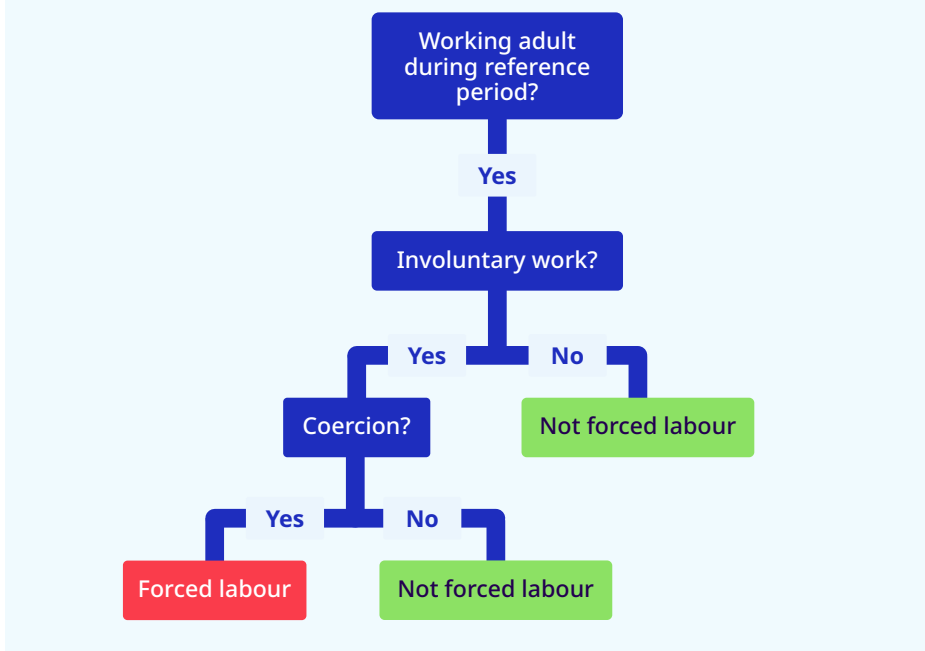
To recap, forced labour for statistical purposes refers to work imposed on a person against their will through coercion. Both these conditions – involuntary work and coercion – must be present simultaneously during the specified reference period for work to be statistically regarded as forced labour. The reference period can range from as short as one week to multiple years, depending on the specific survey scope and research questions (see section 3.4).<sup>4</sup> The simple decision tree for determining situations of forced labour of adults on this basis is presented in figure 3.

However, the broad statistical definition of forced labour, and the decision tree derived from it are, in and of themselves, insufficient for the actual measurement of forced labour cases. To measure, it is necessary also to define the different concrete **“indicators” of involuntary work and coercion**, and to assess whether they are present in one or more of the stages of the employment cycle. The combination of

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4 A short reference period may be appropriate where the concern is the measurement of forced labour among a particular category of workers. A long reference period may be appropriate where the concern is the measurement of forced labour among a general population group.

► Figure 3. Identifying forced labour of adults: simple decision tree



indicators of involuntary work and coercion can then be used to classify a situation as one of forced labour for the purpose of forced labour measurement, as discussed further in Chapter 7 of this handbook.

In table 1 and table 2, we discuss some of the most common – but by no means the only – circumstances giving rise to involuntary work and forms of coercion, from which indicators can be built and information can be collected in a forced labour survey. The table also includes involuntary work and coercion in the context of state-imposed forced labour, discussed separately in Chapter 7 of the handbook. However, it is worth underscoring that no fixed list of indicators of involuntary work and coercion is valid everywhere. Specific indicators may vary according to the type of forced labour to be surveyed and a range of other context-specific considerations and should be identified by the research team based on a scoping study and consultations with local stakeholders.

### 1.3.1 Circumstances commonly giving rise to involuntary work

Table 1 presents a non-exhaustive listing of conditions or practices that *could* signal situations of involuntary work. In other words, work conditions or circumstances whose nature or severity is such that a worker is *unlikely* to have consented to them voluntarily. When assessing involuntary work in a forced labour questionnaire, additional probing questions may be necessary to help determine *actual* consent. This point is taken up further in section 5.2.2 of the handbook. **It bears repeating that involuntary work, in and of itself, is a necessary but insufficient condition for forced labour. Involuntary work must be coupled with coercion for it to constitute forced labour.**

In cases such as traditional slavery or practices like slavery or the physical abduction of someone into forced labour, which are collectively termed here as “forced recruitment”, the elements of involuntariness and coercion are both present – and therefore, a situation of forced labour exists – independent of the conditions of the job itself.

► Table 1. Circumstances commonly giving rise to involuntary work

Stage of employment	Category	Circumstances	Discussion
1. Forced recruitment		<ul style="list-style-type: none"> <li>▶ Forced recruitment at birth linked to slavery or practices similar to slavery.</li> <li>▶ Forced recruitment later in life cycle through slavery or practices similar to slavery.</li> <li>▶ Forced recruitment through physical force (e.g., abduction, confinement during the recruitment process).</li> </ul>	<p>Forced recruitment relates to situations of recruitment under coercion. Forced recruitment includes situations of traditional slavery or practices like slavery. Persons can be born into situations of traditional slavery, including, for example, people born into debt bondage through debts purportedly accumulated by their forebears, or pushed into slavery later in the life cycle through traditional practices linked to ethnicity, religion, caste or other. People can also be forced into job because of being a family member of someone in a situation slavery or practice like slavery. Forced recruitment can also occur in situations in which persons are forced into a job through physical abduction, confinement during the recruitment process or through others forms of physical force. As forced recruitment involves elements of both involuntariness and coercion, it constitutes forced labour.</p>
2. Deceptive or fraudulent recruitment		<ul style="list-style-type: none"> <li>▶ Deception regarding nature and conditions of work (e.g., hazards, hours, remuneration levels and modalities, housing and living conditions, job location, employer, legality of the work).</li> </ul>	<p>Deceptive of fraudulent recruitment relates to the failure to deliver what has been promised to the worker, either verbally or in writing, at the time of recruitment. Victims of forced labour are often recruited with promises of decent, well-paid jobs. But once they begin working, the promised conditions of work do not materialize, and workers find themselves trapped in abusive conditions without the ability to escape. In these cases, workers have not given free and informed consent. Had they known the reality, they would not have accepted the job offer.</p>
3. Recruitment linked to debt		<ul style="list-style-type: none"> <li>▶ Debt arising from loan obtained in return for labour.</li> <li>▶ Debt linked to recruitment fees and related recruitment costs.</li> <li>▶ Debt linked to wage advance from recruiter or employer.</li> </ul>	<p>Involuntary work often arises from people having to work to either obtain a loan from, or pay off a debt to, their recruiter or employer. For example, cases where people do not have access to formal credit markets and must offer their labour (or that of a family member) in return for a desperately needed loan. Or cases where debt is incurred to pay exorbitant and illegal recruitment and related costs, "training" fees or other practices of unscrupulous recruiters or employers, that they must then continue working in an attempt to pay off.</p>

Recruitment

<p><b>Recruitment</b></p>	<p>4. Recruitment by State for purpose of economic development</p> <ul style="list-style-type: none"> <li>▶ Recruitment by State for non-voluntary work in public works, agricultural harvests or other purposes relating to economic development.</li> <li>▶ Recruitment by State as part of large-scale labour transfer schemes.</li> </ul>	<p>Refers to situations in which people are forcibly recruited by the State for work relating to economic development. This practice is specifically prohibited by Convention No. 105 (Art. 1b), even when recourse to compulsory labour as a method of mobilizing and using labour for economic development is of a temporary or exceptional nature. A common violation is the forced participation of employees from the public and private sector in public works or agricultural harvests, almost always for little or no compensation. Other violations involve large-scale labour transfer schemes, where workers belonging to certain ethnic or religious minority groups must – under menace of penalty – relocate to another geographical area to work in a State or private enterprise, sometimes under guise of vocational training or regional economic development.</p>
<p>5. Hazardous or degrading working conditions</p>	<ul style="list-style-type: none"> <li>▶ Hazardous work conditions posing serious risks to health and safety.</li> <li>▶ Degrading or humiliating work conditions.</li> <li>▶ Work involving risk of legal jeopardy.</li> <li>▶ Work while seriously debilitated by sickness or injury.</li> </ul>	<p>Refers to situations in which workers must endure working conditions whose nature or severity make it unlikely that they have been freely agreed to. For example, work that is performed under conditions that a worker perceives as posing serious risks to their health and safety, or that a worker perceives as degrading or humiliating, or that a worker thinks is illegal and places them at risk of serious legal jeopardy. It also refers to situations in which workers must always work even in periods when they feel too sick or too injured to do so.</p>
<p><b>Employment</b></p>	<ul style="list-style-type: none"> <li>▶ Onerous working hours leaving little or no rest or recovery time.</li> <li>▶ Non-stop work without breaks during the working day.</li> <li>▶ Continuous work without days off for weeks or months.</li> </ul>	<p>Refers to situations in which workers must endure working hours or a work schedule that are so demanding and onerous that they are unlikely to have been freely agreed to. For example, situations where workers must work what they see as excessive overtime hours most days, leaving them with little or no rest or recovery time, or where they must work non-stop without breaks during the working day, leaving them physically and mentally exhausted, or where they have to work for weeks or months without any days off.</p>
<p>7. Degrading work-related living conditions</p>	<ul style="list-style-type: none"> <li>▶ Housing imposed by the employer that is degrading, unhygienic, unsafe, overcrowded, lacking in privacy or otherwise intolerable.</li> </ul>	<p>Refers to situations in which workers must endure work-related living conditions whose nature is such that they are unlikely to have freely agreed to. For example, when workers must live in housing imposed by the employer that they find degrading, unhygienic, unsafe, overcrowded, lacking in privacy or otherwise intolerable.</p>

Employment

<p>8. Abusive additional obligations</p>	<ul style="list-style-type: none"> <li>▶ Extra work tasks outside regular job and regular workplace (e.g., in the private household of employer), imposed on worker and /or family member.</li> <li>▶ Illicit activities outside regular job and regular workplace (e.g., dealing illicit substances, commercial sexual exploitation), imposed on worker or a family member.</li> </ul>	<p>Refers to situations in which a worker (or family members) must tolerate additional obligations imposed by the employer that were not part of the initial agreement and to which they are unlikely to have consented. For example, a requirement that a worker (or family members) must undertake unpaid domestic work in the employer's home in addition to their "normal" work tasks, or a requirement that the worker (or family members) must perform additional illicit activities.</p>
<p>9. Sexual abuse</p>	<ul style="list-style-type: none"> <li>▶ Sexual abuse inflicted by employer or associate on worker and/or family member.</li> </ul>	<p>Refers to situations in which workers (or family members) must endure sexual abuse perpetrated by employer or associates of the employer.</p>
<p>10. Abuse of military conscription</p>	<ul style="list-style-type: none"> <li>▶ Work not of a "purely military character" imposed on conscripts subject to compulsory military service laws.</li> </ul>	<p>Refers to situations in which conscripts subject to compulsory military service laws are required to perform work not of a "purely military character", such as reviving transport infrastructure, generating green energy, or other national development objectives requiring large-scale labour mobilisation, in violation of Convention No. 29 (Art. 2.2a). (See detailed discussion in section 9.1.)</p>
<p>11. State-imposed work that extends beyond "normal civic obligations"</p>	<ul style="list-style-type: none"> <li>▶ Compulsory work relating to communal services not in the direct interest of the community and/or not performed by members of the benefiting community.</li> <li>▶ Compulsory work relating to communal services imposed without prior consultation with the benefiting community.</li> <li>▶ Compulsory work relating to communal services that is not of small scale and limited duration.</li> <li>▶ Compulsory work relating to communal services that impinges upon regular employment.</li> <li>▶ Work exacted by State in case of ostensible emergency that does not meet criteria of genuine emergency of force majeure.</li> <li>▶ Work exacted by State in case of ostensible emergency work that extends beyond what is strictly required to meeting the emergency situation.</li> <li>▶ Work exacted by State in case of ostensible emergency for greater duration than strictly required to meet the emergency situation.</li> </ul>	<p>Refers to work imposed by States or local authorities that extends beyond the "normal civic obligations" relating to "minor communal services" and emergency situations that are permitted under the ILO forced labour Conventions. The State can impose work for "minor communal services" only if these are performed in the direct interest of a community and by members of the benefiting community, the services are "minor" (i.e., of small scale and short duration), the work does not impinge upon the performance of ordinary employment, and members of the community or their direct representatives have the right to prior consultation about the need for the services. Work can be imposed by the state in a situation of emergency, only if the situation constitutes a genuine emergency, or force majeure, and only for work that is strictly required to counter an imminent danger to the population and only for as long as strictly required to meet the emergency situation. Any form of work imposed by the State on people ostensibly as part of their normal civic obligations relating to minor communal services or emergencies that falls outside these exceptions is prohibited by the forced labour Conventions. (See detailed discussion in section 9.2.)</p>



<p><b>Employment</b></p> <p>12. Abuse of compulsory prison labour</p> <ul style="list-style-type: none"> <li>▶ Compulsory labour on persons in pre-trial or pre-conviction detention.</li> <li>▶ Prison labour for the benefit of private parties not supervised by public authority.</li> <li>▶ Prison labour for the benefit of private parties performed without prisoner's consent or under menace of additional penalty.</li> <li>▶ Prison labour for the benefit of private parties under conditions that do not proximate those of other workers in the labour market.</li> <li>▶ Compulsory prison labour imposed on persons convicted for the reasons prohibited by Convention No. 105 (i.e., for non-violent political offence, for breaches of labour discipline, for peaceful participation in strikes, or as a means of racial, social, national, or religious discrimination).</li> </ul>	<p>Compulsory labour in prison can only be imposed on prisoners who meet certain conditions: they must be convicted of a crime in a court of law following due process, but must not have been convicted of committing a non-violent political offence, for breaches of labour discipline, for peaceful participation in strikes, or as a means of racial, social, national, or religious discrimination. Furthermore, the compulsory prison labour must be carried out under the supervision and control of a public authority, and must not be for private individuals, companies, or associations unless a number of additional conditions are met (i.e., the prisoner must consent to the work and must not be threatened with a penalty (such as loss of privileges) for refusing and conditions of work offered by the employer must be proximate to those that would be offered to other workers in the labour market). Forced labour in prison that does not meet these conditions is prohibited under the ILO forced labour Conventions. (See detailed discussion in section 9.3).</p>
<p><b>Employment separation</b></p> <p>13. Inability to terminate employment</p> <ul style="list-style-type: none"> <li>▶ Inability to leave job for reasons unrelated to work or living conditions (e.g., end of stipulated contract period, better alternative, desire to return home).</li> </ul>	<p>Refers to situations in which a worker has agreed with employer or recruiter to work for a specified period but is obliged to work beyond that period, sometimes even indefinitely. Also refers to other situations in which a worker desires to terminate their work contract for other reasons not strictly linked to work conditions but is prevented from doing so – for example, a migrant worker, hitherto satisfied with their job, wanting to return home to their family, and being obliged instead to continue on the job.</p>

### Employment separation

- ▶ Denial by State of right to resign from employment for reasons unrelated to essential services and genuine emergency.
- ▶ Denial by State of right to resign from employment under the guise of essential services or emergencies for employment that does not meet criteria for a “essential service” or “genuine emergency” in the strict sense of the terms.
- ▶ Denial by State of the right of career military personnel to resign in peacetime after a reasonable period of notice.

The termination of employment may be pro-hibited for workers in essential services in both the public and the private sector (i.e., services that, if interrupted, would endanger the life, personal safety, or health of the whole or part of the population) as well as in cases of emergency in the strict sense of the term (i.e., when the existence or wellbeing of the whole or part of the population is endangered) and only provided that the duration of the prohibition of the right to resign is limited to the period of immediate necessity. But outside of cases of genuine essential services and genuine emergency, workers, even if bound by a contract of indefinite duration or even if the interruption of their services would damage the economy and prejudice the higher interests of the nation, should be allowed to terminate their contract at any time by giving reasonable notice. Violations occur when the State denies workers the right to resign from work not relating to essential services or emergencies. Violations also occur when countries define “essential services” or “emergency” more broadly than the ILO supervisory bodies have considered acceptable and deny workers the right to resign from employment in services that cannot be considered essential or in circumstances that cannot be considered genuine emergencies. Additionally, specifically in military contexts, violations occur when career military personnel are denied the right to resign in peacetime after a reasonable period of notice.<sup>5</sup>

5 In keeping with a view consistently held by the supervisory bodies over the decades, the General Survey of 2012 on the Fundamental Conventions recalls that under the ILO Forced Labour Convention, 1930 (No. 29), career military personnel and other persons in the service of the State, who have voluntarily entered into an engagement, should have the right to leave the service in peacetime within a reasonable period, either at specified intervals, or with previous notice.

### 1.3.2 Common forms of coercion

Coercion refers to the means used to impose work on someone against their will. Table 2 contains a non-exhaustive listing of common forms of coercion, organised across seven broad categories. These means of coercion are by no means mutually exclusive. Indeed, research suggests that most workers in forced labour face multiple forms of coercion simultaneously (ILO, Walk Free, and IOM 2022).

► Table 2. Common forms of coercion

Category	Discussion <sup>(a)</sup>
1. Physical or sexual violence	<p>Refers to situations in which workers, their family members or close associates are subjected or threatened to physical or sexual violence in order to force them to stay in a job they would otherwise quit. Violence can include that inflicted on a worker in front of other workers for the purpose of intimidation.</p> <ul style="list-style-type: none"> <li>► Physical violence or threats of physical violence to worker and/or family member.</li> <li>► Sexual violence or threats of sexual violence to worker and/or family member.</li> <li>► Other forms of physical punishment (e.g., deprivation of food, water or sleep).</li> <li>► Exposure to co-worker being subjected to violence for the purpose of intimidation.</li> </ul>
2. Abuse of isolation	<p>Refers to situations in which isolation is used to control workers and prevent them from fleeing a job or seeking help. Workers can be isolated in remote locations, and denied access to means of communication (e.g., cell phone, internet) to prevent contact with the outside world and seeking help. Workers may not know where they are and denied access to transportation to leave. In other circumstances, such as migrant workers working abroad, employers may deny workers the money necessary to cover the cost of repatriation as a means of preventing them from leaving.</p> <ul style="list-style-type: none"> <li>► Threat or actual denial of transport away from a remote or isolated work location.</li> <li>► Threat or actual denial of reimbursement for cost of repatriation or transport home (e.g., bus fare or airfare).</li> <li>► Threat of or actual denial of cell phone, internet and other means of communication.</li> </ul>
3. Restrictions on workers' movement	<p>Refers to situations in which workers are restricted from exiting work premises outside of working hours or living quarters (apart from certain mobility restrictions that are considered reasonable).<sup>6</sup> Workers may, for example, be locked up and guarded to prevent them from escaping, either at work or while being transported. Or they may have their movements controlled inside the workplace, through the use of surveillance cameras or guards, and outside the workplace by agents of their employer who accompany them when they leave the site.</p> <ul style="list-style-type: none"> <li>► Threat of or actual confinement at workplace after working hours or at living quarters.</li> <li>► Constant surveillance outside working hours.</li> </ul>

6 Legitimate restrictions might include those relating to protection of the safety and security of workers in hazardous work sites, or the need to request prior permission of the supervisor to attend a medical appointment.

<p>4. Retention of cash, assets, or identity documents</p> <ul style="list-style-type: none"> <li>▶ Obligatory payment of substantial “runaway fee” to recruiter or employer at the beginning of the job.</li> <li>▶ Obligatory deposit of assets (e.g., property deed) to recruiter or employer at the beginning of the job.</li> <li>▶ Obligatory surrender of, and denial of on-demand access to, identity documents (e.g., passport, identity document, residence permit, work visa, etc.).</li> </ul>	<p>Refers to situations involving the withholding of cash or other assets belonging to the worker, including, for example, cash deposited by a worker as a “run-away” fee, as a means of controlling the worker and preventing them from leaving. Some workers must even leave deeds to their property with their employer or recruiter, and thus risk losing their land or houses should they escape their jobs. An employer may also retain a worker’s identity documents (e.g., passport, identity document, residence permit, work visa, etc.) and prevent a worker from accessing them on request, again as a means of control and barrier to leaving. In many cases, without identity documents, a worker will be in a situation of serious legal limbo and unable to obtain other jobs or access essential services.</p>
<p>5. Withholding of wages</p> <ul style="list-style-type: none"> <li>▶ Deliberate and systematic withholding of wages.</li> </ul>	<p>Refers to situations in which wages are systematically and deliberately withheld to compel the worker to remain and deny them the opportunity to change employer. Employers can deliberately withhold workers’ wages for months or even years, and threaten workers with their loss should they attempt to refuse work tasks or quit.</p>
<p>6. Abuse or manipulation of debt</p> <ul style="list-style-type: none"> <li>▶ Debt linked to a loan provided by employer in exchange for labour.</li> <li>▶ Debt to recruiter or employer linked to unlawful recruitment practices.</li> <li>▶ Debt to recruiter or employer manufactured through unagreed or excessive charges (e.g., for food, housing, or other goods/services from employer).</li> <li>▶ Debt to recruiter or employer manufactured through fines for supposed workplace violations or failure to reach production targets.</li> <li>▶ Increase in debt to recruiter or employer through exorbitant interest charges.</li> <li>▶ Prolonging debt repayment through falsifying accounts or through undervaluing work performed.</li> </ul>	<p>Refers to situations where people must work to repay a debt with an employer or recruiter, and are faced serious consequences (e.g., physical harm to them or a family member or serious legal jeopardy) if they quit before repaying. Such debts can last years or even generations. The factors leading to debt can vary. Sudden shocks, such as job loss, can oblige workers without savings or access to formal credit markets to turn to predatory lenders offering loans in exchange for labour. Others, already indebted, can be forced to offer their labour or that of a family member to service their debts when they are unable to do so through other means. Still others fall into debt through unlawful and exorbitant recruitment and related costs, “training” fees or other practices of unscrupulous recruiters or employers. Employers can manipulate debt in ways that make their settlement impossible, thereby keeping workers trapped in debt bondage. For example, they can put a worker into (further) debt through not agreed to or excessive charges (e.g., for food, housing, or other goods/services from employer), through fines for supposed workplace violations or failure to reach production targets, through exorbitant interest charges, through falsifying accounts or through undervaluing work performed, while at the same time threatening the worker with serious consequences if they quit before repaying. Employers can also threaten to increase a worker’s debt as a means of controlling them. It is important to emphasize that these situations specifically involve a form of debt directly linked to the employment relationship, unlike loans obtained through formal credit markets.</p>

<p>7. Abuse of vulnerability</p> <ul style="list-style-type: none"> <li>▶ Threat by employer of deportation or alerting authorities.</li> <li>▶ Threat by employer of humiliating or dishonouring worker by having their family or community told about the nature of their work.</li> <li>▶ Threat of loss of housing provided by employer.</li> <li>▶ Threat of loss of land provided by employer for cultivation.</li> <li>▶ Threat of dismissal (for example, in cases where a worker's legal status in country is tied to job, or in cases in which an employer is aware that a worker and their family are without alternative survival options.)</li> </ul>	<p>Refers to situations in which a worker's situation of vulnerability leaves them reliant on their job and with little perceived choice but to remain in it. For example, when a worker's legal status in the country depends on the job, when they are dependent on the employer for housing or land, or when they are without other survival options, the ability of a worker to leave a job can be severely constrained. Employers can exploit such situations to coerce workers to endure work tasks or work conditions that they would otherwise refuse. For example, employers can coerce workers through the threat of deportation, threat of taking away housing or threat of dismissal to perform excessive overtime or to tolerate extremely dangerous workplace conditions. When workers have limited options to quit, they are also more susceptible to other threats from an employer, such as denial of food, water or sleep, or unilateral wage cuts, in order to coerce them to perform tasks they would otherwise refuse. A worker's ability to leave can also be constrained by honour codes or other socio-cultural considerations, for example, when they are involved in work to which social stigmas are attached and therefore are at risk of social ostracization should their families and communities find out about their work. Employers can exploit such situations by threatening to humiliate the workers by informing their family or community about the nature of their work as a means of controlling them and stopping them from quitting.</p>	
<p>8. Induced addiction</p>	<p>▶ Induced addiction to drugs or alcohol provided by employer.</p>	<p>Refers to situations in which a worker is made dependent on drugs or alcohol provided by the employer as a deliberate means of controlling the worker and preventing them from quitting.</p>
<p>9. Abuse of State authority</p> <ul style="list-style-type: none"> <li>▶ Threat of fines, detention or imprisonment.</li> <li>▶ Threat of termination of public employment contract.</li> <li>▶ Threat of loss of privileges (in case of compulsory prison labour).</li> </ul>	<p>Refers to situations in which the authority and power of the State is abused to exact compulsory labour in areas prohibited by the ILO forced labour Conventions. This includes cases involving the abuse of State authority to fine, detain or imprison in order to exact work beyond normal civic obligations or work for the purpose of economic development. These powers can also be abused to prevent workers from resigning from jobs unrelated to essential services or emergencies. Other cases involve the abuse of State authority to imprison and/or exact compulsory labour for non-violent political offences, for breaches of labour discipline, for peaceful participation in strikes, or as a means of racial, social, national, or religious discrimination. Still others relate to the abuse of State authority to conscript to exact work from conscripts of a non-military nature.</p>	

### 1.3.3 Determination of forced labour for statistical purposes

Using the survey instruments discussed in Chapter 5 of the handbook, involuntary work and coercion are assessed in the situation of each respondent to determine whether they are in a situation of forced labour for statistical purposes. While only one involuntary work-coercion pairing is necessary for a statistical determination of forced labour, a given work situation can, in fact, involve multiple combinations of involuntary work and coercion constituting forced labour.

Knowing the full range of involuntary work and coercion indicators present in a given forced labour situation is critical to completely understanding the situation and designing effective follow up action. Moreover, work situations meeting the statistical criteria of forced labour are not the only ones of interest. Also important is the identification of situations in which there are one or more conditions of either involuntary work or coercion present, where early intervention and follow up can help prevent a degeneration into a situation of forced labour.

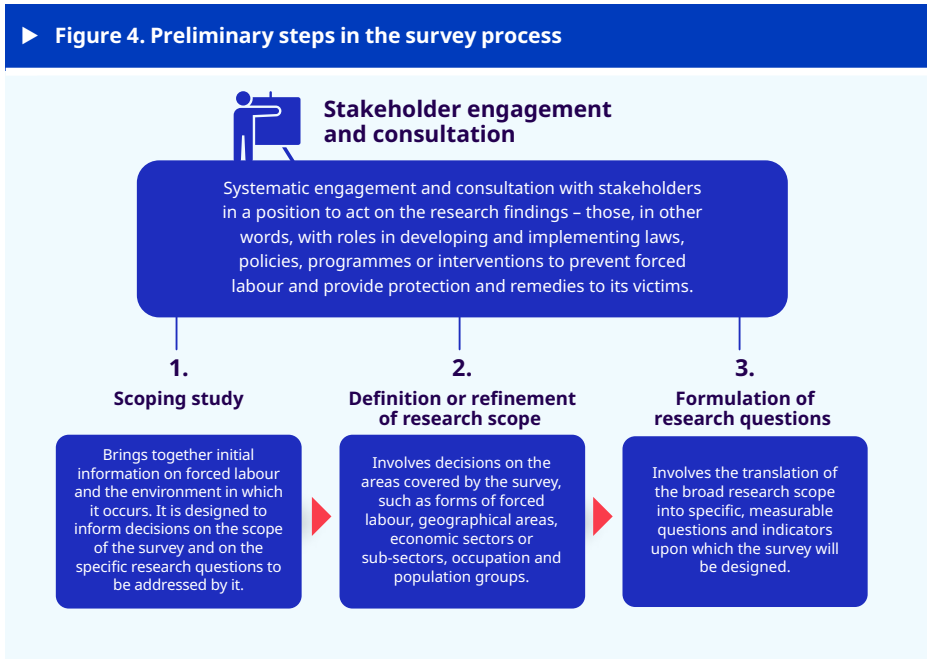






▶ **2. Preliminary steps  
for survey design**

Preliminary work for a survey on forced labour typically involves three principal steps – a scoping study, identification or refinement of the research scope, and finally, the formulation of the research question(s) – each of which is informed by a process of stakeholder engagement and consultation (figure 4). These steps are often an iterative rather than a linear sequence, with each feeding back and forward into the others.



## ▶ 2.1 Stakeholder engagement and consultation

Ethical research on forced labour (see Chapter 8) requires that it is of relevance to the stakeholders, including survivors, in a position to act on the research findings – those, in other words, with roles in developing and implementing laws, policies, programmes or interventions to prevent forced labour and provide protection and remedies to its victims.<sup>7</sup> The systematic engagement of these stakeholders from an early as possible point in the survey process is therefore critical to ensure that the survey is focused on generating the evidence of most significance to their work.

<sup>7</sup> See also: ILO, *Ethical guidelines for research on forced labour*, 2024.

The starting point for stakeholder engagement can vary from survey to survey. In some cases, the key stakeholders are known in advance and are engaged from the outset. In other cases, a mapping of stakeholders from both inside and outside government, and their respective mandates, roles and capacities, is first undertaken as part of the broader scoping study (see below), and the stakeholders that are considered of most relevance are then identified on this basis. In still others, an initial core group of stakeholders helps in the identification and engagement of additional stakeholders in a snowball identification process.

But in all cases, stakeholder engagement and consultation should be a priority at all stages of survey preparation – from helping to guide and inform the scoping study, to defining and refining the research scope in accordance with priority knowledge needs and finally to the formulation of the specific research questions of most relevance to the design and targeting of efforts against forced labour. In this manner, it is possible to gain stakeholder buy-in and ensure that the research considers their interests and needs, and thus produces more meaningful results.

Setting up a technical group representing all the different stakeholders in the sector is a good strategy to ensure a sound research design process and implementation and, equally importantly, to foster support and buy-in for the research. The role of such a technical group is to oversee and facilitate the research process and to support the dissemination of results. This technical committee should be established as early as possible at the start of the process, and it is recommended that its composition be led by the key agencies and stakeholders promoting the research, the national statistical office and others as appropriate.

The stakeholders to be engaged will vary somewhat from survey to survey, but will typically include relevant public actors at the regulatory, policy and service provision levels, national statistical offices, employers and workers organisations, survivor groups, non-governmental and civil society organisations, international organisations, research institutions and other actors directly involved in the economic sector or geographical location under study.

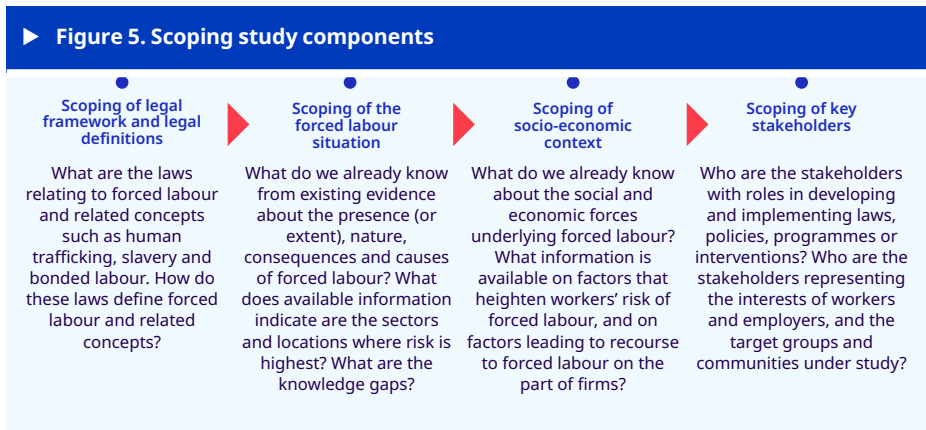
## Benefits of engaging and consulting stakeholders

Involving stakeholders as early as possible in the survey planning helps to:

- ▶ Focus on the most relevant knowledge gaps and strategic questions of greatest value to stakeholders in advancing the elimination of child labour and forced labour.
- ▶ Focus on issues that can realistically be addressed within existing research capacities and time.
- ▶ Select the most appropriate combination of quantitative and qualitative methods to answer the research questions, taking into account the context in which the research will be conducted, the specific forms of forced labour being addressed, and the population being studied.
- ▶ Help to improve stakeholders' understanding of forced labour, which may be essential for data collection, for example when landowners' associations agree to allow the research team access to plantations, government agencies agree to share their administrative data, or indigenous leaders agree to allow researchers access to workers' communities of origin.
- ▶ Assess potential risks in data collection (e.g. problems with the sampling frame, access to some regions or sites, etc.) in order to foresee alternative data collection strategies if necessary and to ensure timely and efficient research implementation through a feasible work plan.
- ▶ Ensures that the essential perspectives, experiences and knowledge of forced labour survivors are reflected in the survey design process.

## ► 2.2 Scoping study

The scoping study brings together initial information on forced labour and the environment in which it occurs. It is designed to inform decisions on the scope and methodology of the survey and on the specific research questions to be addressed by it. Components of a scoping study for a quantitative survey typically include, but are not limited to, the national legal framework, extant information on the forced labour situation, the socio-economic context and key stakeholders (figure 5).



The scoping exercise should include information from a variety of sources, including published written materials, knowledgeable persons, data collected through previous surveys or administrative data systems, and, where possible and relevant, direct observation. A desk review of available information on forced labour is usually the starting point for the scoping study. A range of other tools can also be used, including administrative data reviews, expert consultations, key informant interviews, and exploratory fieldwork (box 2).



### Box 2. Tools for scoping study

Desk review	The desk review should be wide-ranged – academic articles, reports from prior national or sectoral surveys, programme evaluations, qualitative studies by NGOs or civil society groups, and investigative journalism reportages, are among the many possible information sources. Reports from United Nations human rights monitoring bodies, including the ILO Committee of Experts on the Application of Conventions and Recommendations, can also be useful in many contexts.
Review of available data	The review of available data should include datasets from prior national or sectoral surveys, labour force surveys and other national survey programmes yielding data of relevance to the research team for survey design and sampling decisions.
Review of administrative data	Valuable preliminary information on forced labour may be compiled on the basis of administrative data from the judiciary (e.g., trial proceedings, tribunal judgements and court decisions), police forces, labour inspectorates, deportation centres, non-governmental organizations, and a range of other government or non-governmental bodies. Data may relate to forced labour directly or to related issues such as trafficking in persons, abusive work conditions or occupational safety and health violations.
Consultation with experts	Consultations with local actors with technical expertise in forced labour and forced labour research can be useful in elaborating and clarifying the information collected in the desk review, particularly in contexts in which the published information on forced labour is scarce, scattered or not easily accessible. Local universities, research institutions, human rights advocacy groups, relevant government departments or agencies responsible for labour, human rights, or law enforcement are among the potential groups with relevant technical expertise on forced labour and an understanding of the local dynamics in which it occurs. The feedback of these technical experts can help ensure a more comprehensive and contextually relevant understanding of forced labour.
Key informant interviews	Key informants can provide additional nuance to the scoping study through their <i>first-hand</i> knowledge and experience concerning forced labour and the contexts in which it occurs. Survivors and survivor groups can be particularly important in this regard. Their narratives can offer direct and personal insights into the types of forced labour exploitation, the coercive strategies employed by perpetrators and the consequences of forced labour on those subjected to it. Survivor groups, NGOs, trade unions and other groups working on the ground in identifying and following up forced labour cases are other examples of potentially valuable key informants. These organizations can provide perspectives and insights based on their direct first-hand engagement with affected communities and victims. In all cases, the research team should endeavour to consult key informants with a diversity of viewpoints and experiences to gain as complete a picture as possible of the forced labour situation.

#### Exploratory fieldwork and site visits

Exploratory fieldwork and site visits are useful to add to the research background as well as to help prepare the research logistics and anticipate fieldwork issues. It involves direct observation by the research team of workplaces and locations (e.g., factories, construction sites, agricultural fields, informal work settings, etc.) and communities where forced labour has been reported. Such fieldwork can help the research team to gain direct, first-person insight into the contexts and conditions in which forced labour occurs. These observations can help identify important variables to include in the survey and validate the relevance of the survey instrument. The research team should consider on a case-by-case basis whether the survey design requires exploratory fieldwork or site visits, and plan accordingly.

**Scoping of a national legal framework governing forced labour.** An important initial priority for researchers or national statistical offices intending to survey forced labour is to identify clearly and precisely the national legal framework for their research. The relevant legislation must be reviewed so that the correct legal definitions can be used to build the operational definitions and indicators of forced labour to be applied in the survey. The review should include laws relating explicitly to forced labour as well as those concerning related concepts such as human trafficking, slavery and bonded labour. The review should start with ratification of relevant international standards, and extend to criminal as well as labour law, and to pertinent articles of the constitution.

**Scoping of the forced labour situation.** The purpose of this component of the scoping exercise is to gain a preliminary understanding of the extent and nature of the forced labour situation in the country. Survey design requires decisions concerning the specific forms of forced labour, specific segments of the economy and specific locations to be targeted in the survey. Researchers require some preliminary knowledge concerning the forced labour situation in the country, and the sectors and occupations, population groups and geographical areas where its risk may be highest, to inform these survey design decisions.

**Scoping of the socio-economic context.** The purpose of this component of the scoping study is to gain a preliminary understanding of the broad socio-economic context in which forced labour occurs, and, following from this, some initial insight into the social and economic forces underlying forced labour. Available information on factors (e.g., poverty, informality, discrimination, limited labour rights, etc.) and associated aggravating coping strategies (e.g., recourse to irregular migration, informal recruitment channels, high-risk debt and informal jobs, etc.) that heighten workers' risk of falling into forced labour, and on factors (e.g., price/cost pressures, delivery demands, capacity constraints, etc.) that can lead to recourse to forced labour on the part of firms, can be particularly useful for identifying the contextual variables to include in the survey. Initial information on supply chain structures and dynamics is also important in this regard for forced labour linked to production within supply chains (see box 3).

**Scoping of stakeholders.** It is important to identify and engage key stakeholders as early as possible in the research process (see previous discussion), and mapping

stakeholders, and their roles and capacities, is often a necessary first step in this regard. The stakeholders covered in the mapping should be broad-based, and include those with roles in developing laws, policies, programmes relating to forced labour, those representing the interests of workers and employers, those representing the target groups and communities under study and stakeholders engaged in research on forced labour and related issues. They should also include stakeholders in topics relating to forced labour, such as trafficking in persons. Stakeholders can be identified through the desk review as well as through feedback from key informants and experts. Stakeholders themselves can also be a source for identifying other stakeholders, particularly at the local level, where formal and informal influence structures may not be easily visible to an external observer.

Table 3 summarises information items commonly collected in a scoping study for a forced labour survey.

► **Table 3. Information commonly collected in scoping study**

Category	Information	Comment	Scoping tools	
Scoping of legislation governing forced labour and related issues	Ratification status for international standards	<ul style="list-style-type: none"> <li>► ILO Forced Labour Convention, 1930 (No. 29); Protocol of 2014 to the Forced Labour Convention, 1930; Abolition of Forced Labour Convention, 1957 (No. 105); Palermo Protocol.<sup>(6)</sup></li> </ul>	The relevant legislation must be reviewed so that the correct legal definitions can be used to build the operational definitions and indicators of forced labour to be applied in the survey	Desk review, expert consultations
	National legislation governing forced labour and related phenomena	<ul style="list-style-type: none"> <li>► Constitutional articles relating to forced labour, human trafficking, slavery, bonded labour and related phenomena.</li> <li>► Criminal law statutes concerning forced labour and related phenomena.</li> <li>► Labour code and other labour legislation.</li> <li>► Laws governing freedom of association and collective bargaining.</li> <li>► Laws governing recruitment.</li> <li>► Laws governing occupational safety and health.</li> <li>► Laws relating to migration governance; etc.</li> </ul>		

Scoping of forced labour situation	Presence/extent of forced labour	<ul style="list-style-type: none"> <li>▶ Prior estimates of the prevalence of forced labour, human trafficking and related phenomena.</li> <li>▶ Listing of forms of forced labour known to be present in the country.</li> <li>▶ Information on the population groups at particular risk of forced labour (e.g., irregular migrants, members of ethnic minorities, members of specific castes, etc.).</li> <li>▶ Information on the geographical areas with an elevated risk of forced labour.</li> </ul>	Information on regions and population groups at risk will be used in the choice of the type of survey and sampling method.	Desk review, administrative data review, key informant interviews, expert consultations
Characteristics of forced labour		<ul style="list-style-type: none"> <li>▶ Information on the sectors of activity and occupations prone to forced labour.</li> <li>▶ Information on type of production in which forced labour occurs (i.e., domestic production or export bound production linked to global supply chains).</li> <li>▶ Information on the abuses giving rise to involuntary work.</li> <li>▶ Information on forms of coercion used to compel workers to work against their will.</li> <li>▶ Information on when forced labour occurs in employment cycle (i.e., at recruitment, during employment, at time of desired separation).</li> <li>▶ Information on the duration of forced labour spells.</li> <li>▶ Information on seasonal patterns of forced labour, where relevant.</li> </ul>		



<p>Drivers of forced labour</p>	<ul style="list-style-type: none"> <li>▶ Information on demand- and supply-side factors leading to forced labour.</li> <li>▶ Information on the role of debt and debt bondage in forced labour</li> <li>▶ Information on the role of recruitment abuses in forced labour.</li> <li>▶ Information on the role of discrimination and restrictions on freedom of association in forced labour.</li> <li>▶ Information on the role of gaps in migration governance in forced labour.</li> </ul>	<p>Desk review, key informant interviews, expert consultations</p>
<p>Scoping of contextual factors</p>	<ul style="list-style-type: none"> <li>▶ (Regional) Statistics on poverty and extreme poverty</li> <li>▶ Information on informality, discrimination, labour rights</li> <li>▶ Information on situation of migrants, migration channels</li> <li>▶ Information on recruitment mechanisms</li> <li>▶ Information on debt bondage</li> <li>▶ Information on business models and practices affecting the recourse to forced labour</li> </ul>	<p>Desk review, key informant interviews, expert consultations</p>
<p>Scoping of key stakeholders</p>	<ul style="list-style-type: none"> <li>▶ Stakeholders engaged in the design and implementation of policies.</li> <li>▶ Stakeholders engaged law enforcement and compliance.</li> <li>▶ Stakeholders engaged in provision of protection services and remedies for victims.</li> <li>▶ Stakeholders representing the interests of employers.</li> <li>▶ Stakeholders representing the interests of workers.</li> <li>▶ Stakeholders representing the target group(s) under study, including survivors.</li> <li>▶ Stakeholders engaged in research on forced labour.</li> </ul>	<p>Key informant interviews, expert consultations</p>

*Notes: (a) UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (UN 2000).*



### Box 3. Scoping of supply chain structure and dynamics

A scoping of the supply chain can provide important initial insight into the supply chain structure, the segments of the supply chain where the risk of forced labour is highest, and supply chain dynamics contributing to the risk of forced labour, the stakeholders with most influence over these risks, and finally into private and public governance mechanisms in operation in the sector. All of this information can in turn help inform decisions concerning the survey scope and research questions covered by the survey.

#### Supply chain structure

Broad characterization of key supply chain segments (e.g., raw material production, materials transformation, etc.).

#### Forced labour risk factors

Commercial/competitive pressures of relevance to labour practices along supply chain (e.g., pressures around price, cost, delivery schedules, etc.), sourcing practices.

Labour recruitment modalities (e.g., formal/informal recruiter, word of mouth, etc.) and recruitment fees/debt.

#### Labour practices

Employment status (e.g. permanent workers, temporary workers, casual workers, etc.); contract modalities (e.g. written/verbal).

Working conditions (OSH, working hours, overtime, payment modalities, etc.).

#### Key stakeholders

Identification of key stakeholders at each segment of supply chain (e.g., firms, producers' associations, trade unions, employers' organizations, etc.).

Organisation and dialogue structures; multi-stakeholder efforts.

#### Governance

Private governance mechanisms (e.g. auditing, human rights due diligence measures, etc.) within sector.

Public governance/regulatory oversight mechanisms (e.g., product quality, production licenses and quotas, OSH) within sector.



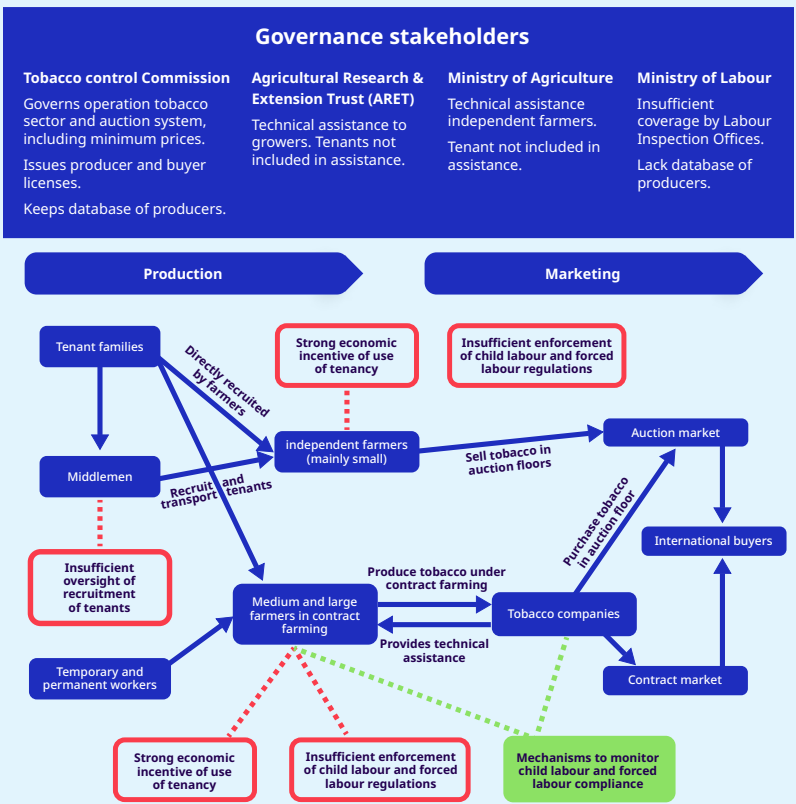


**Box 4. Case study: Supply chain scoping study of child labour and forced labour in tobacco production in Malawi**

The research on child labour and forced labour in Malawi’s tobacco sector included a supply chain mapping workshop, the result of which is shown in the figure below. This sector is highly regulated from production to marketing by the Tobacco Commission and is divided into two main types of production. Independent growers, mainly small-holders, produce tobacco for sale at auction. Medium-scale growers and large estates also produce for the auction market but are increasingly becoming contract growers for tobacco companies, which provide them with technical assistance and control working conditions, including child and forced labour.

The labour force consists of temporary workers and tenant families who grow tobacco on plots allocated by the landlord. The entry points for child and forced labour were identified in recruitment and on the farms as a combination of strong economic incentives to use tenancy combined with a lack of law enforcement. The mechanisms adopted by tobacco companies reduce, but do not eliminate, the risk of child labour and forced labour in the contract farming subsector.

*Child labour and forced labour in the tobacco sector in Malawi: Supply chain map*



## ► 2.3 Identification or refinement of survey scope

This stage of the survey preparation process involves critical decisions on the scope of the survey, including the forms of forced labour, geographical areas, economic sectors or sub-sectors, occupations and population groups to be covered.

These decisions should be the outcome of consultations with the key stakeholders. They should be informed by the scoping study and the priority knowledge gaps emerging from it. The structure and methods for stakeholder consultation should be flexible and adapted to each context. Individual consultations can be carried out to better understand the needs and expectations of each stakeholder. Stakeholder workshops are a good option to reach agreement among stakeholders on the survey scope (box 5).



### Box 5. Model consultation workshop with key stakeholders

Consultation workshops with key stakeholders can be a cost-effective way of working together to agree on the survey scope and to develop a robust set of research questions. The model workshop presented here consists of four sessions, each structured around a broad question drawn from the simple decision tree discussed above. The model workshop is designed to be one to three days in duration, implemented either face-to-face or virtually. Depending on the size and composition of the group, participants can work in plenary or divided into smaller groups. In the latter case, it is recommended that each group elect a spokesperson to present the group's conclusions to the plenary.

Most stakeholders will not be experts in research design and terminology, but no one knows their interests and needs better. Across all sessions, the role of the research team is to provide feedback and translate what the stakeholders are expressing into technical terms, rather than expecting them to use complicated research design terminology. This will require intensive feedback to ensure that the research team correctly captures the views of the stakeholders when processing the information emerging from the consultations.

#### **Session 1: Identifying re- search interests - What are the priority areas of concern?**

The session may begin with a technical presentation on the concepts and criteria for measuring forced labour, to provide a common understanding and language for the discussion. It may also include a summary of the key findings of the literature review, the analysis of the drivers of forced labour in the sector, the supply chain, and the stakeholder mapping. However, if the aim is to start with a more open brainstorming session, organizers may opt not to provide any prior information or guidance, or, distribute the scoping study in advance but present its findings at the workshop itself.

Participants, either in plenary or in groups, brainstorm to express what they see as the priority forced labour concerns in the country. In this session the results may come from all directions and may be expressed in different ways by each stakeholder. The results are written down by each participant on a board or similar tool so that everyone in the group can see them. The facilitator works with each group to classify the priority areas of concern that are identified. The results of each group are shared in plenary and organised into a common matrix.

**Session 2:  
Identifying the  
information already  
available and knowledge  
gaps - What do  
already know?**

For each area identified in the previous session, the stakeholders discuss in plenary what information is already available and how it can be accessed. Starting from and informed by a presentation of the scoping study, the existing information and data sources for each area of concern are written down and added to the matrix. The group discusses whether the existing information identified is sufficient to meet the knowledge needs. For many areas, information is likely to be only partial. For example, there may be qualitative or anecdotal evidence of the characteristics of forced labour in a particular sector, but a lack of quantitative information on its prevalence and the groups most affected. It is important that research teams facilitate this type of analysis with stakeholders. The result is a second matrix in which all areas that lack sufficient information are flagged for further discussion in the next step.

**Session 3:  
Prioritizing  
knowledge gaps  
- What do we  
need to know  
for informed  
forced labour  
responses?**

In a plenary session or in groups, stakeholders discuss the importance of knowledge gaps identified in the previous step. The main guiding questions for the discussion are:

- ▶ Why do we want to fill this knowledge gap?
- ▶ What will we do with that information?

Stakeholders review each knowledge gap and discuss the value of the information needed to fill it, who will use the information and for what, and how it will be relevant to the prevention and elimination of forced labour. It is important to consider not only the value of the information itself, but also whether stakeholders have or will have the capacity to use it for effective action.

Through these discussions, stakeholders will:

- ▶ Identify knowledge gaps that are critical for strategic policy responses, such as reaching vulnerable groups or areas, filling gaps in protection/prevention services, etc.
- ▶ Exclude knowledge gaps that are not relevant for substantive action.
- ▶ Assess whether it is possible from an ethical and safety perspective to undertake a survey to fill the different priority information gaps.

The result is a listing of knowledge gaps that comprise the broad scope of the survey.

**Session 4:  
Identifying  
research ques-  
tions - What  
information will  
be generated by  
the survey?**

Within the framework of the survey scope emerging from the previous session, stakeholders work together to formulate the research questions to be answered by the survey. As this work requires extensive participation and interaction, it is typically undertaken first in groups. Each group is assigned responsibility for one information cluster within the research scope, and the questions formulated by each group are then discussed and validated in plenary.

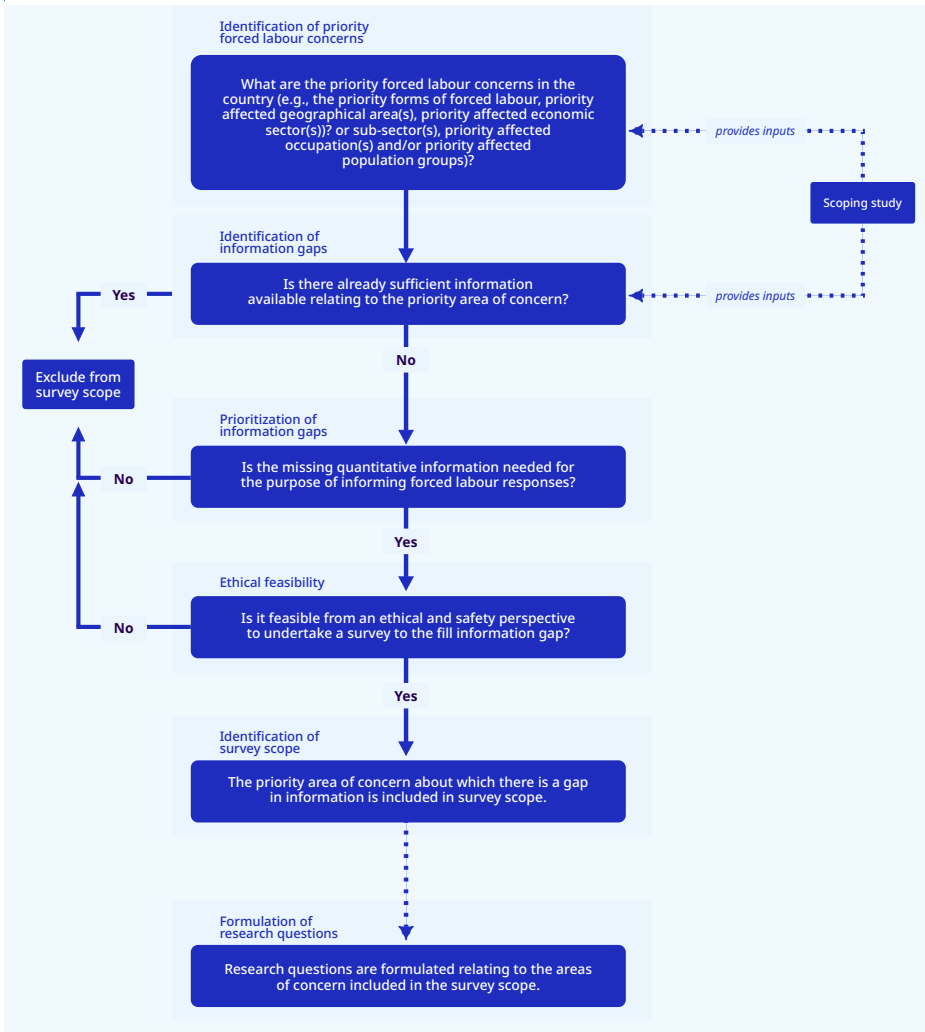
The list of questions formulated in the stakeholder consultation may need to be further refined by the research team. As stakeholders are not experts in research design, they may not be able to formulate technically sound research questions. The role of the research team is to translate into technical terms what the stakeholders express in their own terms. Some of the general research questions may need to be broken down into sub-questions or supplemented by additional questions. Others may need to be reformulated to meet relevance, feasibility and specificity criteria. This refinement is usually done by the research team after consultation with the stakeholders. However, it is important that these refinements of the research questions are presented to the stakeholders for final validation. At this stage, the research team should also introduce for discussion key ethical considerations. For example, how can the research questions be answered without putting study participants at risk? and how can research questions be answered in a manner that translates into action?

One possible decision tree to guide stakeholder consultations on the survey scope is illustrated in figure 6. A consultation process following this decision tree would begin with a discussion informed by the scoping study on priority forced labour concerns in the country. The availability of information relating to these priority areas of concern would then be assessed, again referring to the scoping study. The areas where sufficient evidence exists are excluded from the survey scope at this stage. The identified information gaps would then be prioritized based on their relevance for stakeholders. The areas where information gaps were *not* deemed by stakeholders as relevant to their work would be excluded from the survey scope at this stage. Finally, the process would assess the ethical feasibility of a survey to fill the priority information gaps.

The survey scope resulting from this decision tree would, therefore, be limited to forced labour issues that (a) represent priority concerns in the country, about which there are (b) information gaps that are (c) of relevance for the forced labour responses of stakeholders and are (d) feasible to survey from an ethical and safety perspective.

It is important to remember that a decision tree is a tool that should be used flexibly and adapted to each context. In practice, the precise nature of the consultation process at this stage of the survey preparation will vary according to circumstances. When stakeholders have already agreed to the survey scope from the outset, a brief validation exercise might be enough at this stage. In other instances, the survey scope will be identified only in very general terms through initial stakeholder consultations at the outset of the survey process, and this stage will involve revisiting and

► Figure 6. Example of decision-making process for identification of survey scope



refining the scope based on the additional information yielded by the scoping study and further consultation. In still other cases, the survey process will begin with only the broad research topic, e.g., forced labour in the private economy, and this stage will require a more detailed discussion of scoping study findings and stakeholder information needs and ethical considerations to arrive at decisions on the final scope of the survey.

Commonly, different stakeholders have different research priorities that they would like to see addressed through the survey. For example, government agencies may want to know the extent of forced labour in a particular economic sector,

geographical area, or population group, in order to implement appropriate policy responses. Companies may want to understand where the risk of forced labour is highest along their supply chains, and the business practices contributing to this risk, in order to inform their human rights due diligence efforts. Workers organizations' may be interested in exploring the role of trade union membership in reducing the risk of forced labour. Balancing these different interests and priorities and reaching agreement on the scope of the survey often requires an active mediating role on the part of the core research team.

## ► 2.4 Formulation of research questions

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This stage of survey preparation involves formulating the specific set of research questions to be covered by the survey.

The research questions form the basis for identifying the survey design (Chapter 3) and the development of the survey questionnaire (Chapter 5). The research questions are an extension and elaboration of the survey scope and should also be the product of stakeholder consultation. In practice, their formulation is often undertaken as part of the same consultation with stakeholders, for example, at a stakeholder workshop, as a final step in the decision tree process described above (figure 6).

Categories of research questions should normally include, but are not limited to, prevalence, characteristics, mechanisms and causes of forced labour.

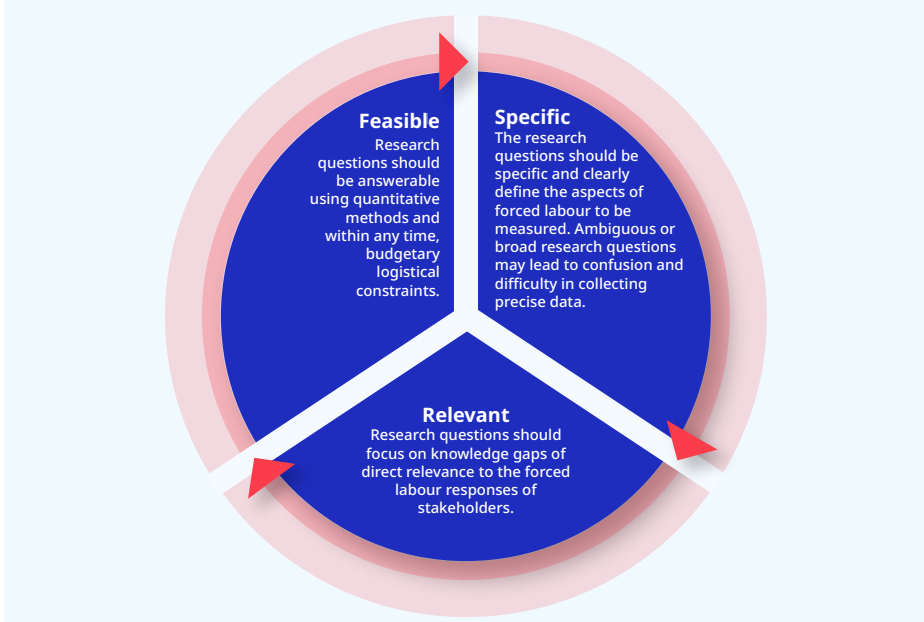
**What is the extent of forced labour?** This question relates to the percentage and number of people in forced labour in the domain covered by the survey (e.g., in the country, region, sector, supply chain or population group covered). These figures provide an indication of the size of the target population for policy intervention and a benchmark against which to monitor progress in ending forced labour. Each question should be relevant, specific and feasible (figure 7).

**Who are the people and communities affected?** This question relates to the socio-demographic profile of the people in forced labour – who they are and where they live. Disaggregations of results by sex, age range, marital status, ethnicity, caste, migrant status, residence, and location are among those that are important in constructing such a profile.

**What are the characteristics of forced labour?** This question relates to the sectors and occupations where forced labour occurs and the working conditions of its victims. Information on exposure to hazards, working hours, pay, work-related living conditions is important in this context. The question also relates to the duration of forced labour, i.e., the total number of days, weeks, months or years a person has been trapped in forced labour.



► Figure 7. Research questions for quantitative surveys on forced labour: key characteristics



**What are the mechanisms underlying forced labour?** This question relates to the processes through which people are recruited into forced labour and the different forms of coercion used to compel them to work against their will and to prevent them from leaving.

**What are the causes of forced labour?** This question relates to the individual, household and community factors that make workers vulnerable to falling into situations of forced labour (supply-side factors) and the factors leading to recourse to abusive labour practices on the part of firms (demand-side factors).





## ▶ 3. Survey design

Once the scope of the survey and research questions have been specified, the next step is to choose a survey design. Although forced labour may be present in many different areas of a country, in statistical terms the phenomenon is rare. What is more, because forced labour is universally condemned and outlawed, it tends to be hidden, so gaining access to victims can be difficult. Forced labour therefore calls for a survey design that accounts for the technical, budgetary, and logistical challenges involved in locating and surveying the target population.

Survey design involves choosing both the *type* of the survey and the *modality* through which it is implemented. Selecting the type of survey means deciding on the survey unit, i.e., where the data will be collected. This is principally a choice between collecting data at the place of living or work, although other survey units are also technically possible (see box 6). The modality refers to whether the survey is implemented as a *standalone survey*, as a *linked survey* implemented as part of a base survey, or with elements of both.

Different survey design options come with distinct advantages and disadvantages, and selection of the survey design will depend ultimately on which is best suited to the survey scope and research questions and, at the same time, fits within any logistical and budgetary constraints facing the research team.

► Table 4. Survey design options

Type of survey	Place-of-living/household survey	Private households
		Institutional households (e.g., shelter, worker dormitory, prison)
		Non-registered living place
	Place-of-work/establishment survey	
Implementation modality	Standalone survey	
	Linked survey	Linked at the listing stage
		Linked at the sampling stage
		Linked at the interview stage

## ► 3.1 Selecting the type of survey

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In the discussion below, different survey types are discussed separately, but it is important to note that a mix of survey types may also be optimal in some circumstances. Place-of-work surveys and place-of-living surveys may be combined to take advantage of the benefits of each – for example, workers in large or formal sector establishments might be best reached through a place-of-work (establishment) surveys and workers in small or informal sector establishments through place-of-living surveys.

### 3.1.1 Place-of-living surveys

Statistical surveys can be conducted at people's place of living – whether in their own homes, institutional residential settings, or non-registered living places. This type of survey can be used to collect data on forced labour by questioning individuals on relevant characteristics of their current or past work experience.

#### *Surveys of private households*

The most common form of place-of-living survey is that focused on private households. These surveys provide, in general, an adequate and comprehensive scope to collect statistics on both the prevalence and characteristics of forced labour and to cover, in principle, all workers living in private households, including undocumented migrant workers and children below the legal age for admission in employment. Provided the sample size is sufficiently large and the households are selected with probability sampling, a household survey allows national and sub-national estimates of forced labour prevalence to be calculated with a known margin of error.

There are both advantages and drawbacks associated with the use of place of living surveys of private households for the purpose of measuring forced labour prevalence (table 5). It is important that these pluses and minuses are considered carefully against the agreed survey scope and research questions prior to the selection of the type of survey.

▶ **Table 5. Advantages and disadvantages of place-of-living surveys of private households for measuring forced labour prevalence**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>✓ Potential to reach a wide range of individuals, including those who have been in forced labour or trafficked and were freed or rehabilitated.</li> <li>✓ As they take place in living quarters, the respondents are likely to feel freer to talk about their work experience than they would at their workplace in the presence of their employer or work colleagues.</li> <li>✓ Permits the collection of additional data relevant to an analysis of the circumstances of the person in forced labour, such as family characteristics, education, employment history, recruitment, hours of work, wages and working conditions.</li> <li>✓ Allow for the collection of contextual information, such as socio-economic factors, that can help identify risk factors and understand the root causes of forced labour.</li> <li>✓ Results of the survey can be used to compare the situation of workers in forced labour with that of workers at large.</li> <li>✓ As household-based surveys address all household members, data may be collected to assess the impact of forced labour on other members of the household, including children.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Workers living at their workplace, in accommodation provided by the employer, in institutional settings (e.g., churches, community lodgings, work camps, hostels, prisons) or in other non-registered quarters (e.g., tents, temporary shelters, street corners, or other public spaces) are not covered by household surveys of private households, introducing potential survey bias. An exception would be live-in domestic workers.</li> <li>✗ The rarity and uneven spread of the forced labour phenomenon makes sampling of forced labour in private household-based surveys a complex task requiring special considerations in survey design and analysis.</li> <li>✗ Because not all households have members in forced labour and depending on the sample design, the sample size may have to be very large making the survey costly and complex to implement.</li> <li>✗ Difficult to obtain information on households or household members who live and work abroad, unless it targets returned migrants. The characteristics of returned migrants may however differ systematically from those of other migrants.</li> <li>✗ Due to fear, stigma, or lack of trust, individuals affected by forced labour may be reluctant to disclose their experiences in a private household-based survey, leading to underreporting.</li> </ul>

### Surveys of worker residences

Surveys of worker residences capture information from workers living in bespoke residences or dormitories, a group of workers that is beyond the scope of private household surveys. Such surveys are especially relevant in sectors or contexts where workers commonly reside at or near their worksite in accommodation provided by their employer. Examples include mining and extractive industries operating in remote and isolated locations, agricultural plantations and commercial farms, large-scale construction sites, hotels, and resorts and other entities operating in the hospitality industry. Many countries also have designated industrial zones or special economic zones where workers live in close proximity in special housing.

When conducting these surveys, survey design must account for the unique living and working conditions of these populations. Rapid assessments in the forestry sector, for example, where workers are often found in remote areas and living in camps rather than traditional households, highlight the importance of adapting

survey methods to suit non-standard living conditions. These considerations are crucial for obtaining accurate and comprehensive data that truly reflects the experiences and conditions of workers in these unique living and work environments.

Survey design should also consider the often-mobile nature of such workforces, the potential language barriers due to diverse origins of workers, and the varying shifts that might affect availability for survey participation. In mining areas, for example, workers might be on rotating shifts, necessitating a sampling strategy that accommodates different work schedules. In the case of large-scale construction sites or special economic zones, there might be a mix of permanent and temporary workers from various regions or countries, calling for a multilingual approach and culturally sensitive survey methods. In sectors like agriculture and hospitality, where seasonal employment is common, timing the survey to coincide with peak employment periods can ensure a more representative sample of the workforce.

### *Surveys of non-registered living places*

Surveys of non-registered quarters involve direct engagement with individuals living and working on the streets or other non-registered quarters (e.g., temporary shelters, parks or other public spaces) to gather information about their working conditions, experiences, and potential instances of forced labour. Only specific forms of forced labour can be estimated through these surveys, principally forced labour where workers live and work on the streets, such as forced labour involving begging, commercial sexual exploitation, drugs or arms trafficking, or other street-based illicit activities.

Sampling methods such as random walk sampling<sup>8</sup> or capture-recapture<sup>9</sup> can be used as the method estimation. Such surveys involve people in situations of extreme vulnerability and it is essential to ensure their safety and well-being during the survey, and to engage with local organizations or social workers for support and referrals to necessary services (see also Chapter 8).

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8 “The method entails (1) randomly choosing a starting point and a direction of travel within a sample cluster, (2) conducting an interview in the nearest household, and (3) continuously choosing the next nearest household for an interview until the target number of interviews has been obtained.” Definition taken from *Sampling Guide*, Robert Magnani, December 1997, Food and Nutrition Technical Assistance Project (FANTA).

9 This is a double sampling method for estimating the prevalence of a condition in a population. While initially used in populations of wild animals, which were physically captured, marked, released and recaptured, the same statistical procedure is now used for sampling human populations.

### 3.1.2 Place-of-work surveys

A place-of-work survey is a statistical survey that collects data directly from establishments such as farms, mines, factories, workshops, shops, restaurants, offices – or any other type of production unit where economic activity is taking place – on their characteristics and operation. Place-of-work surveys of forced labour may be suitable when the operators of the establishments are themselves the target of the study (e.g., when research questions include demand-side factors driving forced labour), when the study concerns a particular branch of economic activity or specific supply chain, or when there is a need to insert the measurement of forced labour within a broader survey on a less sensitive topic.

Place-of-work surveys can collect information from the owners or operators of the establishment, or the workers working there, or can be designed to obtain information from both these groups. When targeting both operators and workers, place-of-work surveys can provide a unique opportunity to explore both the demand and supply sides of the forced labour equation – in other words, the factors that push or incentivize firms to resort to forced labour and the factors that leave workers in a situation of vulnerability to forced labour.

As a means of obtaining data on forced labour, establishment surveys also have both strengths and weaknesses that should be carefully considered when selecting the survey type best suited for the agreed research scope and research questions (table 6).



#### Measuring forced labour among domestic workers

Although domestic work is often described as “invisible” because it takes place in private homes, it is possible to adapt these instruments to survey forced labour among domestic workers. One option, if preliminary research has shown that domestic workers can be interviewed in the employer’s home, is to sample the households where they work. Another possibility, where the domestic workers are mainly migrants, is to interview them either upon their return to their place of origin or at border crossings, airports or other transit points.



► **Table 6. Advantages and disadvantages of place-of-work surveys for measuring forced labour prevalence**

#### Advantages

- ✓ Permits the analysis of the demand side of forced labour, i.e., the business practices and pressures that may lead to recourse to forced labour on the part of firms, since in principle the employer is interviewed.
- ✓ Provided the establishment owner agrees, interviews can be conducted with workers. Victims of forced labour can thus be interviewed along with the other workers present in the establishment and not be singled out for special attention.
- ✓ Data can be collected not only through interviews but also through access to the accounts and other administrative records of the establishment, thus yielding detailed information on issues such as employment practices, wages, working conditions, and supply chain dynamics. This information can in turn help identify risk factors and structural issues contributing to forced labour
- ✓ Allows also for the possibility of making direct observation on the work environment and conditions of work of the target population.
- ✓ The existence of auxiliary data in the sampling frame means that it is often possible to target specific branches of economic activity. When the measurement exercise focuses on forced labour in a particular economic sector (or sectors) this is particularly useful, allowing for sector-specific insights into forced labour prevalence.
- ✓ Because establishments tend to have a skewed distribution, with many small units and few large ones, the survey can be stratified by size of establishment, thus providing an efficient way of ensuring that the sample includes an adequate number of establishments in each size class, taking into account the different risks of forced labour.

#### Disadvantages

- ✗ Gaining access to establishments and securing their cooperation for surveys can be challenging, particularly in industries where there is sensitivity about human rights violations such as forced labour. Sampling establishments representative of the entire sector can therefore be difficult, potentially introducing biases and limiting the generalizability of the findings.
- ✗ Interviewing workers at the workplace on such a sensitive issue as forced labour may be difficult in practice. Employers may refuse access or the workers themselves may be reluctant to participate in the survey or to provide honest answers, even if the interviewing takes place away from the actual work site. The fact that the employer knows that a survey is taking place may create a climate of fear and suspicion, and workers may be threatened or face possible retaliation for participating in it.
- ✗ Calculation of reliable national estimates requires the existence of up-to-date and comprehensive registers or lists of establishments for sampling and extrapolation purposes. Given the high turnover of establishments in many countries, the maintenance of up-to-date registers and lists is complex and costly, especially in respect of the numerous small establishments.
- ✗ Establishments that rely exclusively on forced labour will most likely not be recorded in any business register because of their illegality, and therefore will not be accessible through establishment surveys. However, the sample for establishment surveys does not necessarily have to be selected from a business register. Many developing countries, in particular, conduct establishment surveys based on area sampling. In this case, establishments employing forced labour are recorded on the same basis as other establishments.



### Box 6. Other types of surveys

When place-of-living or place-of-work surveys cannot be conducted, approximate estimates of the extent of forced labour may be obtained by means of alternative methods, such as administrative records, and surveys of service providers, newspaper articles or surveys at border points.

**Administrative records.** Administrative records, such as lists of persons in forced labour compiled by local authorities or police forces, or by non-governmental organizations and other service providers, may be useful for producing estimates of the prevalence of forced labour at relatively low cost. Where different administrative sources that refer to a common reference period and can be compared against each other so as to measure their overlap with reasonable accuracy, estimates of the prevalence of forced labour may be derived under certain assumptions, known as multiple systems estimation (MSE).

Administrative records on forced labour can also be combined with household-based or establishment-based surveys, for example, as multiple sampling frames for direct selection and interview of workers at their place of residence or work, or as information for targeting area frames for indirect selection of households and establishments. In all circumstances, it is important to ensure that the units reported in the administrative sources satisfy the criteria of the international statistical definition of forced labour.

**Surveys of service providers.** This method entails interviewing workers at places where they are provided with services (such as health care centres, places of worship, counselling agencies, legal offices, etc.) or interviewing the managers of such services about their users without directly interviewing the people concerned. Once the range of services to be considered is determined, an exhaustive inventory must be prepared of all relevant places in the country. The inventory is then used to select a sample of locations for the survey, and a sample of days is also selected for the interviews.

This method is known as time-location sampling (TLS). Workers may be visiting more than one service provider or the same service provider more than once during the survey period. To extrapolate the survey results to national estimates, the questionnaire must therefore include questions as to how often the respondents visited the various service providers during the survey reference period.

**Surveys at border points.** Returned migrants can be identified by means of surveys at airports, seaports, and checkpoints that workers must pass through when returning home. In such a survey, the questionnaire should be sufficiently short and simple for it to be administered on the spot. The survey should distinguish between workers visiting home temporarily and those returning home for an indefinite period. Again, these other types of surveys have their strengths. For example, they provide access to information directly through service providers, border crossings and street interviews.

## ► 3.2 Selecting the survey implementation modality

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This section discusses the selection of the survey implementation modality. Decisions concerning the survey modality should be made concurrently with those concerning the survey type, again with the aim of arriving at a survey design that is best suited to the survey scope and research questions and, at the same time, fits within any logistical and budgetary constraints facing the research team.

Standalone surveys are organized independently of other on-going survey programmes, while a linked survey is implemented as part of a base place-of-living or place-of-work survey. Surveys can be linked at the listing stage, at the sampling stage, the interview stage or more than one stage.<sup>10</sup> Each of these modalities has advantages and disadvantages in the context of forced labour measurement, as discussed further below.

### 3.2.1 Standalone surveys

Standalone surveys are organized independently of other ongoing survey programmes. One of the strengths of these surveys is that they are more focused and can employ the most efficient methods for measuring forced labour. The questionnaire is specially designed for the purpose, with its own specific vocabulary and sequence, and other considerations need not restrict its length. The training of interviewers, too, can be devoted entirely to forced labour, helping to ensure quality data. The most effective sample design and extrapolation procedures can be implemented without concession to the needs of other survey programmes. The advantages and disadvantages of standalone surveys are outlined in table 7.

On the other hand, the objective of a standalone survey on forced labour is likely to be more obvious to respondents, and this can increase the difficulty of collecting reliable data. As it cannot borrow information from another survey, a standalone survey needs to collect more information than a linked survey to have the same range of possibilities for data analysis. Moreover, the cost of conducting a stand-alone forced labour survey is typically higher, making it less sustainable financially than adding modules or questions to existing surveys, where costs can be shared with the base survey. The advantages and disadvantages of standalone surveys are outlined in table 7.

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<sup>10</sup> A fourth type of linkage is the sharing of a common sample of areas with another survey, with separate listing done for the two surveys. The cost saving will be less than with linkage at the listing stage.

► **Table 7. Advantages and disadvantages of standalone surveys for measuring forced labour prevalence**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>✓ Permits selection of most efficient design for forced labour measurement.</li> <li>✓ Questionnaire is designed for the specific purpose of forced labour measurement.</li> <li>✓ Questionnaire length not restricted by other considerations.</li> <li>✓ Training of interviewers specifically tailored for topic of forced labour.</li> <li>✓ Sample design and extrapolation procedures specifically tailored for forced labour measurement.</li> </ul>	<ul style="list-style-type: none"> <li>✗ No cost sharing with other surveys.</li> <li>✗ Cannot benefit from information collected through a base survey.</li> <li>✗ Exclusive focus on forced labour may create additional challenges in contexts in which there are political or cultural sensitivities around the subject. In such contexts, it is sometimes easier to collect information on forced labour within the framework of a survey whose principal focus is not forced labour.</li> </ul>

### 3.2.2 Linked survey (at the listing stage)

Most household surveys and certain establishment surveys are based on area samples selected from the most recent population or establishment census. To reflect any changes since the last census, lists for the selected sample areas are updated to identify all households or establishments in them at the time of the new survey. The listing operation is generally expensive so linking it to the forced labour survey is cost-effective.

Linkage at the listing stage can serve as a screening device for identifying households or establishments where there are likely to be workers in forced labour. This means including one or two questions in the listing form to identify such households/establishments. The choice of screening questions should be such that they err on the side of inclusion rather than exclusion.

Linkage at this stage also has the advantage of keeping the choice of survey operations open until a later stage. For example, sample selection of the ultimate units for the forced labour survey may be carried out independently of the sample selection for the base survey, rather than selecting the same ultimate sampling units for both surveys.

► **Table 8. Advantages and disadvantages of surveys linked at the listing stage for measuring forced labour prevalence**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>✓ Permits screening for households or establishments where there are likely to be workers in forced labour.</li> <li>✓ Allows greater flexibility in subsequent choices of survey operations.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Adds to burden of the listing operation of the base survey, especially if also used for screening purposes.</li> <li>✗ In scenarios where screening is not feasible, the sampling strategy might not have the capability to selectively oversample households or establishments that are more likely to have instances of forced labour. Not useful in situations where the pattern of geographical concentration of forced labour differs from that of the target group of the base survey.</li> </ul>

On the negative side, linkage adds to the burden of the listing operation of the base survey, especially if it is to be used also for screening purposes. Managers/interviewers of the base survey may therefore be reluctant, the quality of the listing may suffer and many households or establishments with forced labour may be omitted. Moreover, linkage at the listing stage is not useful in situations where the pattern of geographical concentration of forced labour differs from that of the target group of the base survey.

An example of a forced labour survey linked at the listing stage is a household survey conducted in combination with a population census. During the household listing operation of the census, households with returned migrants can be identified, for subsequent sampling and interviewing in the forced labour survey.

### 3.2.3 Linked survey (at the sampling stage)

A forced labour survey may also be linked to the sample selection operation of an existing survey. The linkage can be made at different stages of the sample selection process. At one extreme, the sample of the forced labour survey may be the same as that of the base survey. Alternatively, for the forced labour survey, an independent sample may be drawn based on the sampling frame of households or establishments prepared at the listing stage of the base survey, ensuring distinct samples even though the two surveys share the same sample of enumeration areas. In this case, households or establishments with workers in risk of forced labour can be selected at a higher rate from the lists to ensure that an adequate number of them are included in the sample of the forced labour survey. In between, other types of linkage may be envisaged, such as sub-sampling the base survey sample or boosting it with additional numbers using the same or a different sample design.

► **Table 9. Advantages and disadvantages of surveys linked at the sampling stage for measuring forced labour prevalence**

Advantages	Disadvantages
<p>✓ Surveys linked at the Primary Sampling Unit (PSU) or household levels enjoy significantly more sampling flexibility compared to original host surveys with predetermined sampling strategies. This enhanced flexibility allows for the targeted oversampling of PSUs with higher concentrations of forced labour, or households that have a greater likelihood of experiencing forced labour. Such a focused approach amplifies the efficacy of the sampling process, leading to more accurate and detailed estimates.</p>	<p>✗ While linked surveys at the PSU or household levels offer greater sampling flexibility, this approach can introduce additional complexities in the sampling design. These complexities might not always be easily managed by implementers, including national statistics offices. The integration of targeted oversampling strategies with existing survey frameworks requires careful coordination and expertise, which can pose challenges in terms of practical implementation and ensuring the accuracy and reliability of the survey outcomes</p>

Using a common sample for both surveys at the final stage of selection clearly has the advantage of minimizing the cost and operational complexity of the forced labour survey. The drawback, however, is that the sample may include relatively few households or establishments with workers in forced labour.

In general, the more one departs from the common sample design, the more costly and complex sampling for the forced labour survey becomes. The complexity derives not only from the sample selection process but also from the calculation of extrapolation weights at the estimation stage. On the other hand, linkage at the sampling stage using different but appropriate sample designs (as described later in this handbook) may substantially improve the efficiency of the sample design and reduce the margins of error of the final estimates.

### 3.2.4 Linked survey (at the interview stage)

Linkage at the interview stage can take the form of a separate forced labour module attached to the base survey questionnaire, or the inclusion of a set of specially designed questions within the main questionnaire.

One advantage of the latter type of linkage is that the forced labour questions can be subsumed within the base survey instrument and the issue is thus rendered less prominent. Another advantage is that basic data on the households or establishments would normally already be collected in the base survey, thereby reducing the cost of the forced labour component. Linkage at this stage also allows some of the base survey data to serve as background variables for the forced labour survey, thus permitting a more thorough analysis of the forced labour data.

► **Table 10. Advantages and disadvantages of surveys linked at the interview stage for measuring forced labour prevalence**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>✓ Forced labour questions can be subsumed within the base survey instrument.</li> <li>✓ Basic data on the households or establishments is already collected through base survey.</li> <li>✓ Data collected through base survey can serve as background variables for forced labour component.</li> </ul>	<ul style="list-style-type: none"> <li>✗ The survey implementers may assign less priority and importance to the forced labour component.</li> <li>✗ Interviewers may pay insufficient attention to the answers given by respondents relating to forced labour.</li> <li>✗ The sensitivity of the forced labour issue may negatively affect the response rate for the base survey and hence the quality of its results.</li> </ul>

A major drawback, however, is that the base survey operators, and interviewers in particular, may not attach enough importance to the forced labour module or additional questions and pay insufficient attention to the answers given by respondents. Another potential drawback is that the sensitivity of the forced labour issue may negatively affect the response rate for the base survey and, hence, the quality of the survey's data.

### ► 3.3 Selection of respondents

The choice of survey respondents is critical and greatly influences the success of a survey. The principal choice in this regard is between direct and proxy respondents. The former involves respondents providing responses about their *own* work situation while the latter involves answering questions about *someone else's* work situation.

Direct respondents can provide first-hand accounts of their work experiences, including about their recruitment, working conditions and exposure to coercion/penalties, generally leading to richer and more reliable information.

There may, however, be circumstances in which interviewing workers directly about their experiences may be either inadvisable or impractical, and the use of proxy respondents therefore necessary. For example, direct questioning may in some contexts pose undue risks to respondents, exposing them to potential retaliation or harm. Direct questioning may also raise other ethical concerns, such as creating an undue risk of re-traumatizing respondents or violating their privacy (see also Chapter 8 on ethical considerations). Some individuals may also be hesitant to disclose their experiences directly due to fear, stigma, or mistrust of authorities or researchers. Finally, in some research contexts, workers may be logistically impossible to reach for direct questioning, for example, when they are on fishing vessels in the high seas.

The use of proxy respondents can offset some of these concerns, but at the important potential cost of imprecision or inaccuracies. Proxy respondents may not have first-hand knowledge of the work situations they are reporting on, or may misinterpret or misunderstand the experiences of the worker concerned. They are rarely able to provide the depth of insight that direct respondents can offer. For example, in the case of migrant workers, family members are usually not aware of the real situation of their relatives working abroad and cannot answer reliably as to whether they are engaged in forced labour. Before employing proxy respondents in a forced labour prevalence survey, testing is imperative to identify potential biases, inconsistencies, and limitations associated with proxy responses.

Ultimately, there is no one-size-fits-all answer to the question of whether direct or proxy respondents should be employed. Choosing between the two options involves carefully balancing the advantages and disadvantages of each in the specific research context and with regard to the specific research questions and scope.

## ► 3.4 Selection of reference job and reference period

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Survey design also involves decisions about whether the survey is current or retrospective in scope, and, in the case of the latter, choices regarding the most appropriate reference job and reference period for the survey. An important consideration in the choice between a current and retrospective survey is desired type of prevalence estimate generated by the survey. Current surveys, by definition, only permit the computation of the “point” prevalence<sup>11</sup> at the time of the survey, while retrospective surveys permit the computation of the average point prevalence over a period of time as well as of the “period” prevalence<sup>12</sup> over the course of a period of time (see section 7.2).

### *Selection of reference job*

**A current survey** provides a snapshot of the forced labour situation at the moment in time when the survey was implemented, for example, in a specific sector or supply chain. By definition, this type of survey focuses on the current job (of those currently employed) and does not capture previous jobs that may have constituted cases of forced labour, or the jobs of those who were *not* employed at the time of the survey

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11 Point prevalence is the proportion of a population in forced labour at a specific point in time.

12 Period prevalence is the proportion of a population experiencing at least one episode of forced labour over a predefined reference period.



but had been in the past. Current surveys may also fail to capture instances where forced labour is seasonal in nature.

**Retrospective surveys** that collect information on jobs held months or years prior to the survey can provide a more complete accounting of involvement in forced labour. However, the precise information collected depends on decisions regarding what job (or jobs) and over what period are covered by the retrospective survey. In addition to a current job, retrospective surveys may target the most recent job, the perceived “worst” job held in a reference period, or all jobs held during a reference period. The length of the reference period may extend to months or years before the survey implementation date.

Including *all* jobs over a reference period theoretically provides the fullest picture but depends on the ability of respondents to accurately recall multiple jobs, and the details and duration of each. Experience suggests this is difficult and can lead to recall errors. A focus only on the current job (for those currently employed) or most recent job (for those not currently employed but who were employed previously) limits recall issues, but at the important cost of not capturing other jobs over a reference period potentially constituting forced labour and not capturing information on total duration of forced labour. Experience suggests that a combined approach, where detailed information is collected on only one episode of forced labour, but information on duration is collected for all spells, is particularly prone to recall errors.

Although no approach is without drawbacks, survey experience accumulated to date suggests that a focus on the perceived worst job merits consideration in many contexts. This approach enables a research team to zero in on the specific jobs over a reference period that are most likely to be forced labour situations, while limiting the risk of recall errors associated with attempting to collect information on multiple jobs. In addition, research indicates that traumatic events are often easier to remember than others, suggesting that respondents may recall the details regarding their worst job experiences more accurately than those of other job experiences. Again, the cost of this approach is that of not capturing other episodes of forced labour that a worker may experience over a reference period, meaning that the total time that a worker spends in forced labour over a reference period may be understated. A focus on a “worst job”, of course, also depends on defining what is meant by “worst” for the purposes of the survey in a manner that is aligned as closely as possible with forced labour risk.

Ultimately, the choice of what reference job to use will be context specific, based on the research scope and objectives, sampling considerations, and inputs from local stakeholders and experts.

### *Selection of reference period*

There are three important trade-offs to consider in decisions concerning the reference period for retrospective surveys. The first relates to the reference period and sample size. As forced labour is a statistically “rare” event, a longer reference period allows for a smaller sample size (and consequently a reduced survey budget) to generate sufficient observations for reliable prevalence estimates. The second relates to reference period and recall. The further in the past the reference period extends,

the less accurate the recall of respondents is likely to be (the “telescope effect”) and the greater the consequent risk of recall errors. The third relates to reference period and topicality. Policymakers are typically interested in obtaining a picture of forced labour that is as current as possible. Yet the longer the reference period extends into the past, the less reflective the forced labour estimate will be of the current situation. While there is no one-size-fits-all answer, experience suggests that a reference period of three years to five years offers the best balance of these competing considerations in most survey contexts.



## ▶ 4. Sample design

This chapter focuses on sample design for forced labour prevalence surveys. It builds on (a) the experience gained by the ILO in conducting forced labour surveys in different regions of the world in the past decade; (b) the guidelines on the measurement of forced labour endorsed by the 20th International Conference of Labour Statisticians (ICLS) in 2018 (paras 26-31); (c) the sampling tools developed by the ILO for household-based surveys of forced labour; and (d) the ILO training modules for making the sampling tools more accessible to national statistical organizations and other users.<sup>13</sup>

The sampling issues discussed in this chapter relate to household-based surveys as well as to establishment-based surveys or, more generally, place-of-work surveys such as vessels in forced labour surveys in marine fishing, or plantations in forced labour surveys among tobacco growers, cotton pickers, or palm oil workers, etc. The sampling issues focus on surveys related to the measurement of privately imposed forced labour, although some of the elements may also be relevant for surveys of state-imposed forced labour and trafficking for forced labour.

In the sections that follow, a unified sampling framework is presented (section 4.1) that can be used as a base for incorporating a menu of specialized sampling tools (section 4.2) to improve the sampling efficiency of national or sectoral surveys on forced labour, conducted either as standalone or linked surveys.

## ► 4.1 Unified sampling framework

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### 4.1.1 Population concepts

It is important to distinguish three population concepts in forced labour surveys: target population; base population; and sampling population ..

The **target population** is the population of victims of forced labour within the scope of the survey. For example, in a national forced labour survey, the target population could be all persons five years of age and over who were victims of forced labour at any time during the last five years. In a returned migrant survey, the target population would be the victims of forced labour abroad. In a sectoral forced labour survey, the target population could be all workers engaged in cotton picking who are currently victims of forced labour.

The **base population** is the broader population for which the measurement of forced labour is to be made. For example, in the national forced labour survey mentioned

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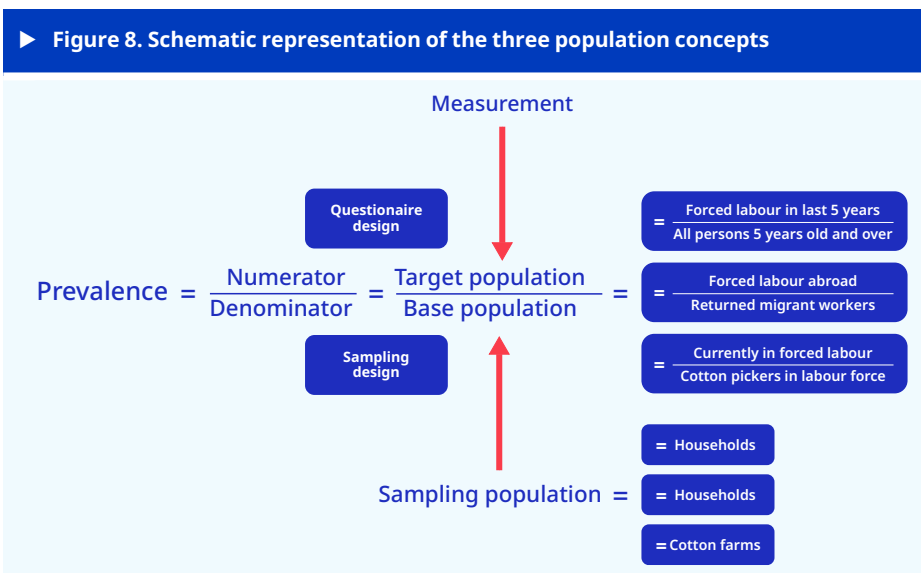
<sup>13</sup> For an initial understanding of sampling challenges in forced labour research see: ILO *Room Document 14 on the Measurement of Forced Labour*, 2018, section 6.

earlier, the base population would be persons five years of age and over living in private households (including children 5 to 17 years old). In the returned migrant survey, the base population would be all returned migrant workers. In the sectoral forced labour survey on cotton pickers, the base population would be all workers currently engaged in cotton picking, whether as their main job or subsidiary jobs.

Finally, the **sampling population** refers to the universe of units from which a sample can be drawn for the survey. For example, in the national forced labour survey mentioned earlier, the sampling unit could be all private households currently residing in the country. Similarly, households could be the sampling units for the returned migrant survey. For the sectoral forced labour survey on cotton pickers, the sampling units could be all cotton farms operating in the country.

The three population concepts are schematically presented in figure 8 in the context of the measurement of the prevalence rate of child labour or forced labour. The target population may be regarded as the numerator of the prevalence rate, and the base population as the denominator of the rate. The sampling population may be regarded as the population to be sampled to reach the base population.

Figure 8 also illustrates the role of sampling and questionnaire designs in forced labour surveys. The role of sampling design is to go from the sampling population to the base population. The role of questionnaire design is to measure the target population using the sample drawn from the base population.



## 4.1.2 Population characteristics

The sampling design of forced labour surveys should consider the particular nature of the populations from which samples are to be drawn. The target population in a national survey is generally:

- ▶ **Statistically rare.** The prevalence rate of forced labour is typically expressed per 1,000 inhabitants, an indication of its rarity (Kish 1991). The ILO global estimate of the total number of victims of forced labour on any given day was calculated to be about 3.5 per thousand of the world population in 2022 (ILO, Walk Free, and IOM 2022).
- ▶ **Unevenly distributed.** By its nature, forced labour is tied to particular employers or recruiters, engaged in specific economic activities, and in many cases, concentrated in certain pockets or geographical areas of the country.
- ▶ **Hidden.** In virtually all countries, forced labour is illegal and therefore research on the topic may expose both survey participants and survey personnel to danger. When developing sampling designs, the protection of survey respondents and their families, as well as survey interviewers and supervisors should be taken seriously. ILO experience shows that it is important to conduct survey interviews in a secure place away from the place of work where the presence of the employer or the representative could hamper the respondent providing genuine information and, in some cases, participation in the survey itself could be a threat to the worker.

In sectoral surveys on forced labour, it is often the case that not only the target population but also the base population is statistically rare, unevenly distributed and sometimes hidden. For example, in a forced labour survey on cotton pickers, not only the number of cotton pickers that are victims of forced labour may be small, but the total population of cotton pickers may also be relatively small in relation to the total labour force of the country.

## 4.1.3 Efficiency of sampling designs

The efficiency of the sampling design may be assessed in terms of the effective sample size of the target population and the effective sample size of the base population. Consider the following numerical illustration. A forced labour survey on cotton pickers is conducted using a two-stage sampling design. At the first stage of sampling, a sample of 1000 area units called primary sampling units (PSUs) is drawn from the sampling frame. Two alternative sampling designs are then envisaged. Under design A, at the second stage of sampling, a sample of 12 households is selected within each sample PSU. Under design B, an additional step is considered. Empty or near-empty sample PSUs are first separated out, resulting in 200 empty or near-empty PSUs and 800 remaining PSUs. Then, at the second stage of sampling, sample households are drawn from the remaining PSUs at the higher rate of 15 households per PSU.

► **Table 11. Effective sample size of base and target populations: Numerical illustration**

Sampling Design	Sample size	Effective sample size	
	Sampling population	Base population	Target population
Design A	12'000 households	240 cotton pickers	12 in forced labour
Design B	12'000 households	300 cotton pickers	15 in forced labour

*Notes: Design A = First stage sampling: 1000 sample PSUs; Second stage sampling: 12 households per PSU. Design B = First stage sampling: 1000 sample PSUs; Separating out 200 near-empty PSUs; Then, Second stage sampling: 15 households per PSU in the remaining 800 PSUs.*

It can be observed from table 11 that the sample size of the survey is 12'000 households under both sampling designs. However, under design A the effective sample size of the base population is 240 cotton pickers, while it is 300 cotton pickers under design B. Similarly, the effective sample size of the target population is 12 victims of forced labour under design A compared to 15 under design B.

The numerical illustration suggests that design B, which accounts for the uneven distribution of cotton pickers is more efficient than the conventional sampling design A, which assumes a geographically even distribution of cotton pickers. In general, a larger effective sample size of the base population entails a higher precision of the estimates of prevalence rates of forced labour. Correspondingly, a larger effective sample size of the target population generally results in higher precision of the estimates of the characteristics of forced labour, such as sex, age group, occupation, etc.

Separating out empty or near-empty area units and oversampling the remaining units is one among many other sampling tools available for improving the sampling design of forced labour surveys.

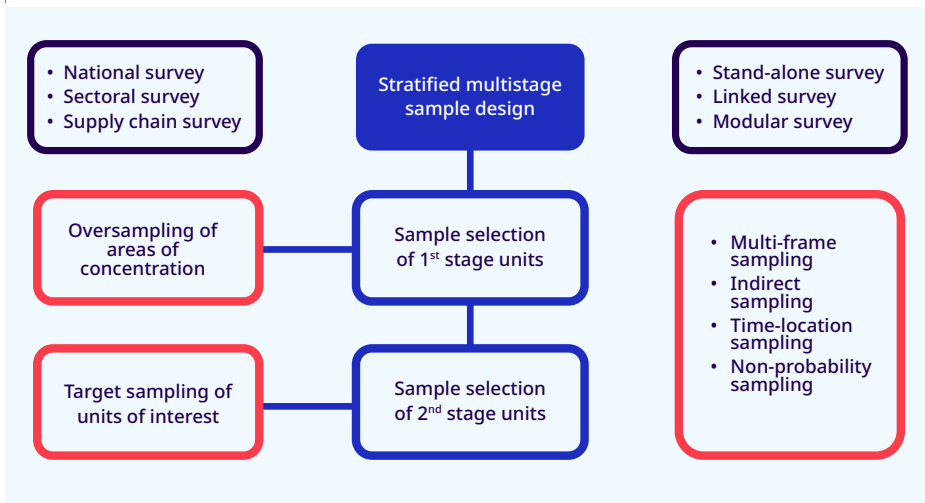
The subsequent sections detail a variety of effective sample designs tailored for forced labour surveys. These approaches are designed to enhance the identification of potential cases of forced labour cases within the sampled populations, thereby greatly strengthening the statistical robustness of our analyses.

#### 4.1.4 Unified sampling framework

Figure 9 shows a schematic representation of a unified sampling framework for forced labour surveys built around a core multi-stage sampling design with a menu of sampling tools that may be attached to it, alone or in combination, at one or more stages of the core sampling design. Oversampling of areas of concentration and targeted sampling of the units of interest are the main sampling tools of the unified sampling framework.

The other sampling tools include multi-frame sampling, indirect sampling, time-location sampling, and possibly other sampling schemes including non-probability sampling that may be necessary in certain circumstances. The unified framework is meant

► Figure 9. Unified sampling framework



to be applicable in national and sectoral surveys as well as in multi-sector and supply chain surveys on forced labour. The various sampling tools can also be incorporated into stand-alone surveys, modular surveys, or linked surveys. The core sampling design and the various sampling tools are briefly described below.

### 4.1.5 Core sampling design

The core sampling design is a stratified multi-stage sample design according to which, at the first stage of sampling, a sample of primary sampling units (PSUs) is selected with given probabilities without replacement. At the second stage of sampling, a sample of secondary sampling units (SSUs) is selected with certain probabilities also without replacement, and so on until the ultimate sampling units (USUs).

The proposed framework is applicable to both household-based surveys and establishment-based surveys. In household-based surveys, the primary sampling units (PSUs) are typically geographical areas, and the selection probabilities are proportional to a measure of size (PPS), such as the population of the PSU or the number of households in the PSU according to the latest population census. At the second stage, the secondary sampling units (SSUs) are households, and the sample is drawn by systematic sampling with equal probabilities preferably from an updated list of households to ensure that each household currently living in the PSU has a known non-zero probability of selection.<sup>14</sup> In certain cases, the sampling design may involve

<sup>14</sup> This methodology approximates to an Equal Probability of Selection Method (EPSEM) design, where the ultimate sampling units, which are the households in this case, have more or less



a third stage of sampling where individuals among the household members are the ultimate sampling units (USUs), and one individual per sample household is selected with equal probability typically using the Kish Grid (Kish 1949).

In establishment-based surveys, the primary sampling units (PSUs) may be establishments, or more generally, workplaces, grouped into size-classes. The large establishments in the top size-class are generally selected in the sample with certainty. The establishments in the next size-class are selected with probabilities higher than the probabilities of selection of establishments in the lower size-class, and so on. In the second-stage sampling, the secondary sampling units (SSUs) are the workers or employees of the sample establishments and are selected at fixed or variable rates within establishments.<sup>15</sup>

The stratified multi-stage sampling framework may also be applicable to other cases, such as surveys on state-imposed forced labour where the primary sampling units may be the prisons and the ultimate sampling units are prisoners, or surveys on forced commercial sexual exploitation where the primary sampling units may be the city-streets and the ultimate sampling units are sex workers.

The stratified multi-stage sampling design also has the advantage of being familiar to virtually all national statistical offices and survey statisticians. Methodologies for sample size determination, sample allocation among strata, sample selection and calculation of sampling weights and variance of estimates are all well-known, and software packages are available for their implementation, such as Stata, SPSS, and R (Valliant, Dever, and Kreuter 2013).

Existing national surveys such as labour force surveys, demographic and health surveys, household income and expenditure surveys are in most cases based on stratified multi-stage sampling designs, and thus provide a convenient base for attaching a forced labour survey at the ultimate stage of sampling, or linking a forced labour survey, where feasible at earlier stages of sampling to improve coverage and precision of the forced labour estimates.

Finally, the stratified multi-stage sampling design provides a flexible instrument to incorporate specialized sampling tools (such as oversampling of areas of concentration, target sampling of units of interest, multi-frame sampling, indirect sampling, or combinations) to obtain more efficient sampling designs for a national or sectoral forced labour survey conducted either as a standalone or a linked survey.

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the same probability of being included in the sample, irrespective of the size of the PSUs. This approach ensures a fair representation of each unit, allowing for unbiased estimations across different sizes and types of PSUs.

15 This approach ensures that workers within these establishments, regardless of the establishment's size, have a similar probability of being included in the sample. By doing so, the survey design aims to provide a balanced representation, not just of establishments of various sizes, but also of the individual workers within these establishments, reflecting a comprehensive view of employment patterns and workplace dynamics across different types of businesses.

## ► 4.2 Menu of sampling tools

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### 4.2.1 Oversampling of areas of concentration

Oversampling means sample selection of areas of concentration of the base or target population with probabilities higher than what would be from a conventional sample design of the same size. The methodology may be broadly described as, first, identifying areas where there are larger concentrations of the base or target population, and then sampling those areas of concentration with a higher rate of sampling than the other areas.

Three cases are distinguished: (A) Full information on concentration available from prior surveys or other sources; (B) No or partial information on concentration available and further information to be obtained as part of the current survey; and (C) Current survey part of a more general parent survey.

#### *Case A. Full information on concentration*

Full information on concentration refers to data on the degree of concentration of the elements of the base population ( $z$ ) or target population ( $v$ ) in the primary sampling units (PSUs). For example,  $z_i$  = proportion of households with migrant workers in PSU $_i$  or  $v_i$  = prescribed rate of forced labour among migrant workers in PSU $_i$ . Such information may be available from past population censuses or other large scale national surveys.

The information on concentration may also be constructed with expert advice by ranking the area units by broad categories of concentration and using the ranks as a score of each area unit. In this manner, PSUs can be given scores ( $z$  or  $v$ ) equal to their ranks: 1 for PSUs ranked with the least concentration; 2 for PSUs ranked with the next lowest concentration; and so on. The PSUs with the highest concentration of forced labour get the maximum score.

The ILO has developed sampling tools that use the information on concentration as input to compute the optimal allocation of the PSUs among the strata of the survey given certain parameters of the survey design. It also calculates the probabilities of selection of the PSUs based on probabilities proportional to size with the specified choice of the size variable. Finally, it selects the final stratified sample of PSUs by systematic sampling, where the probabilities of selection are obtained from the output of the previous step (ILO 2022).

#### *Case B. Partial or no information on concentration*

We shall now consider the case where no or only partial information on areas of concentration is available and the required information is to be obtained as part of the survey. The methodology involves four steps:

**Step 1.** Using existing partial information, to identify some of the areas of concentration.

**Step 2.** Separating empty or near empty areas in the remaining areas.

**Step 3.** Grouping all areas by level of concentration.

**Step 4.** Oversampling the areas with higher concentrations.

The first step (step 1) is to make use of any available information on the concentration of the base population or target population of the survey. The information may be partial, but the data may still be useful for identifying some of the areas of concentration relevant to the survey.

Typical data sources that one may consider to extract partial information on concentration are: Population-based censuses and large-scale national surveys; Economic and agricultural censuses and surveys; and Administrative records and lists of relevant units

For example, in a forced labour survey among tobacco workers, one may use, as a starting point, the list of tobacco plantations from the national tobacco authority. The list may be partial and incomplete, as there may be many small tobacco farms not registered with the National Tobacco Industry. The list may still be useful to identify some of the areas of concentration of tobacco workers. For example, each tobacco plantation in the list may be mapped to the geographical areas defined by the Primary Sampling Units (PSUs) of the National Statistical Office. The PSUs identified in this process can then be considered as areas of concentration of tobacco workers where households with tobacco workers may be found, either in the PSUs themselves or in the neighbouring PSUs.

If the list of relevant units is very large and the identification of areas of concentration in terms of PSUs is too difficult, it may be possible to sample from the list and limit the identification of the areas of concentration to those units in the sample. This would then be an indirect sampling approach.

The next step (step 2) is to separate empty or near-empty areas from the rest. This step may be regarded as the operation at the other extreme of the concentration distribution. From available sources it may be possible to identify areas that clearly do not contain any units of the base or target populations of the survey (e.g., PSUs containing no private households). Of course, this identification of empty or near-empty areas is unlikely to be sufficient. Additional effort may be needed to identify other empty or near-empty areas.

A procedure based on sequential sampling is described in the ILO Training modules on sampling for child labour and forced labour surveys (ILO, forthcoming). In its simplest form, the procedure consists of four steps: (1) Start with an initial batch of  $m$  sample units in the PSU. For example, a batch of  $m=10$  households in the PSU; (2) Count the number of base or target units in the PSU, say,  $m_1$ ; (3) If  $m_1=0$ , then drop the PSU as having no or little concentration. If  $m_1 \geq 1$ , then retain the PSU as one with significant concentration. If  $m_1=1$  continue with a second batch of 10 households or declare the PSU as mid-level concentration.

After separating empty or near empty PSUs, the next step (step 3) is to group the PSUs by level of concentration. Table 12 shows the results of grouping the PSUs into

three levels of concentration based on the simple procedure described above and applied to data from an imaginary country called Cambesia.

► **Table 12. Grouping areas by level of concentration: Cambesia example**

Decision 1st Batch	Level of concentration	Number of PSUs	$\hat{p} = m_1/m$
Drop	Low	1585	0.0%
Continue	Mid	1633	10.0%
Retain	High	1779	21.5%
	Total	4997	10.9%

*Note: if necessary and feasible, the PSUs with low level of concentration may be assigned a token small value, say 0.1% or 0.5% so that they have a non-zero small probability of selection.*

The total is 4997 PSUs corresponding to the total number of PSUs in Cambesia. The three levels of concentration are quantified by calculating for each of the three levels of concentration, the proportion of the base population units found among all batches of households in PSUs of that level of concentration. Because the calculation of the p values is pooled and based on many PSUs with the same level of concentration, it is likely to be sufficiently reliable. The correlation of these pooled rates of concentration with the actual rates given in the Cambesia data is found to be almost half (0.499). Of course, if more than a single batch per PSU is used, more differentiated levels of concentration and higher correlations with the actual data may be obtained.<sup>16</sup>

Finally, after estimating the levels of concentration of all areas, the last step (step 4) is sampling at a higher rate the areas with higher levels of concentration. The procedure can be implemented with the R-functions already described under case A.

### *Case C. Forced labour survey part of another survey*

If the forced labour survey is to be conducted as part of another survey and the sample design of the parent survey is fixed, there is little possibility for oversampling areas of concentration for the forced labour survey. In such a case, which we call Case C, it may still be feasible to consider a compromise design. The design compromise would be to adjust by a minimum amount the sample selection of the PSUs of the parent survey so that it accounts to some extent, for the requirements of the forced labour survey.

<sup>16</sup> An alternative method of estimating the rates of concentration based on segmentation may also be found in ILO, *Sampling elusive populations: Applications to studies of child labour*, 2013, section 6.5.

In a conventional design of the parent survey, the PSUs are selected within each stratum in proportion to the population size or the number of households of the PSUs. The compromise involves adjusting the measure of size by a factor that takes account of the level of concentration of the base population of the child labour or forced labour survey.

In mathematical terms, this would mean a measure of size proportional to

$$pps_k = aN_k \left[ 1 + b \left( \frac{z_k - \bar{z}}{s_z} \right) \right]$$

where  $z_k$  is the level of concentration of the base population of the child labour or forced labour survey of PSU  $k$ ,  $\bar{z}$  = mean and  $s_z$  = standard deviation.

If  $b = 0$ ,  $pps_k$  is proportional to  $N_k$ , and the design of the parent survey does not take into account the child labour or forced labour survey requirement.

If the principle of a compromise can be agreed,  $\alpha$  and  $\beta$  can be calculated so as to maximize the expected number of base or target units of the forced labour survey in the sample, subject to the constraint that the overall sample size  $n$  and the probabilities of selection are non-negative. It can be shown that this would give:

$$a = \frac{n/\beta}{N}$$

and

$$b = \frac{s_z}{\bar{z} - z_{min}}$$

where  $z_{min} = \min(z_k)$ . A numerical illustration using the Cambesia data set is given in the companion notes of the Training Module 6 (ILO, forthcoming).

## 4.2.2 Target sampling of units of interest

In this section, we address methods of target sampling of households of interest at the second stage of sampling. Target sampling means sample selection of households of interest in sample PSUs with probabilities higher than what would be from a conventional multi-stage sample design of the same size.

Three methods of target sampling are described: (1) "target sampling" based on listing and screening of households of interest within sample PSUs; (2) "adaptive cluster sampling" based on the geographical proximity of households of interest for sample selection within PSUs; and (3) "respondent driven sampling" based on social relationships that may exist among the households of interest in each sample PSU.

### *Screening before sampling*

Screening means the process of door-to-door canvassing of living quarters in a sample PSU to identify and record in a specially designed form the units of interest and other units found in the sample PSU for sampling at the second stage of the sample design. In a household-based sectoral survey, units of interest may be households with members working in a target sector, such as tobacco production, cotton picking, or marine fishing. The process of screening may also apply to units of interest other than households. For example, screening workplaces, construction sites, dormitories, or refugee camps to identify workers living at their place of work or other non-standard living quarters.

Because the screening process is based on a few questions and is carried out rapidly from door to door, responses to the screening questions may be subject to errors, including response errors as well as non-response errors. Therefore, units of interest identified by the screening questions may include units with members not belonging to the base or target population, and vice versa, the other category of units identified by the screening questions may include units with members belonging to the base or target population.

Next, the total number of listed units and the number found in each of the screening categories are counted. Let  $m$ ,  $m_1$  and  $m_2$  denote the counts:

$m$  = Total number of units listed in PSU ( $m = m_1 + m_2$ )

$m_1$  = Number of units of interest listed and screened in PSU

$m_2$  = Number of other units listed and screened in PSU

Then, one determines the number of units in each category that should be sampled in each PSU. Let  $b$  be the total number of units to be sampled in the PSU. This is generally a fixed number, determined in advance, for example,  $b=10$ ,  $b=12$  or  $b=20$ . The issue then is how to break  $b$  into two components ( $b = b_1 + b_2$ ):

$b_1$  = Number of sample units of interest to be selected in PSU

$b_2$  = Number of other units to be selected in PSU

The sampling tool developed for this purpose provides four options, as shown in table 13 (ILO, 2022). Under the proportional allocation, the number of sample units of interest to be selected in PSU is in proportion to the total number of units of interest found in the screening process. Under the maximum allocation, the number of sample units of interest to be selected in PSU is the maximum possible after leaving a maximum of 2 units to be selected from the other units in the PSU. The compromise allocation is a weighted average of the proportional and maximum allocation, with the arithmetic average as default. The fourth option is a user specified allocation with the compromise allocation as default.

► Table 13. Number of sample units of interest by type of allocation

Allocation	Number of sample units of interest	Special cases
Proportional allocation	$b_{prob} = b_1 = b/m$	$b_1 = m_1$ if $b > m$ or $m_1 < 2$
Maximum allocation	$b_{max} = b_1 = \min(b - 2, m_1)$	$b_1 = m_1$ if $b > 4$ or $m_1 \leq 2$ (*)
Compromise allocation	$b_{comp} = \alpha b_{prop} + (1 - \alpha)b_{max}$	Default $\alpha = 1/2$
User specified allocation	$b_{user}$	Default $b_{user} = b_{comp}$

Note: (\*)Also,  $b_1 = \min(2, m_1)$  if  $2 < b < 4$  and  $b_1 = \min(1, m_1)$  if  $b < 2$

Having allocated the number of units of interest to be sampled in each PSU, the next step is the calculation of the probabilities of selection of the units in each category. The probability of selection of the units of interest in a given PSU is calculated by

$$p_1 = \frac{b_1}{m_1}$$

where  $b_1$  is the number sample of units of interest obtained in the preceding step and  $m_1$  is the total count of units of interest in the PSU found in the screening process. The probability of selection of the other units in the PSU is calculated by

$$p_2 = \frac{b_2}{m_2}$$

where  $b_2$  is the number of sample units in the "other" category obtained in the preceding step and  $m_2$  is the total count of other units in the PSU found in the screening process.

The final step is the selection of the units in each PSU. The sample of units of interest in each PSU is selected by systematic sampling with equal probability,  $p_1$ . Similarly, the sample of other units in the PSU is selected by systematic sampling with equal probability,  $p_2$ . Generally,  $p_1$  is larger than  $p_2$ , which implies that the units of interest are sampled at a higher rate than the other units in the PSU.

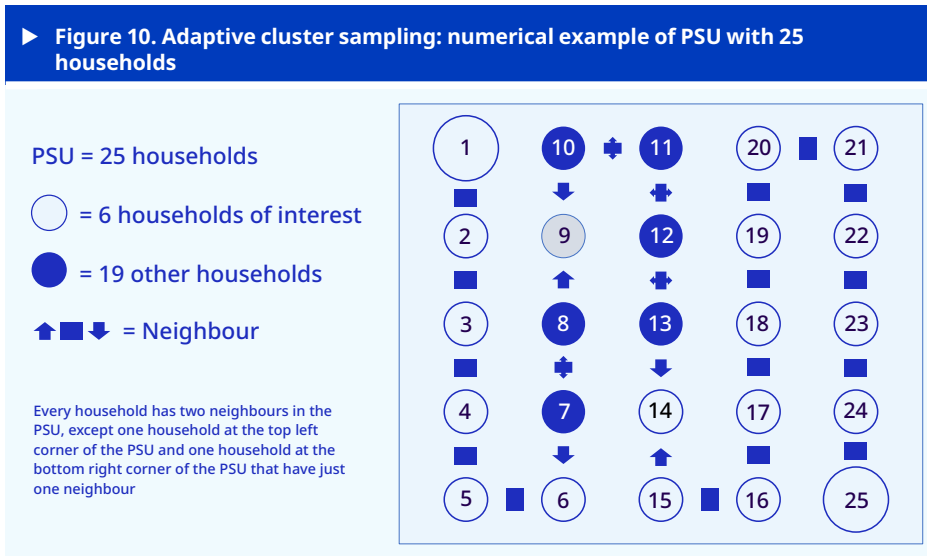
### Adaptive cluster sampling

Another method of target sampling of units of interest in a PSU is adaptive cluster sampling (ACS). The method is efficient if the units of interest tend to be close to each other. The method consists of starting with an initial sample of units in the PSU; then proceeding step-by-step by adding in the sample, neighbouring units of any units in the existing sample. In applying the method, the concept of "neighborhood" should

be clearly defined. Also, in practice, a criterion may be set on when to stop the process (stopping rule). This methodology has been applied by the ILO and the Department of Statistics Malaysia (DOSM) in the paper "Employment Survey in Palm Oil Plantations in Malaysia" (United States Department of Labor 2018).

A numerical example describes the procedure. Consider a PSU indirectly sampled from a list of palm oil plantations. The PSU contains 25 households, numbered 1 to 25 as shown in figure 10. There are 6 households of interest (households with palm oil workers) marked in dark blue circles and 19 other households (households without palm oil workers) marked in light grey circles. The arrows and the rectangle boxes between the circles indicate whether the households are neighbours. In this example, every household has two neighbours in the PSU, except one household at the top left corner of the PSU and one household at the bottom right corner of the PSU that have just one neighbour.

We start with a sample of two households selected among the 25 households of the PSU with equal probabilities (or any other probability scheme). Say the initial sample consists of households 13 and 18. The two households are then interviewed, and it is found that household 13 is a household of interest (dark blue circle), and household 18 is not (light grey circle). Since household 18 is not a household of interest we do not proceed to its neighbour. But, since household 13 is a household of interest, we proceed to its neighbours, i.e., households 12 and 14. We continue the process in this fashion until we reach household 10.



The neighbours of household 10 are households 9 and 11. Household 11 was already in the sample and interviewed. So we proceed to household 9. In the interview, we find that household 9 is not a household of interest (light grey circle), therefore, we



do not proceed to its neighbours and sampling stops. The final sample thus consists of 7 households: 4 households of interest (dark blue households, 10, 11, 12 and 13); 3 are other households (light grey households, 9, 14 and 18). The dark blue households form an “adaptive cluster”. The light grey households are called the edge of the cluster.

It may be verified that to achieve the same efficiency as the adaptive cluster sampling, we would need in this example to be more than three times the initial sample size under conventional simple random sampling.

The methodology in the context of household-based surveys may be expressed in more general terms as follows:

1. Define small non-overlapping area units constituting the PSU.
2. Distinguish between two types of area units in the PSU:  
Type C = Area units where number of households of interest  $\geq$  threshold  
Type D = Other area units
3. Define neighbourhood as the set of area units that share a boundary with each other. Thus, neighbourhood is a symmetric relationship. If  $i$  is a neighbour of  $j$ , then  $j$  is a neighbour of  $i$ .
4. Start with an initial sample of area units.
5. If a type C unit is found in the sample, add all type C units in its neighbourhood.
6. Continue to expand the sample cluster by adding type C units in neighbourhood of units already in the cluster.
7. Stop the process, when no new type C units are found in the neighbourhood of the sample cluster.

In the calculation of the design weights, it should be taken into account that households may be drawn in the sample in multiple ways. A household of interest falls into the sample if any one of the households of the cluster it belongs to is selected in the sample. The multiplicity of sample selection may be accounted for by the size of the cluster. The size of a cluster is the number of households of interest in the cluster. Thus, all households in the same cluster share the same design weight,

$$w_{(i)} = \frac{1}{x_{(i)}} \sum_{j \in (i)} \frac{\delta_{ij}}{\pi_{ij}}$$

where

$\delta_{ij} = 1$  if household  $j$  of cluster  $(i)$  in the initial sample;  $= 0$ , otherwise

$\pi_{ij} = 1$  probability of selection of household  $j$  of cluster  $(i)$  in the initial sample

and  $x_{(i)}$  is the size of the cluster  $(i)$ .

Note that because the final sample is, in fact, a set of clusters of units linked to the initial sample, the variance of survey estimates may be calculated by the variance of the estimates over the clusters.

Adaptive cluster sampling of households of interest has generally higher costs than simple random sampling at the second stage of a conventional two-stage design. The additional cost includes: (a) Management cost due to increased overall complexity of the survey; and (b) Additional cost of identifying clusters, boundaries, neighbours, etc. However, adaptive cluster sampling can also be more cost-effective compared to the full screening of primary sampling units (PSUs), as it typically involves screening a smaller, more focused group of households, thereby reducing the resources and time required for comprehensive data collection.

Other issues concerning adaptive cluster sampling that require careful consideration are imperfect detectability and overlapping adaptive clusters. Some procedures to extend and improve the efficiency of adaptive cluster sampling include: the use of multiple adaptive criteria; and multi-waves of adaptive cluster sampling.

The ILO sampling tools cited earlier include procedures for implementing adaptive cluster sampling in the context of household-based forced labour surveys.

### *Respondent driven sampling*

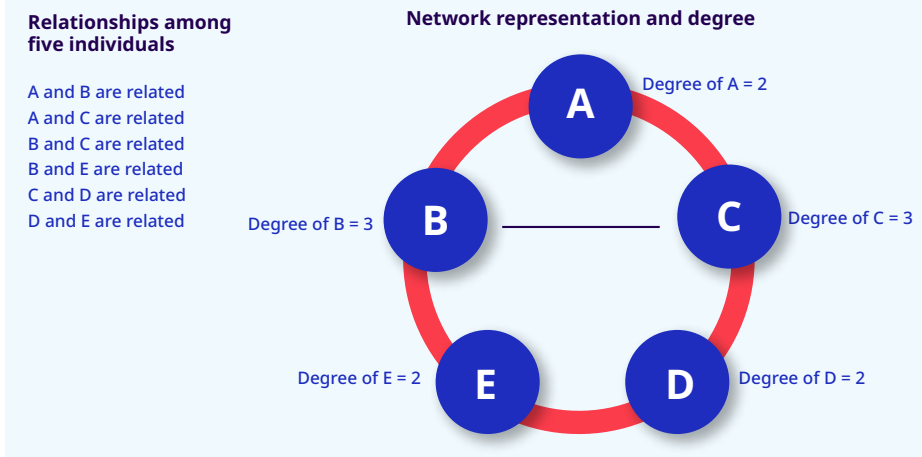
Respondent driven sampling (RDS) is another method to increase the likelihood of selecting units of interest at the second stage of sampling. While adaptive cluster sampling was based on geographical proximity, RDS is based on any social relationship that may exist among the units of interest in the PSU. Starting with a set of initial units, called “seeds”, the sample is expanded in waves by including other units of interest, called “recruits”, related to the units already in the sample, under a specific protocol of coupons and incentives. The method is efficient if the units of interest tend to have a social relationship with each other.

The methodology was initially developed to identify hidden population groups such as injection drug users, HIV patients, etc. (Heckathorn 2002). A variant has been recently proposed for the measurement of forced labour in the garment sector in Madagascar (NORC 2023). Another variant has been used by the ILO in the pilot survey of workers in the electronics supply chain of Viet Nam. The objective there was to transform an initially non-probability sample of workers identified by sample establishments to an asymptotic probability sample using the chain referral system of the RDS.

A numerical example illustrates the process. Consider a network of 5 individuals, A, B, C, D and E. The relationship among the individuals is schematically shown in Figure 11. The boxes represent the individuals and the lines represent the relationships between the individuals. Now consider sampling the individuals through their network.

Suppose we start sampling with just one individual, say A. A is called the “seed”. Then, A selects one among the two individuals in its network (B or C). We say that A has degree 2. Suppose B is selected. B is called the “recruit”. The process of going from the “seed” A to the “recruit” B is called a “wave”. We proceed to another wave of sampling; B should select one individual from its network (A, C, and E). Suppose B “recruits” E. So now E is added to the sample and the process continues with many

► **Figure 11. Respondent driven sampling: numerical example of network of 5 individuals**



waves. At each wave, an individual is added to the sample. Individuals may enter the sample more than once.

It can be shown that in the long run, the frequency of the appearance of an individual is in proportion to its degree. It means that if the number of waves is sufficiently large the relative frequencies of the appearance of individuals in the sample are independent of the initial seed. This is a remarkable result. It means that no matter with which sample we started, we end up with a sample with known frequencies of occurrences or known probabilities of selection. This is the crux of respondent driven sampling.

In practice, it is of course impossible to continue the process indefinitely. It can be shown, however, that if we start with more than one seed, the speed of the process increases exponentially, and we can converge to the asymptotic distribution in a limited number of waves. Surveys based on respondent driven sampling typically use three recruits per wave (that is  $m=3$ ) and the number of waves may vary from survey to survey depending on the nature of the survey and the ease or difficulty of finding appropriate seeds.

Respondent driven sampling is based on certain underlying assumptions. For the method to work, these assumptions should also be satisfied. First, it is assumed that sample units report their degree accurately. For example, they accurately respond to the following question: Q1. How many other persons can you name in this area who could have also named you? Number of persons \_\_\_\_.

Second, it is assumed that recruitment is random. This means that when identifying others, the individual in the sample is selecting at random from the set of persons reported in Q1.

Third, it is assumed that the network is symmetric. This means that person "A" who names person "B" could have been themselves named by "B".

Fourth, it is assumed that the process converges rapidly. This means that after a modest number of waves, the sample composition becomes independent of the initial sample that initiated the process.

Respondent driven sampling also uses certain instruments to preserve confidentiality and encourage participation in the survey. Instead of naming others, the respondent may be given a fixed number of coupons which can be passed on to others inviting them to participate in the survey at the address printed on the coupon. The number of coupons given to the respondent to distribute to others is limited, typically, three. Also, to encourage participation in the survey, respondent driven sampling generally uses a system of incentives, an incentive to participate and another to recruit others.

To calculate the sampling weights of the sample units their inclusion probabilities must be estimated (Volz and Heckathorn, 2008, 79-97). Let  $p_k$  denote the unknown probability of selection of an individual  $k$  in the final sample. When the number of waves is sufficiently large, the probability of selection of individual  $k$ ,  $p_k$ , tends to be proportional to the degree of the individual  $k$ , that is,

$$p_k = \frac{n\delta_k}{\delta_1 + \delta_2 + \dots + \delta_N} \sim \frac{\delta_k}{N \times \hat{\delta}_s}$$

where  $\delta_k$  is the degree of individual  $k$ . Note that if all degrees are equal,  $p_k=n/N$  and the final sample is essentially a simple random sample with equal probabilities. In practice, the degrees of individuals are different. For the individuals in the sample, their degree can be obtained by asking a well designed question on the number of individuals in his or her network; and  $\hat{\delta}_s$  is the harmonic average of the degrees of the individuals in the sample,

$$\hat{\delta}_s = \frac{n}{\frac{1}{\delta_1} + \frac{1}{\delta_2} + \dots + \frac{1}{\delta_n}}$$

As in all probability samples, the design weight of the sample units is obtained by the inverse of the probability of selection. Thus, the estimated design weight of individual  $k$  is

$$\hat{w}_k = \frac{1}{\hat{p}_k}$$

If the total number of individuals in the universe,  $N$ , is not known,  $\hat{p}_k$  can be estimated up to a proportion. In this case, the relative design weights can be calculated as

$$\widehat{W}_k = \frac{n / \sum_{k \in S} \frac{1}{\delta_k}}{\delta_k}$$

The relative design weights do not depend on N and therefore can be computed solely on the base of information on the degrees of the individuals in the sample.

The calculations involved in respondent driven sampling (RDS) is programmed in the ILO sampling tools cited earlier.

### 4.2.3 Multiple frame sampling

In many circumstances, household-based surveys or establishment-based surveys alone may not cover all workers at risk of forced labour. For example, in a household-based survey, workers living in non-regular dwellings, such as workers living at construction sites, in workshops, or in refugee camps are typically not covered. Also, the coverage of establishment-based surveys is generally limited to registered establishments, and therefore, workers engaged in unregistered establishments or the informal sector are not covered. In such circumstances, it may be necessary to use multiple sampling frames to cover all workers at risk of forced labour.

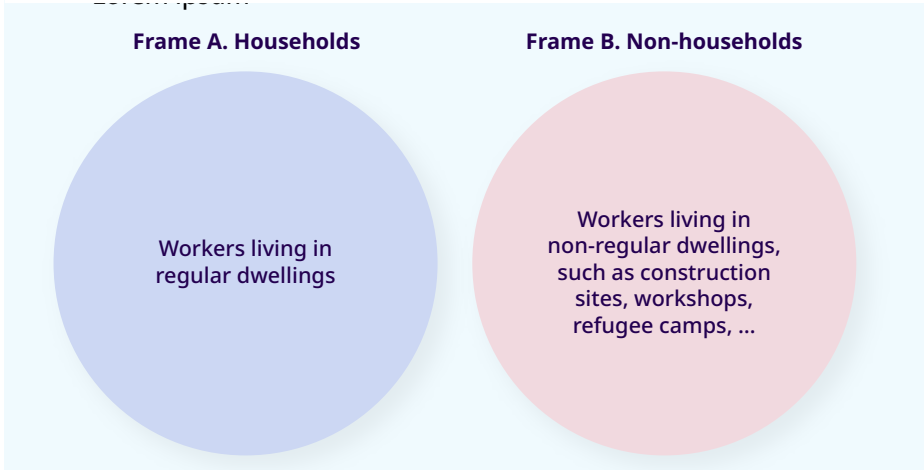
It should be mentioned the sampling design for each frame may be independent and constructed as multi-stage design if necessary. With multiple frames, it is important to distinguish between non-overlapping sampling frames and overlapping sampling frames. With overlapping sampling frames, a sample unit may be selected from more than one frame. If no account is taken of this multiplicity, the survey results are likely to overestimate the prevalence of forced labour. The issues involved in each type of multiple frame sampling will now be reviewed in turn.

#### *Non-overlapping sampling frames*

An example of non-overlapping sampling frames is shown in figure 12. Frame A represents the sampling frame of households, from which a sample of workers living in regular dwellings may be drawn according to some specified sampling scheme. Frame B represents the sampling frame of non-households covering workers living in non-regular dwellings such as construction sites, workshops, or refugee camps. In practice, sampling frame B may itself consist of multiple frames, one frame for construction sites, a separate frame for workshops, and still another frame for refugee camps.

The frames are considered as non-overlapping because, from a statistical point of view, a person has a single place of residence at a given time, including the time of the survey. The base population of sampling frame A comprises all workers living in regular dwellings, and the base population of sampling frame B comprises all workers living in construction sites, workshops, or refugee camps. And the two base populations do not overlap.

► Figure 12. Non-overlapping sampling frames



A worker in the final sample may have been drawn in the sample either from frame A or from frame B. Let  $s^A$  be the sample of workers drawn from frame A, and let  $s^B$  be the sample of workers drawn from frame B. The design weight of a sample worker  $i$  may be expressed as

$$w_i = \begin{cases} 1/\pi_i^A & \text{if } i \in s^A \\ 1/\pi_i^B & \text{if } i \in s^B \end{cases}$$

where  $\pi_i^A$  is the probability of selection of workers from frame A and  $\pi_i^B$  is the probability of selection of workers from frame B. Note that the calculation of the probabilities  $\pi_i^A$  and  $\pi_i^B$  depends on the sample design of the surveys from each of the

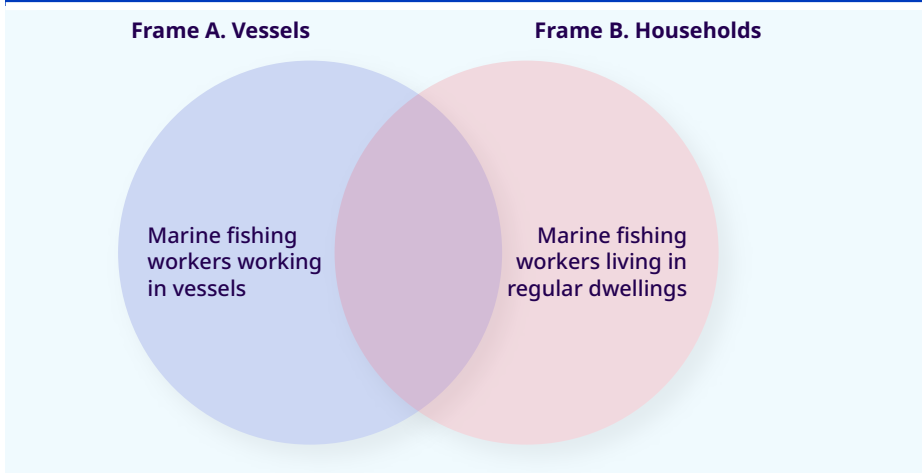
frames. For example, in a multistage sampling design,  $\pi_i^A$  or  $\pi_i^B$  is calculated as the product of several probabilities, one for each stage of sampling.

If the forced labour survey is a modular or linked survey attached to a parent survey such as a labour force survey, it may be possible to envisage shortcuts. For example, instead of introducing additional sampling frames, one may be able to cover workers living in non-regular dwellings at the listing stage of the parent survey. When canvassing door-to-door all households in the sample PSU of the parent survey, one may separately identify construction sites, workshops, or informal settlements where workers may be living. Sample workers from these non-regular dwellings would then also be included for the forced labour survey. The success of the shortcut depends on the extent to which the sample PSUs of the parent survey include non-regular dwellings of the type relevant for the forced labour survey.

### Overlapping sampling frames

An example of multi-frame sampling with overlapping frames is given by the sampling design of a series of ILO national surveys on forced labour among adults and children engaged in marine fishing during the last five years (Ghana, Indonesia, South Africa). No single frame existed covering all workers within the scope of the surveys. Even a recent population census would not provide a comprehensive sampling frame as it would exclude non-residents engaged in marine work in the past. Lists of vessels under the flagship of the country may also be insufficient as they would leave out workers engaged in unregistered vessels. Therefore, a multi-frame sampling strategy was adopted combining a list frame of registered vessels and an area frame of PSUs and households as shown in figure 13.

► Figure 13. Overlapping sampling frames



The sampling populations, the populations for which sampling frames exist, are identified under the headings Frame A (Vessels) and Frame B (Households). The corresponding base populations are represented by the oval circles, the blue circle for the base population derived from the sampling frame A, and the white circle for the base population derived from the sampling frame B. The two circles overlap because some workers may have a non-zero probability of selection from more than one frame. For example, resident workers drawn in the sample from the vessel frame, could also have been selected in the sample from the area frame of households where they usually live. In cases where workers are engaged in multiple registered vessels during the reference period, they could also be selected in the sample from any of those vessels.

To account for this multiplicity of sample selection, the design weights of the final sample should be correctly calculated. Design weights calculated using the weight share method provide unbiased estimates of survey aggregates. According to the

weight share method, the design weight of worker  $i$  in the final sample may be expressed as,

$$w_i = \sum_{j \in s^A} \frac{\theta_{ij}^A}{\theta_{i+}} \frac{1}{\pi_j^A} + \sum_{k \in s^B} \frac{\theta_{ik}^B}{\theta_{i+}} \frac{1}{\pi_k^B}$$

$s^A$  = sample of vessels drawn from frame A

$s^B$  = workers of households drawn from frame B

$\pi_j^A$  = inclusion probability of vessel  $j$  in sample

$\pi_k^B$  = inclusion probability of household  $k$  in sample

$\theta_{ij}^A$  if worker  $i$  was engaged in vessel  $j$  in sample  $s^A$ ;  $\theta_{ij}^A$  otherwise.

$\theta_{ik}^B$  if worker  $i$  belonged to household  $k$  in sample  $s^B$ ;  $\theta_{ik}^B$  otherwise.

$\theta_{i+}$  = total number of vessels in which worker  $i$  was engaged during the reference period + total number of households to which worker  $i$  belonged during the reference period.

The information for the calculation of the design weights is all available from the sample, except for  $\theta_{i+}$ . The second component of  $\theta_{i+}$  on number of households to which the worker belonged is generally 1. For the first component of  $\theta_{i+}$ , information may be obtained during survey interviewing. For example, the survey questionnaire may include the question: "In how many vessels are you currently working in marine fishing off the coastal regions of the country?"

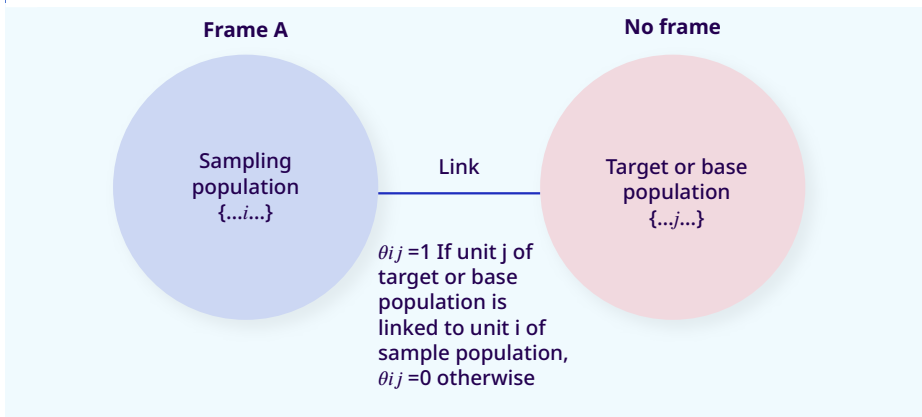
A fuller description of the sampling design and its implication on questionnaire design is given in the draft document on Indonesia (Mehran 2023). For more details on multiple frame sampling in the context of child labour surveys, reference is made to Verma (Verma 2013).

#### 4.2.4 Indirect sampling

Another useful sampling tool for child labour or forced labour surveys is indirect sampling. In indirect sampling, a sample is drawn from a population using an existing frame to obtain, indirectly, a sample of the target or base population for which a sampling frame does not exist, or its use is not efficient for the application at hand (Lavallée, 2002, 2007). Figure 14 shows the main elements of indirect sampling. The target or base population of the survey is shown in light pink on the right part of the figure. The population units are indexed by  $j$ . There is no frame for this population as indicated in its heading. The population for which a frame exists is shown in light blue on the left part of the figure. It is called the sampling population. Its units are indexed by  $i$ . The link between the two populations is indicated by the parameters  $\theta_{ij}$  where  $\theta_{ij} = 1$  if unit  $j$  of target or base population is linked to unit  $i$  of sample population,  $\theta_{ij} = 0$  otherwise.



► Figure 14. Indirect sampling



A sample is drawn from the sampling population. It is denoted  $s_A = \{...i...\}$ . The probability of selection of sample unit  $\pi_i$  is . The sample  $s_A$  generates an indirect sample of the target or base units,  $s_B = \{...j...\}$ . Thus,  $j$  is in the indirect sample  $s_B$  if  $\theta_{ij} = 1$  and  $i \in s_A$ . Note that a unit  $j$  may fall in the indirect sample in more than one way, depending on the number of links the unit has to the sampling population. This multiplicity of sample selection is accounted for in the calculation of the design weights of the indirect sample. Thus, according to the weight share method of indirect sampling, the design weights of an indirect sample unit  $j$  is expressed as,

$$w_j = \sum_{i \in s_A} \frac{\theta_{ij}}{\theta_{+j}} \frac{1}{\pi_i}$$

where  $\theta_{+j} = \theta_{1j} + \theta_{2j} + \dots + \theta_{Nj}$  is the total number of links that unit  $j$  has with the sample population, , where  $N$  is the total size of the sampling population.

To illustrate the procedure, a few examples of the use of indirect sampling in ILO surveys on forced labour are provided in box 7.

## Box 7. Examples of the use of indirect sampling in recent ILO-supported surveys on forced labour

### (a) Tenancy survey in Malawi (Malawi, ILO 2023)

In the absence of a sampling frame on tenant tobacco workers, an indirect sampling approach was adopted for the survey. The available sampling frame was the list of growers provided by the Tobacco Commission of Malawi. It represented the universe of tobacco growers in Malawi at the time of the survey. A sample of growers,  $s_A$ , was drawn from this list according to a specified sample design. The sample of growers,  $s_A$ , obtained by direct sampling from the list growers led to an indirect sample of PSUs,  $s_B$ , which we called areas of concentration of tobacco households. The indirect sample was defined by the links between the list of the Tobacco Commission of Malawi and the PSUs of the National Statistical Office. Thus, the link  $\theta_{ij}$  was defined as

$$\theta_{ij} = \begin{cases} 1 & \text{if grower "i" is linked to PSU "j"} \\ 0 & \text{otherwise} \end{cases}$$

Grower "i" is linked to PSU "j" means that the tobacco holding of grower "i" falls within or cut across the primary sampling unit "j". The remaining part of the survey follows a conventional multi-stage sampling design, according to which in each linked PSU, a sample of households with tobacco workers was selected by systematic sampling with equal probabilities, and among them tenants were identified for final estimation.

### (b) Palm oil survey in Malaysia (Malaysia, 2018)

In this survey, two sampling frames were used based on lists of large private and government estates (Frame I) and of smallholders (Frame II) provided by the Malaysian Palm Oil Board (MPOB). A sample of estate plantations was drawn from Frame I and linked to the enumeration blocks (EB) of the Department of Statistics (Note: EBs are equivalent to PSUs described in the present document). To increase the likelihood of covering workers living outside the plantation and workers engaged in a plantation other than the sample plantation, each linked EB was paired to another neighbouring EB, called paired EB. The paired EBs were selected randomly clockwise among all neighbouring EBs. Thus, the links  $\theta_{ij}$  were defined as

$$\theta_{ij} = \begin{cases} 1 & \text{if plantation "i" is linked to EB "j" or its paired EB} \\ 0 & \text{otherwise} \end{cases}$$

The households in each linked or paired EB were then screened for the presence of plantation workers, and a final sample of households with plantation workers was drawn by adaptive cluster sampling as described earlier (page x).

In the case of smallholders (Frame II), a similar approach was adopted except that the linked EBs were not paired with other neighbouring EBs, because plantations of smallholders were thought to be within the boundaries of the EB blocks to which they belonged and therefore pairing would not likely provide additional information on smallholder employment.

### (c) Survey on the electronics supply chain in Viet Nam (ILO 2023)

The 2021 Economic Census of Viet Nam covered enterprises and household businesses engaged in all economic

activities conducted in the country and, in principle, could have served as the frame for direct sampling of the enterprises and household businesses of the electronics supply chain. Instead, it was decided to adopt a different sampling strategy based on the linkage of economic units in the supply chain. Thus, the pilot sampling design provided to draw, first, a sample of enterprises and household businesses from the central tiers of the supply chain where all units are unequivocally part of the supply chain, and then, to reach the other tiers of the supply chain indirectly through the links that exist among the different units of the supply chain. In this context, the links  $\theta_{ij}$  are defined as,

$$\theta_{ij} = \begin{cases} 1 & \text{if enterprise "i" is supplier or client of enterprise "j" in the supply chain} \\ 0 & \text{otherwise} \end{cases}$$

The linked units may, of course, include additional units of the central tiers, as well units of other tiers of the supply chain. The approach is meant to avoid unnecessary sampling in branches of economic activity where many enterprises or household businesses do not belong to the supply chain. Also, if the coverage of the linked units does not span all tiers of the supply chain or the sample size is not enough to produce sufficiently precise survey estimates, the process could be extended to multiple waves of indirect sampling of linked units.

### (d) Survey on marine fishing in Indonesia

This survey builds on the survey on marine fishing mentioned earlier to improve its sampling design. Instead of direct sampling from two frames (vessels and households), an alternative sampling design would be to sample ports and reach vessels and households indirectly through their links with the sample ports. In this context, there are two links, one linking ports and vessels, and the other linking ports and households,

$$\theta_{ij}^{\text{vessels}} = \begin{cases} 1 & \text{if vessel "j" is docked at port "i"} \\ 0 & \text{otherwise} \end{cases}$$

$$\theta_{ik}^{\text{households}} = \begin{cases} 1 & \text{if household "k" in a PSU within or crossing boundary of port "i"} \\ 0 & \text{otherwise} \end{cases}$$

Indirect sampling improves the earlier design for several reasons. First, it involves a single sampling frame, instead of two. Second, the procedure also covers types of vessels. Vessels linked to a sample port may include unregistered as well as registered vessels. Third, vessels move while ports are fixed, and sampling fixed objects is generally easier than sampling moving objects. Fourth, the sampling design may be further improved by sub-sampling vessels in the sample ports in different days and at different hours using time location sampling (Verma 2013). This procedure assigns, in principle, non-zero probabilities of selection to all vessels including those that are at high seas during prolonged periods of time. With respect to households, another improvement that may be considered is the extension of the linked PSUs to include their immediate neighbours to account for workers in marine fishing that may be living further away from ports.

## 4.2.5 Use of non-probability samples

In designing forced labour surveys, there may be situations where probability sampling is not possible, not feasible or too costly. Also, there may be situations where an originally planned probability sampling turns out to be unsuccessful, and the resulting sample is not a probability sample. Examples might include a sample initially selected randomly with extremely low response rates, a survey covering a limited number of provinces, not selected randomly, or a survey using respondent driven sampling to select workers that ends up not producing a probability sample because the protocol of the sample design could not be adequately respected in field operations.

In such situations, it may be necessary to use the data obtained from non-probability samples in the best possible way. There are two approaches to the estimation based on non-probability samples: the extrapolation approach; and imputation approach (Elliott and Valliant, 2017, 249-264).

### *Extrapolation approach*

Under the extrapolation approach, one assumes that the non-probability sample is, in fact, generated from a probability sample. Its unknown selection probabilities are then estimated using certain co-variables and the results are converted to a sort of extrapolation weights for survey estimation (pseudo-extrapolation weights).

Suppose a forced labour survey is conducted using a non-probability sample of 200 workers. The survey results found 8 victims of forced labour among the 200 workers. The crude prevalence rate of forced labour is calculated as  $8/200 = 4$  percent. The question is whether this crude result can be extrapolated to the total population of workers, given that the results are obtained from a non-probability sample.

Under the extrapolation approach, we deal with this question by looking for covariates that may explain the inclusion of the workers in the non-probability sample. Say gender is one such covariate. We note that among the 200 sample workers, 70 were male and 130 were female. But, we know from other sources that in the population of workers in the survey area, men and women workers are equally distributed. This indicates that the non-probability sample includes relatively more female workers than male workers. Because the sample misrepresents the gender composition of the workers, the crude prevalence rate must be a biased estimate of the prevalence of forced labour in the area.

Table 14 shows the calculation of pseudo-weights under the extrapolation approach. The first three rows of the table reproduce the available data distinguishing between male and female workers. The fourth line gives the corresponding crude prevalence rate of forced labour. The fifth row calculates the pseudo-probabilities of the selection of male and female workers by dividing row (2) to row (1). The sixth row calculates the corresponding pseudo-weights as the inverse of the pseudo-probabilities of selection. The seventh row verifies that using the pseudo-weights, we do obtain the correct population total of male and female workers, respectively. We then apply the pseudo-weights to the sample data to find the estimates of forced labour in row (8). Finally, in the last row, we calculate the prevalence rate of forced labour by dividing

row (7) to row (8). Note that the prevalence rates of male and female workers (row 9) are the same as that of the sample values (row 4), but the overall prevalence rate is now significantly higher (5.1 percent) than the crude prevalence rate in row 4 (4.0 percent).

► **Table 14. Calculation of pseudo-probabilities and pseudo-weights for extrapolation of non-probability sample**

	Calculation	Total	Male	Female
1	N = population size of workers	10000	5000	5000
2	n = sample size	200	70	130
3	y = variable of interest (forced labour)	8	6	2
4	Crude prevalence rate of forced labour = (3)/(2)	4.0%	8.6%	1.5%
5	Pseudo-probabilities of selection = (2)/(1)	-	0.014	0.026
6	Pseudo-weights = 1/(5)	-	71.4	38.5
7	Estimate of workers population based on pseudo-weights = (6)x(2)	10000	5000	5000
8	Forced labour estimate based on pseudo-weights = (6)x(3)	505.5	428.6	76.9
9	Prevalence rate of forced labour based on pseudo-weights = (8)/(7)	5.1%	8.6%	1.5%

The calculations of pseudo-probabilities and pseudo-weights may be extended to situations where there are multiple covariates (for example, gender and age group) or combinations of categorical and continuous covariates (for example, gender, age group, and household income). Details may be found in the Companion Notes (section 2) and Case Studies (Case A) of Module 9 of the ILO Training on sampling for child labour and forced labour surveys.

### *Imputation approach*

Imputation is the second approach to dealing with non-probability samples. Under the imputation approach, the non-sample data are considered as missing, and the missing values are imputed using covariates available both in the non-probability sample and the non-sample data. In general, the imputation methodology depends on the assumptions made on the form of missingness of the data and the type of data on covariates that are available. Three forms of missing data are generally distinguished: Missing completely at random (MCAR); Missing at random (MAR); and, Missing not at random (MNAR).

Missing completely at random (MCAR) means the missingness of the data is unrelated to any of the study variables. Under this form of missing data, the non-probability sample is treated in effect as a random sample of the population, and the sample proportions are used as estimates of the corresponding population proportions.

Next, let us consider the assumption that the missing data are missing at random (MAR). It means that the missingness is not random but can be fully accounted for by variables for which there is complete information both on the units in the sample, and those units not sampled. The imputation approach under MAR is particularly relevant where the missing units are relatively small compared to the number of units in the sample.

In the example of the survey on the electronics supply chain, suppose that establishments do not provide the list of their workers for sample selection, but instead assign some workers for survey interviewing. The resulting sample cannot be considered a random sample, and therefore the workers assigned by the establishment cannot be considered representative of all workers in the establishment. The total number of workers in the establishment is known and the workers not in the sample are treated as missing to be estimated using covariates.

Table 15 gives the results. The first column lists the covariates: production and non-production workers; and, migrant and local workers. The next column shows the total of each type of work in the establishment. The subsequent column shows the corresponding number of workers in the non-probability sample. The last two columns give the number of victims of labour identified in the non-probability sample and the estimates of the missing numbers, marked by "(?)". Adding the totals in the last two columns, we find that the estimated total number of victims of forced labour in the establishment is about 11 ( $=2+9.267= 11.267$ ).

► Table 15. Non-probability sample and imputation of missing data under MAR

Covariates	Total	Number of workers		Victims of forced labour	
		In non-probability sample	Missing	In non-probability sample	Missing
<b>Total</b>	<b>50</b>	<b>10</b>	<b>40</b>	<b>2</b>	<b>9.267 (?)</b>
Production workers	40	4	36	1	8.800 (?)
Non-production workers	10	6	4	1	0.467 (?)
Migrants	24	5	19	2	9.267 (?)
Locals	26	5	21	0	0.000 (?)

The procedure for imputing the missing data is described below. Let  $y_i$  refer to the forced labour status of worker  $i$ , and we want to estimate the total number of workers in forced labour in the establishment, which we denote by  $t$ . The total may be decomposed into two parts: the part we know by interviewing the workers in the sample and finding their labour force status, and the part we do not know because the non-sample workers are missing and cannot be interviewed:

$$t = \sum_{i \in S} y_i + \sum_{i \in \bar{S}} y_i$$

Now consider the covariates, and suppose the relationship between forced labour status and the covariates is linear,

$$E_M(y_i | x_i) = x_i' \beta$$

where  $E$  stands for expected value and the subscript  $M$  is meant to indicate that the expected value is under the assumptions of the linear model. Using the sample data, we estimate  $\beta$  say by least squares regression, and plug the estimate,  $\hat{\beta}$ , in the model

$\beta$  to find:

$$\hat{t} = \sum_{i \in S} y_i + (t_x - t_{sx})' \hat{\beta}$$

where  $t_x$  is the distribution of the total number of workers by the covariates and  $t_{sx}$  is the corresponding distribution in the non-probability sample. Note that the first of the total in the above expression is the number of victims of forced labour in the sample and the second part is the estimated number of victims of forced labour in the missing data.



## ▶ 5. Questionnaire design

This chapter focuses on questionnaire design, the next stage of the survey preparation process for forced labour surveys. Building on the experience and lessons accumulated through more than 17 national and sectoral surveys on forced labour undertaken with ILO support since 2018, the chapter describes some of the key building blocks and considerations for the construction of a forced labour questionnaire.

The precise structure and contents of a questionnaire will depend on the survey design parameters discussed in the previous chapters of this handbook – specifically, the overall scope of the survey (section 2.3), the research questions it will address (section 2.4), as well as the type of survey (section 3.1) and the survey implementation modality (section 3.2). The questions ultimately included in the survey, and their specific wording and sequencing, should be carefully adapted to the local context and target population.

While there is no one-size-fits-all questionnaire for a forced labour prevalence survey, the following five broad components form the core of forced labour questionnaires in most contexts: a component yielding key demographic and socio-economic background information at the individual, household, community (and establishment) levels; a component on involuntary work and coercion, the two criteria necessary for the statistical determination of forced labour; a component on the characteristics of forced labour; a component on forced labour duration; and a final series of questions on processes by which people are recruited into forced labour.

## Lessons learned relating to questionnaire design

On questionnaire design, experience shows that:

- ▶ The forced labour status of the respondent should be determined on the basis of indirect questioning using a sequence of properly worded questions rather than direct questions using sensitive and unfamiliar terminologies.
- ▶ Question wordings and sequencing are particularly important considerations when designing a questionnaire for measuring forced labour and its characteristics.
- ▶ Cognitive testing is critical. There can be a wide gulf between the intended meaning of a question and a respondent's understanding of the question, leading to misleading or unclear answers. Careful cognitive testing provides a means of closing this gulf and ensuring that questions are phrased in a manner that is understandable to respondents.
- ▶ Answer categories should provide for separate recording of "refusal" and "don't know". The refusal to reply to or express ignorance on certain questions concerning forced labour are generally not neutral replies and often hide a reluctance to divulge information on a situation deemed painful or sensitive.
- ▶ An effective means of improving the interpretation and accuracy of data on forced labour is the use of appropriate open-ended questions to capture respondents' verbatim descriptions of their forced labour experiences. Emerging artificial intelligence technologies are creating new opportunities for processing and analysing this verbatim information.



Table 16 illustrates how these core questionnaire components relate to the core research questions described in section 2.4. Each of the questionnaire components is discussed in more detail in the sections that follow.

► Table 16. Core forced labour survey components and core research questions

		Core research questions					
		What is the extent of forced labour?	What people, households, communities (and firms) are most affected by forced labour?	What are the characteristics of forced labour?	What are the mechanisms underlying forced labour?	What are the causes of forced labour?	
Core survey components	1. Background demographic and socio-economic characteristics	Individual		✓			✓
		Household		✓			✓
		Community		✓			✓
		Establishment <sup>(a)</sup>		✓			✓
	2. Identifying forced labour (involuntary work and coercion)	✓	✓	✓	✓		
	3. Forced labour characteristics	Branch			✓		
		Occupation			✓		
		Work and living conditions			✓	✓	
	4. Duration of forced labour	✓		✓			
	5. Recruitment processes			✓	✓	✓	

Notes: (a) Collected in establishment surveys

## ► 5.1 Background characteristics

In the case of household surveys, this component of the questionnaire will consist of questions related to the demographic characteristics of people in forced labour and to the characteristics of the households and the communities to which they belong.

Answers to these questions are used in the data analysis phase (Chapter 7) to construct a socio-demographic profile of the people in forced labour. They can also be used to compare the profile of victims of forced labour with that of other workers, and the situation of households and communities affected by forced labour with that of households and communities that are not affected, information which is in turn critical for identifying underlying “supply-side” factors leading to situations of vulnerability to forced labour.

In the case of establishment surveys, the first component of the questionnaire will normally comprise questions relating to the characteristics and practices of the establishment and the economic sector to which it belongs. Answers to these questions are used in the data analysis phase to construct a profile of establishments that are at highest risk of forced labour violations and how they differ from establishments where the forced labour risk is lower. They can also be used to improve understanding of some of the “demand-side” factors leading to recourse to forced labour on the part of firms.

Table 17 lists some of the background individual, household, community and establishment characteristics that are of relevance for forced labour surveys. In the case of a modular forced labour survey attached to broader household or establishment surveys, questions relating to these characteristics may be captured as part of the “host” survey, in which case they do not need to be repeated in the questionnaire module relating specifically to forced labour.

► **Table 17. Key background variables for inclusion in a forced labour questionnaire**

### Household survey

Individual characteristics	✓ Sex
	✓ Age (or date of birth)
	✓ Member of ethnic or religious minority, indigenous status
	✓ Marital status
	✓ Migrant, refugee, displaced person status
	✓ Country of birth
	✓ Education level
	✓ Legal status (including birth registration)
	✓ Employment status
	✓ Current occupation (if employed)
	✓ Trade union membership (if employed)

Household characteristics	<ul style="list-style-type: none"> <li>✓ Composition of household (number, age and sex of household members)</li> <li>✓ Household access to basic services (e.g., piped water network, electricity grid)</li> <li>✓ Household economic status (household income or wealth, including possibly wealth index)</li> <li>✓ Household ownership of dwelling, land</li> <li>✓ Access to social protection (including health insurance)</li> <li>✓ Exposure to individual or collective shocks (e.g., incapacitation or death of breadwinner, job loss)</li> </ul>
Community characteristics	<ul style="list-style-type: none"> <li>✓ Availability of community-level social service facilities (e.g., health care facilities, schools, employment centres, childcare facilities, etc.)</li> <li>✓ Availability of community social development programmes (e.g., youth and women's empowerment programmes, job training and placement programmes, migrant and refugee support programmes, survivor support networks, etc.)</li> <li>✓ Exposure to collective shocks (e.g., drought, flooding, crop failure, economic crisis, disease outbreak)</li> </ul>
<b>Establishment survey</b>	
Establishment characteristics	<ul style="list-style-type: none"> <li>✓ Type of establishment (e.g., branch of economic activity, legal organization, etc.)</li> <li>✓ Location of establishment (e.g., geographic location, urban vs. rural area, etc.)</li> <li>✓ Ownership (e.g., public/private, sex of owner/manager)</li> <li>✓ Number of workers (e.g., permanent/seasonal, by sex, age group, local/migrant)</li> <li>✓ Economic characteristics (type of goods/services produced, quantity, etc.)</li> <li>✓ Business model and practices (e.g., procurement/purchasing, pricing, production outsourcing, labour subcontracting, etc.)</li> <li>✓ Labour practices (e.g., wage levels, annual leave, health insurance, layoff and dismissal practices, overtime policy, unionisation, worker turnover)</li> <li>✓ Human rights due diligence policies and practices</li> </ul>

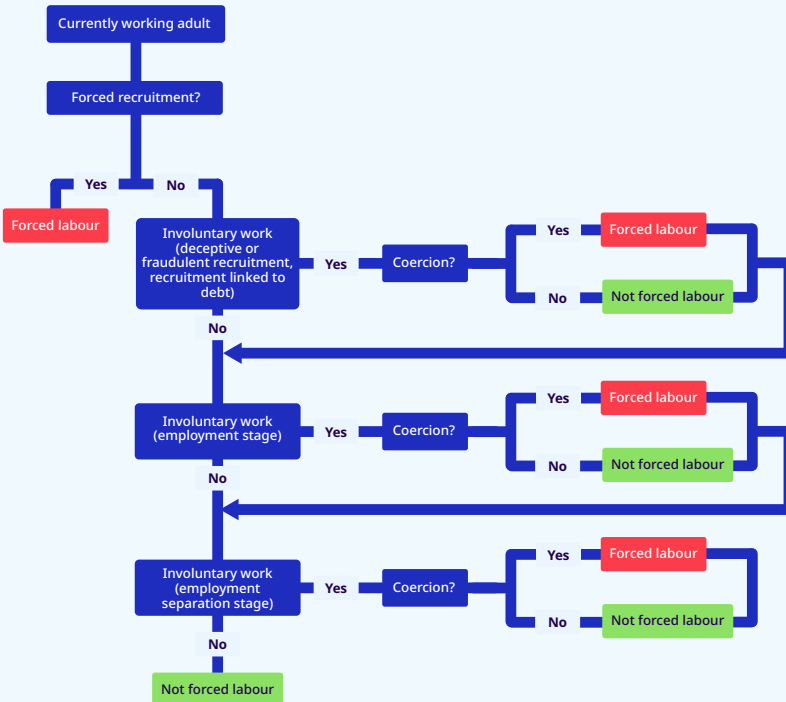
## ► 5.2 Identifying forced labour of adults (involuntary work and coercion)

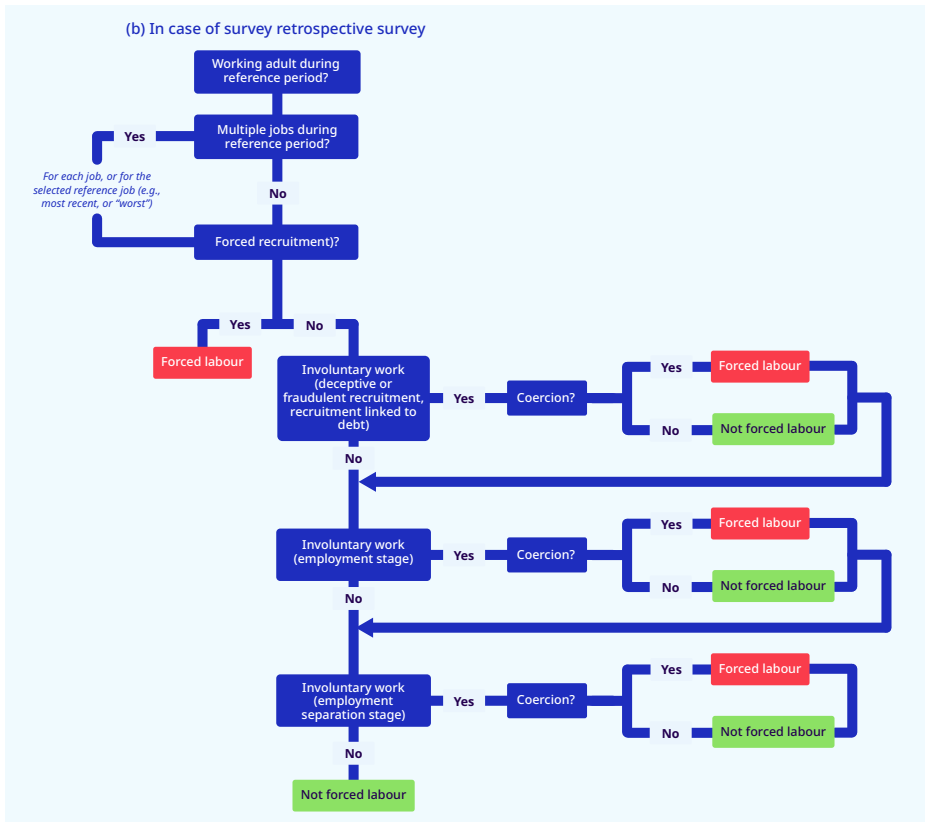
This component of a forced labour survey questionnaire centres on questions relating to involuntary work and coercion. The component forms the heart of a forced labour survey, as it provides the information necessary for the statistical identification of forced labour of adults, as illustrated in the decision trees depicted in figure 15 for current and retrospective surveys, respectively. Through this identification process, the component also provides additional information critical to understanding working conditions in forced labour and the mechanisms underlying the phenomenon.

It bears repeating that forced labour requires two simultaneous conditions – involuntariness and coercion. Involuntary work, in and of itself, is a necessary but insufficient condition for forced labour. As noted in section 1.3.1, in cases such as hereditary slavery or the physical abduction of someone into forced labour, which are collectively termed here as “forced recruitment”, the elements of involuntariness and coercion are both present – and therefore a situation of forced labour exists – *independent* of the conditions of the job itself.

► Figure 15. Identifying forced labour of adults: decision tree

(a) In case of survey focused on current job





## 5.2.1 Questionnaire building blocks for measuring involuntary work and coercion

Constructing this component of the questionnaire involves translating or transforming the most relevant indicators of involuntary work and coercion into a set of specific questions. Table 18 presents a series of model questionnaire “building blocks”, drawing on the discussion of the measurement framework presented in Chapter 1 of the handbook (specifically, table 1 and table 2).

However, as mentioned at the outset of this chapter, **the questions ultimately included in a forced labour prevalence survey, and their specific wording and sequencing, should be carefully adapted to the local context and target population based on stakeholder consultation and validation.** No fixed list of indicators or questions regarding involuntary work and coercion is valid everywhere. Specific indicators and associated questions may vary according to the type of forced labour to be surveyed and a range of other context-specific factors, and research teams should select the blocks used in the questionnaire accordingly.

► **Table 18. Questionnaire blocks for assessing involuntary work and coercion****Assessing involuntary work conditions****RECRUITMENT STAGE****INVOL1 Forced recruitment**

- ✓ Were you born or forced into the job through the practice of slavery or practice similar to slavery (including hereditary debt bondage)?
- ✓ Were you forced into job because of being a family member (child, spouse) of someone in a situation slavery or practice similar to slavery?
- ✓ Were you forced to take the job through physical force from employer or other third party (e.g., abduction, confinement during the recruitment process)?

**INVOL2 Deceptive or fraudulent recruitment**

- ✓ Were you tricked into taking a job that was worse than the one agreed or promised at the time of recruitment and did not want?

**INVOL3 Recruitment linked to debt**

- ✓ Did you have to take the job in order to secure a loan from the employer?
- ✓ Do you have to work in order to pay off debt to recruiter or employer for recruitment fees or related fees (e.g., mandatory pre-employment training, obtaining identity papers, securing travel documents, etc.)?
- ✓ Do you have to work to pay off a wage advance received from recruiter or employer?

**EMPLOYMENT STAGE****INVOL4 Hazardous or degrading work conditions**

- ✓ Did you have to work in conditions/tasks that you thought placed you at risk of serious injury or illness?
- ✓ Did you have to continue to work even on days or in periods when you felt too sick or too injured to do so?
- ✓ Did you have to work in conditions that you found degrading or humiliating or otherwise intolerable?
- ✓ Did you have to perform tasks that you thought were illegal and placed you at risk of serious legal problems? Did you want to quit the job because of this?
- ✓ Did you have to work for no wages?

*Possible follow-up probing questions (see Box Y):*

- ✓ *Did you freely consent to these conditions?*
- ✓ *If you had known about these conditions, would you have taken the job anyway?*

**INVOL5 Onerous working hours or work schedule**

- ✓ Did you have to work what you saw as excessive overtime hours most days, leaving you with little or no rest or recovery time?
- ✓ Did you have to work without breaks during the working day, leaving you physically and mentally exhausted?
- ✓ Did you have to work for weeks or months without any days off?

*Possible follow-up probing questions (see Box Y):*

- ✓ *Did you freely consent to these conditions?*
- ✓ *If you had known about these conditions, would you have taken the job anyway?*

**INVOL6 Degrading work-related living conditions**

- ✓ Did you have to live in housing imposed by the employer that you found degrading, unhygienic, unsafe, overcrowded, lacking in privacy or otherwise intolerable?
- ✓ Possible follow-up probing questions (see Box Y):
- ✓ Did you freely consent to these conditions?
- ✓ If you had known about these conditions, would you have taken the job anyway?

**INVOL7 Abusive additional demands**

- ✓ Did you (or a family member) have to work perform extra tasks outside your regular job and regular workplace (e.g., in the private household of your employer)?
- ✓ Did you (or a family member) have to perform additional illicit activities outside your regular job and regular workplace?

*Possible follow-up probing questions (see Box Y):*

- ✓ *Did you freely consent to these conditions?*
- ✓ *If you had known about these conditions, would you have taken the job anyway?*

**INVOL8 Sexual abuse**

- ✓ Did you (or a family member) have to endure sexual abuse from employer or their associates?

**EMPLOYMENT SEPARATION STAGE****INVOL9 Inability to terminate employment**

- ✓ Did you want to leave the job for reasons unrelated to work or living conditions (e.g., end of stipulated contract period, better alternative, desire to return home) but were prevented from doing so?

## Assessing exposure to coercion

### COER1 Violence

- ✗ Were you threatened with (or subjected to) physical violence to stop you from refusing or quitting?
- ✗ Were you threatened with (or subjected to) sexual violence to stop you from refusing or quitting?
- ✗ Were you obliged to witness a co-worker being subjected to violence as a warning against refusing or quitting?
- ✗ Was a family member threatened with (or subjected to) physical or sexual violence to stop you from refusing or quitting?
- ✗ Were you threatened with (or subjected to) denial of food, water or sleep to stop from refusing or quitting?

### COER2 Abuse of isolation

- ✗ Were you working in an isolated location and denied transport to stop you from quitting?
- ✗ Were you threatened with (or subjected to) denial reimbursement for cost of repatriation or transport home (e.g., bus fare or airfare) to stop you from refusing or quitting?

### COER3 Restriction on movement and /or communication

- ✗ Were you threatened with (or subjected to) confinement at work after working hours or at living quarters to stop you from refusing or quitting?
- ✗ Were you subjected to constant surveillance outside working hours to stop you from quitting?
- ✗ Were you threatened with (or subjected to) denied access to means of communication (e.g., cell phone, internet) to stop you from refusing or quitting?

### COER4 Retaining of cash, assets and/or personal documents

- ✗ Were you made to pay a substantial "runaway fee" at the beginning of the job as a guarantee and threatened with its loss to stop you from refusing or leaving?
- ✗ Were you made to deposit assets (e.g., property deed) at the beginning of the job as a guarantee and threatened with their loss to stop you from refusing or leaving?
- ✗ Were you made to surrender your personal documents (e.g., passport, identity document, residence permit, work visa, etc.) and threatened with their loss to stop you from quitting?

### COER5 Withholding of wages

- ✗ Were your wages deliberately withheld, and you were threatened with their loss to stop you from refusing or quitting?

### COER6 Abuse or manipulation of debt

- ✗ Were you in a situation of indebtedness to employer/recruiter and threatened with serious consequences (e.g., physical harm to you or family member or serious legal jeopardy) if you quit before repaying?
- ✗ Were you deliberately put into (further) into debt through unagreed or excessive charges (e.g., for food, housing, or other goods/services from employer), and threatened with serious consequences if you quit before repaying?
- ✗ Were you deliberately put (further) into debt or through fines for supposed workplace violations or failure to reach production targets, and threatened with serious consequences if you quit before repaying?
- ✗ Were you deliberately put further into debt through exorbitant interest charges, and threatened with serious consequences if you quit before repaying?

### COER7 Abuse of vulnerability

- ✗ Were you threatened with deportation or being reported to the authorities to stop you from refusing or quitting? *(For example, in cases where worker is without regular migration status and/or without a work visa, or when worker's work visa is tied to the employer.)*
- ✗ Were you threatened with being humiliated by having family or community told about the nature of your work to stop you from refusing or quitting? *(For example, in cases of forced commercial sexual exploitation or forced involvement in illicit activities.)*
- ✗ Were you threatened with loss of housing to stop you from refusing or quitting? *(For example, in cases where worker and family are dependent on employer for housing and without other housing options.)*
- ✗ Were you threatened with loss of land to cultivate to stop you from refusing or quitting? *(For example, in cases where worker is dependent on additional earnings from cultivation of land provided by employer and without any other land options.)*
- ✗ Were you threatened with dismissal to prevent you from refusing? *(For example, in cases where a worker's legal status in country is tied to job, or in cases in which a worker and family are without alternative survival options.)*

### COER8 Induced addiction

- ✗ Were you made dependent on drugs or alcohol provided by employer to stop you from quitting?

## 5.2.2 Questions relating to possible involuntary work

This series of questions assesses workers' exposure to a range of work conditions or practices that *could* signal situations of involuntary work. The questions are grouped according to the phase of the employment cycle to which they apply.

**Recruitment phase.** Forced labour, in many cases, can be traced back to abusive practices occurring during the recruitment phase of the employment cycle. Workers can be pushed into a situation of slavery or traditional debt bondage or otherwise forced into taking a job through physical force or threats against them or their families ("forced recruitment"), deceived into taking a job through false promises ("deceptive or fraudulent recruitment") or end up having to work to obtain or pay off debt from the recruiter or employer ("recruitment linked to debt").

**Employment phase.** Possible involuntary work situations during the employment phase involve work conditions or practices whose nature or severity is such that a worker is *unlikely* to have consented to them voluntarily. For example, situations where workers are confronted with abusive, degrading, dangerous or otherwise intolerable job conditions or job-related living conditions.

**Employment separation phase.** Possible involuntary work situations arise in this phase when a worker has agreed with an employer or recruiter to work for a specified period but is obliged to work beyond that period, sometimes indefinitely. It also refers to situations in which a worker desires to terminate their work contract for reasons not strictly linked to work conditions but is prevented from doing so – for example, a migrant worker, hitherto satisfied with their job, wanting to return home to their family, and being obliged instead to continue on the job.

A forced labour questionnaire may also need to include additional probing questions that help distinguish *actual* involuntary work situations from *possible* ones. This is another area for which there is no single one-size-fits-all approach. Assessing workers' consent could be done through direct questions on whether they have freely agreed to the "possible involuntary work conditions", or through questions that assess consent more indirectly, e.g., "Would you have accepted the job if you had known about the actual work conditions?" In some contexts and for some forms of work, it may also be justified to infer involuntariness based solely on the nature or severity of the conditions to which a worker has been exposed. The best approach for assessing free and informed consent will depend on the context and should be identified through local consultation and testing. This issue is discussed further in box 8.





### Box 8. Distinguishing actual involuntary work from possible involuntary work

Determining whether a worker has provided their free and informed consent to a job or its work conditions can be challenging in a forced labour. (Recalling that the questions included in figure 14 relate to *possible* involuntary work conditions, and *not* whether a worker has *actually* consented to them.)

There is no one-size-fits-all approach for making this determination. Indeed, the measurement of a worker's free and informed consent is an area of ongoing debate in the forced labour research community. Three possible approaches to handling the question of a worker's consent are described below.

*Direct questions on involuntariness.* This approach involves asking a worker directly whether they provided their consent to the "possible involuntary work conditions". Conveying the full meaning of free and informed consent in a survey questionnaire, however, can be very challenging. Determining the degree to which a worker is indeed fully informed of their rights and relevant labour laws can also be very difficult. If this approach is followed, the questions should be developed in close consultation with local experts and stakeholders and should be subjected to careful cognitive testing to ensure that they are effectively conveying and capturing the notion of free and informed consent.

*Inferred involuntary work.* This approach starts from the premise that if a worker were truly free and informed, they would never accept the work conditions covered in the questions above. By simple inference therefore, *all* workers answering affirmatively to any of the "possible involuntary work conditions" are considered to be in involuntary work. However, this approach does not account for the possibility that a worker sees the "possible involuntary work condition(s)" they are exposed to as insufficiently severe or sufficiently unacceptable for them to withdraw their consent. It also does not account for the possibility that a worker knows about the work conditions but consents to them anyway. A person working as a firefighter, for example, would expect to be exposed to dangerous conditions, and these conditions are unlikely to indicate involuntary work. Again, local consultations and careful testing are needed if employing this approach.

*Indirect questions involuntariness.* This approach involves questions that aim at capturing the concept of consent implicitly or indirectly. Rather than asking directly about free and informed consent or assuming involuntariness solely based on work conditions, asked workers are instead asked indirect questions that offer some insight into consent. For example, if they had wanted to quit the job because of the work conditions or, alternatively, whether they would have accepted the job if they had known about its conditions. Those answering "yes" to the former or "no" to the latter are deemed as being in involuntary work. Different variations of this indirect approach are often employed in forced labour prevalence surveys although it too is not without drawbacks. It may be difficult, for example, to be certain that a worker who has responded "no" to wanting to quit was fully aware of their rights when they provided this response, and, if not, would have responded differently if *they had been* fully aware. Once again, decisions concerning if and how this approach is employed are context-specific and should therefore be made through local consultation and testing.

### 5.2.3 Questions relating to coercion

Questions relating to coercion aim to find out precisely *what* a recruiter or employer does to compel a worker to stay in a job they would otherwise quit and/or to endure work conditions or perform tasks they would otherwise refuse. Coercion exercised on workers can take many forms, including, *inter alia*, violence or threat of violence, restrictions on workers' movements, abuse of isolation, withholding of wages, cash, assets or documents, the manipulation of debt, or induced addiction. These forms of coercion are not mutually exclusive – indeed, often, workers are exposed to several forms of coercion at the same time.

Coercion can also involve the abuse of a situation of vulnerability that leaves a worker reliant on their job and with little perceived choice but to remain in it. When they are poor and without other livelihood options, or have unclear legal status, or are confronted with honour codes or other socio-cultural considerations, the ability of a worker to leave a job can be severely constrained. Employers can exploit such situations to coerce workers to endure work tasks or work conditions they would otherwise refuse. For example, to coerce them through threat of dismissal to perform excessive overtime or to tolerate extremely dangerous workplace conditions. When workers have limited options to quit, they are also more susceptible to other threats from an employer, such as denial of food, water or sleep, or unilateral wage cuts, to coerce them to perform tasks they would otherwise refuse.

Not all forms of coercion are relevant for all manifestations of involuntary work, and vice versa, and the questionnaire flow should reflect this. With this in mind, research teams could construct a simple matrix in which the relevant involuntary work-coercion pairings are identified for the research context to guide the questionnaire development (see, example, table 19).



## ► 5.3 Characteristics of forced labour

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This component of a forced labour survey questionnaire involves questions relating to the key characteristics of forced labour. Answers to these questions (alongside those relating to involuntary work and coercion) are used in the data analysis stage (Chapter 7) to construct a forced labour profile – the parts of the economy where it occurs, the occupations it encompasses and the work conditions and abusive practices that are associated with it. Information from this questionnaire component can also be used to assess how forced labour differs from other employment in terms of sectoral and occupational composition and working conditions.

### 5.3.1 Sector of economic activity

This series of questions assesses the sector of economic activity within which forced labour occurs. This questionnaire component is primarily relevant when the scope of the survey is geographic rather than sector specific. To the extent possible, the classification of sector of economic activity for forced labour should be in line with the latest International Standard Industrial Classification (ISIC) of all economic activities,<sup>17</sup> to facilitate comparisons with the broader labour force within and across countries.

Typically, the specific sectors of economic activity are not response options per se. Rather, as illustrated in table 20, a questionnaire will contain an open ended question on the sector of economic activity that is then coded in accordance with the standardised ISIC classification. This means that the coding process – and decisions relating to it – are critical. Coding that is too general, e.g., at the 1-digit level of ISIC classification, may lead to the loss of important information. For example, where forced labour in the 3- and 4-digit ISIC categories of Logging (022) and Marine fishing (0311) are identified in the scoping study or stakeholder consultations as sectors of concern, information on these two specific sub-sectors will be lost if responses relating to them are simply coded as Agriculture, forestry and fishing (A), the 1-digit aggregate ISIC category to which they belong. In general, it is good practice to train coders on priority forced labour sectors and prepare pre-coded reference lists for coders that include these priority sectors.

Another challenge in the coding process relates to forms of forced labour that do not fit within standard classification systems, such as commercial sexual exploitation, illicit activities and begging. Where these forms are identified as relevant in the research location, it is important that they are not simply amalgamated into a residual “other” category in the coding process, but rather are included explicitly in the coding process as additional categories outside the standard classification systems.

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<sup>17</sup> The *International Standard Industry Classification (ISIC)* is used to classify economic activity in most national statistical systems.

► **Table 20. Assessing sector of economic activity**

What was the main activity of the place or business where you worked? (e.g.: restaurant - preparing and serving meals; transport company - long distance transport of goods)

-----  
MAIN ACTIVITY

-----  
GOOD OR SERVICES

□□□□  
ISIC CODE<sup>(a)</sup>

*Note: (a) Refers to the International Standard Industrial Classification (ISIC) of all economic activities.*

### 5.3.2 Occupation

This series of questions assesses the occupation of people in forced labour, where occupation is defined as the specific kind of work, i.e., the duties and tasks, carried out in a job. This questionnaire component is primarily relevant when the scope of the survey is geographic rather than occupation specific. Like sector of activity, standard practice for collecting this information is to first record the “verbatim” descriptions by respondents of their occupations in their own words, and then to later code or classify these descriptions into standardized occupational categories, typically those in the International Standard Classification of Occupations (ISCO) (table 21). In some cases, especially for complex or ambiguous job titles, interviewers may follow up with additional questions to clarify the nature of the work performed.

As with sector design, the coding process is critical to avoid the loss of information. Background information on occupations where forced labour is a concern from the scoping study and local consultations can help guide both interviews and the subsequent coding of interview responses. Any occupations relevant for forced labour that do not fit with the standardised ISCO codes should be included explicitly in the coding process and not amalgamated in a residual “other” category.

► **Table 21. Assessing occupation**

In the job you described [...], what kind of work were you doing? (E.g., *cattle farmer –breed, raise and sell cattle; waiter – serve meals*)

-----  
OCCUPATIONAL TITLE, IF ANY

-----  
MAIN TASKS AND DUTIES

□□□□  
ISIC CODE<sup>(a)</sup>

*Note: (a) Refers to the International Standard Industrial Classification (ISIC).*

### 5.3.3 Work conditions

This series of questions collects additional information on the work conditions of those trapped in forced labour. While the questions relating to involuntary work and coercion presented above (section 5.2) provide sufficient information on work conditions for the statistical identification of forced labour, for a fuller understanding of forced labour it can be valuable to delve deeper into the workplace realities of the victims, into the conditions they must endure in the course of their work and into the specific abuses to which they are most susceptible. For example, while questions relating to involuntary work may establish that a worker perceives a job as a threat to their health and safety, follow up questions in this section of the questionnaire can assess the specific health and safety threats they face.

Table 17 lists some common indicators of working conditions that are of potential relevance in this regard. The precise listing of indicators queried in each survey questionnaire will be determined by the research scope and research questions and informed by the scoping study and local consultations (Chapter 2). In the case of a modular forced labour survey attached to a broader labour force survey, many questions relating to working conditions will be captured as part of the “host” survey and will not need to be repeated in the questionnaire module relating specifically to forced labour.

► **Table 22. Examples of indicators of working conditions in forced labour**

#### Occupational safety and health conditions

- ✓ Exposure to workplace hazards.
- ✓ Access to workplace safety equipment and gear.
- ✓ Work-related health problems or injuries (e.g., bone, joint or muscle problems, breathing or lung problems, skin problems, hearing problems, stress, depression, or anxiety, headache and/or eyestrain, heart disease or attack, or other problems in the circulatory system, infectious disease, stomach, liver, kidney, or digestive problems).
- ✓ Severity of work-related health problems or injuries (e.g., requiring medical attention, hospitalisation or surgical intervention; limiting ability to carry out day-to-day activities at work or outside work).

#### Work contract

- ✓ Written contract or verbal agreement.
  - ✓ Social protection coverage
  - ✓ Freedom of association/collective bargaining
- 
- ✓ Availability of community-level social service facilities (e.g., health care facilities, schools, employment centres, childcare facilities, etc.)
  - ✓ Availability of community social development programmes (e.g., youth and women's empowerment programmes, job training and placement programmes, migrant and refugee support programmes, survivor support networks, etc.)
  - ✓ Exposure to collective shocks (e.g., drought, flooding, crop failure, economic crisis, disease outbreak)

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### Living conditions

- ✓ Accommodation modality (e.g., employer-provided, other institutional accommodation arrangement, independent).

In case of employer-provided accommodation:

- ✓ Access to safe drinking water
- ✓ Dwelling amenities: toilet inside the dwelling; shower inside the dwelling; connection to a sewage system; trash collection service; connection to electricity; system to protect residents from heat, cold and dampness.
- ✓ Number of people per room.
- ✓ Cost and payment modality for accommodation (e.g., wage deductions, work by other family members).
- ✓ Freedom to leave the premises, to contact family, to talk with people outside the living quarters.
- ✓ Surveillance of the living quarters.
- ✓ Reason for living in employer-provided accommodation.

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### Working hours and leave

- ✓ Usual working hours including overtime (per day/week).
- ✓ Payment for overtime.
- ✓ Leave (days per week/month/year).
- ✓ Social security coverage (health insurance, pension, etc.).

---

### Remuneration levels and modalities

- ✓ Salary compared to statutory minimum wage (if this exists) or average wage in the same branch of activity.
  - ✓ [For internal or cross-border migrants] Wages compared to local workers doing the same job.
  - ✓ Salary deductions (e.g., statutory deductions for taxes and social benefits, for food and accommodation, for work tools or safety equipment, punitive deductions).
  - ✓ Payment regularity (e.g., intermittent, fixed dates).
  - ✓ Payment modality (e.g., kind/cash/both, hourly wage, piece rate, production quota, etc.).
-

## ► 5.4 Duration of forced labour

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This questionnaire component assesses the amount of time in months people are trapped in forced labour over a specified reference period. The duration of forced labour can be a useful indicator of the efficiency of detection and law enforcement efforts – the more effective these efforts are, the shorter the duration of forced labour is likely to be. It is also critical for the calculation of average point estimate of forced labour prevalence in the data analysis stage, as discussed in Chapter 7.

Questions on duration may relate to a single spell of forced labour during the reference period (e.g., the most recent spell or the spell perceived as having been worst<sup>18</sup>) or to all forced labour spells over the reference period.<sup>19</sup>

There is no single best approach among these possibilities. Including all completed spells in theory provides the most complete accounting of duration, but experience shows that it can be difficult for respondents to accurately recall the duration of multiple jobs. Conversely, a focus on a single spell has the advantage of reducing the risk of recall errors, but at the cost of understating the total time a person has spent in forced labour over the reference period, and, concomitantly, also understating the estimate of the average point prevalence estimate of forced labour.<sup>20</sup>

## ► 5.5 Recruitment process

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This questionnaire component investigates the processes and channels through which people are recruited into forced labour, information that is in turn critical to the design of preventive strategies aimed at stemming the flow of workers entering situations of forced labour. Questions in this component are designed to build and elaborate on information collected on recruitment through the questions on involuntary work discussed in section 5.2.2, to permit a more nuanced understanding of forced labour recruitment mechanisms.

Table 23 lists some potential areas of further inquiry relating to recruitment. Questions about who decides that a person should work and chooses the specific job they take, and about who helps arrange and facilitate the recruitment, are important to identifying the actors knowingly or inadvertently contributing to forced

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18 See prior discussion on reference job, section 3.4.

19 The complete spell of forced labour experienced by a person may have started before the specified reference period and may continue after the end of the specified reference period.

20 Different measures of prevalence are discussed further in section 7.2 of the handbook.



labour. Questions about sources of job information, and types of *misinformation*, can help to understand the decision processes of workers ending up in forced labour. Questions about travel entailed by recruitment and about a worker's ability to travel home can provide insight into a worker's degree of isolation and their susceptibility to control by traffickers or exploitative employers. Questions on recruitment costs and debt incurred during recruitment can be critical to understanding the origins of situations of debt bondage.

While these are all areas of *potential* relevance, the precise recruitment-related issues queried in each survey questionnaire will be determined by the research scope and research questions and informed by the scoping study and local consultations (Chapter 2).

### ► Table 23. Key areas of inquiry relating to recruitment processes and channels

#### Work decisions: who decides that the person should work?

- ✓ The prospective worker themselves?
- ✓ Family member or relative?
- ✓ The eventual employer?
- ✓ Other person in a position of power over the prospective worker? [specify]

#### Job choice: who decides the specific job that the person takes?

- ✓ The prospective worker themselves?
- ✓ Family member or relative?
- ✓ The eventual employer?
- ✓ Other person in a position of power over the prospective worker? [specify]

#### Job search: what is the principal source of job information?

- ✓ Informal information network (e.g., family, relative friends)?
- ✓ Public employment centre?
- ✓ Private recruitment agency?
- ✓ Internet-based worker peer network?
- ✓ Job advertisement (e.g., newspaper, poster, internet job site, etc.)?
- ✓ Informal recruiter/intermediary/broker inside/outside of country?
- ✓ Eventual employer?
- ✓ Previous employer?
- ✓ Other (specify)?

---

**Recruitment intermediaries: what actors helped facilitate the recruitment process (e.g., finding job, negotiating contract, arrange visa and travel, arrange accommodation on arrival, etc.)?**

- ✓ No one?
- ✓ Family member, relative or friend?
- ✓ The eventual employer?
- ✓ Public employment centre?
- ✓ Private recruitment agency?
- ✓ Travel agency?
- ✓ Trade union?
- ✓ Informal recruiter/intermediary/broker inside/outside of country?
- ✓ Trafficker in persons?
- ✓ Other (specify)?

---

**Movement: what travel does recruitment entail?**

- ✓ Job in another country? If yes, are visa, work permit required?
- ✓ Job in another region within home country?
- ✓ Distance to place of work from place of origin?
- ✓ Means of usual travel from place of origin to place of work (e.g., foot, bicycle, car, bus, train, air, boat)?
- ✓ Cost of one return trip (e.g., compared to a day's wage)?
- ✓ Frequency of return home (e.g., daily, weekly, monthly, yearly, only at end of contract, etc.)
- ✓ Distance to place of work from place of living?
- ✓ Means of usual travel from place of living to place of work?

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**Deceptive in recruitment: what types of misinformation and false promises are provided by recruiter or employer?**

- ✓ Type of work? Work tasks?
  - ✓ Working hours (per day/week)?
  - ✓ Leave entitlements?
  - ✓ Workplace OSH conditions?
  - ✓ Living conditions?
  - ✓ Remuneration levels and modalities?
  - ✓ Duration of the employment contract?
  - ✓ Identity of employer?
  - ✓ Acquisition of regular visa, work permit?
  - ✓ Social security coverage?
  - ✓ Other (specify)?
-

---

**Recruitment debt: what are common reasons for debt incurred during recruitment?**

- ✓ Economic necessity (i.e., needed money and took job to secure a loan from the employer)?
  - ✓ Recruitment fees?
  - ✓ Mandatory pre-employment training?
  - ✓ Travel expenses?
  - ✓ Fees for securing required documentation (e.g., identity papers, visa, work permit, etc.)?
  - ✓ Cost of tools or equipment needed for job?
  - ✓ Wage advance received from recruiter or employer?
  - ✓ Other (specify)?
-





## ▶ 6. Preparation for fieldwork

Once the survey design and questionnaire have been specified, the next step is preparation for fieldwork. Decisions made at this step are critical to the quality of the data collected. Even with a robust survey design and good questionnaire, the results ultimately yielded by a survey are unlikely to be reliable without good quality fieldwork. This chapter deals with the preparation and implementation of fieldwork for a forced labour prevalence survey.

## ► 6.1 Selecting the modalities for administering the questionnaire

A number of decisions concerning how the questionnaire will be administered are required as part of the fieldwork preparation process. Specifically, choices need to be made regarding who administers the questionnaire, whether the questionnaire interface is paper or digital and whether the questionnaire is administered in-person or remotely by telephone (or other means) (table 24).

► **Table 24. Questionnaire administration modalities**

Key choices	Main options	
Who administers the questionnaire?	Interviewer-led	Self-administered
What questionnaire interface is used?	PAPI	CAPI
Is the questionnaire administered remotely or in-person?	Remote (telephone, other <sup>(a)</sup> )	In-person

*Notes: (a) Other remote survey methods include web-based surveys and mail-in surveys.*

**Who administers the questionnaire?** Questionnaires can either be administered by an interviewer (interviewer-led) or questions can be answered and entered directly by the interviewee without the intervention of an interviewer (self-administered). Each option comes with important advantages and disadvantages, as summarised in table 25, which must be weighed carefully by the survey team.

▶ Table 25. Self-administered versus interviewer-led questionnaire administration

Quality criteria	Self-administered	Interviewer-led
<b>Anonymity and safety</b>	<ul style="list-style-type: none"> <li>✓ Respondents may feel safer and more comfortable disclosing sensitive information about their experiences with forced labour when completing a self-administered survey, as there is no direct interaction with an interviewer. This can lead to more honest and accurate responses.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Respondents may be fearful or otherwise hesitant or to disclose sensitive information if they feel their responses are not completely confidential, even with assurances from interviewers.</li> </ul>
<b>Flexibility</b>	<ul style="list-style-type: none"> <li>✓ Flexibility in terms of when and where respondents can complete the survey. This can be particularly advantageous when targeting individuals in remote or hard-to-reach locations, as long as they have access to the necessary materials (e.g., paper surveys or electronic devices).</li> </ul>	<ul style="list-style-type: none"> <li>✗ Time and location must be pre-arranged.</li> </ul>
<b>Cost-effectiveness</b>	<ul style="list-style-type: none"> <li>✓ Self-administered surveys may be more cost-effective as they eliminate the need for trained interviewers. This can be crucial when resources are limited.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Interviewer-led surveys may require more time and resources, including training for interviewers, travel expenses, and compensation for their services.</li> </ul>
<b>Subjectivity</b>	<ul style="list-style-type: none"> <li>✓ There is less risk of interviewer bias influencing responses, as each respondent receives the same set of instructions and questions in a standardized manner.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Despite training, interviewers may introduce subjective or cultural biases in the way they ask questions and react to and record responses, potentially influencing the data collected.</li> </ul>
<b>Clarification and guidance</b>	<ul style="list-style-type: none"> <li>✓ Respondents may struggle to understand certain questions or concepts without the presence of an interviewer to provide clarification. This can result in misunderstandings and potentially inaccurate responses.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Interviewers can provide clarification and guidance to respondents, ensuring a better understanding of survey questions and reducing the likelihood of misinterpretation.</li> </ul>
<b>Quality control</b>	<ul style="list-style-type: none"> <li>✓ Without an interviewer present, there is less control over the survey administration process. This can lead to incomplete surveys, inconsistent responses, or data entry errors.</li> </ul>	<ul style="list-style-type: none"> <li>✗ With interviewers actively involved, there is better control over the survey administration process, reducing the likelihood of incomplete or inaccurate responses.</li> </ul>

<b>literacy or language barriers</b>	<ul style="list-style-type: none"> <li>✓ Individuals with low literacy levels or limited proficiency in the survey language may face challenges when completing a self-administered survey.</li> </ul>	<ul style="list-style-type: none"> <li>✗ The presences of an interviewer can help overcome language and literacy barriers.</li> </ul>
<b>Participation rates</b>	<ul style="list-style-type: none"> <li>✓ Without a personal connection to an interviewer, respondents may feel less motivated to participate in the survey, leading to lower participation rates.</li> </ul>	<ul style="list-style-type: none"> <li>✗ The presence of an interviewer can encourage participation, establish rapport, and build trust with respondents, leading to higher participation rates.</li> </ul>

**What questionnaire interface is used?** Another important decision that needs to be made at the beginning of preparation for fieldwork is how the questionnaire will be administered. There are two main methods – paper and pencil interview (PAPI) and computer assisted personal interview (CAPI).

The PAPI methodology involves manually recording answers on paper questionnaires and their subsequent digitization in a separate data entry step. The CAPI methodology involves recording responses directly on a tablet or other mobile device. The data entry programme does immediate internal checks so that the data can be corrected as the interview occurs. CAPI is becoming the more prevalent mode of survey administration, but PAPI may still be useful in some settings. Some of the pros and cons of each method are summarized in table 26.

► **Table 26. PAPI versus CAPI questionnaire interface**

Quality criteria	PAPI	CAPI
<b>Ease of data entry</b>	<ul style="list-style-type: none"> <li>✗ Manual data entry is required for PAPI surveys, which can be time-consuming and introduces the possibility of errors during the transcription process.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Data is directly entered into a digital format, eliminating the need for manual data entry and reducing the likelihood of transcription errors.</li> </ul>
<b>Quality control</b>	<ul style="list-style-type: none"> <li>✗ Ensuring the quality of data collection is more challenging, as there may be delays in identifying and addressing errors or inconsistencies.</li> </ul>	<ul style="list-style-type: none"> <li>✓ CAPI surveys allow for real-time data validation, reducing errors by ensuring that responses fall within acceptable ranges or meet specified criteria.</li> </ul>
<b>Questionnaire flow</b>	<ul style="list-style-type: none"> <li>✗ Interviewer must follow questionnaire flow instructions (such as skip patterns and enabling conditions) manually, increasing the risk of error.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Questionnaire flow instructions can be programmed into the questionnaire software, minimizing the likelihood of Interviewer error, and ensuring accurate administration of the questionnaire.</li> </ul>



<b>Adaptability</b>	✗ Making changes to the survey instrument can be more cumbersome in a PAPI format, as it involves reprinting and redistributing paper materials.	✓ Modifications to the survey instrument can be implemented rapidly in a CAPI format, providing greater flexibility during the data collection process.
<b>Respondent engagement</b>	✓ In the case of self-administered surveys (see above), PAPI surveys leverage a familiar format (paper) that respondents may find more comfortable and less intimidating than electronic interfaces, potentially improving responses.	✓ For both self-administered surveys and interviewer-led surveys, CAPI can incorporate multimedia elements such as images, videos, or audio, potentially enhancing respondent engagement and understanding.
<b>Training requirements</b>	✓ PAPI surveys do not require interviewers to have familiarity and skills to manage a digital interface, potentially reducing initial training requirements.	✗ Enumerators may need more initial training to navigate the tablet/mobile device and troubleshoot eventual problems.
<b>Resource considerations</b>	✗ PAPI surveys can be resource-intensive in terms of printing questionnaires, transporting materials, managing large quantities of physical paperwork, hiring and training data entry clerks and other resource utilization not required in PAPI surveys.	✗ While PAPI surveys eliminate paperwork, they entail other resource requirements, including for software design, tablet/mobile devices for each interviewer, plus extra batteries and charging capabilities that will work in field settings. The initial investment in electronic devices and software for CAPI surveys can be higher compared to the cost of paper materials for PAPI surveys.

**In-person or remote questionnaire administration?** Forced labour questionnaires are in most contexts administered face-to-face rather than remotely, as this method avoids the risk of sampling biases linked to phone ownership, cell phone and landline coverage or non-responses to calls, and also permits more in-depth investigation of the forced labour phenomenon in the area targeted by the survey. There may, however, be circumstances when face-to-face surveys are impractical, for example, when the survey budget and/or timeframe is limited, or when face-to-face interviewing may entail undue safety concerns for the respondent or interviewer, such as during a disease outbreak. In such circumstances, the remote administration of the questionnaire by telephone or other means may be the preferred (or only) option.

Table 27 provides a more complete listing of pros and cons associated with face-to-face and remote administration of forced labour questionnaires that should be considered by a survey team in decisions concerning how the questionnaire is administered.

► Table 27. In-person versus remote questionnaire administration

Quality criteria	In-person	Telephone
<b>Sampling bias</b>	<ul style="list-style-type: none"> <li>✓ Face-to-face surveys avoid the risk of sampling biases linked to phone ownership, cell phone and landline coverage or non-responses of calls, contributing to a more comprehensive and representative sample.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Telephone surveys introduce a number of potential sampling biases, including: the biases linked to the exclusion of individuals without access to a telephone; biases linked to the exclusion of individuals in remote or geographically isolated regions without access to telecommunication infrastructure; and non-response biases arising when certain demographic groups are less likely to answer calls or participate in phone interviews. Obtaining an accurate sampling frame for telephone surveys can also be challenging, as lists of phone numbers may not be up-to-date or representative of the target population.</li> </ul>
<b>Accurate screening.</b>	<ul style="list-style-type: none"> <li>✓ Face-to-face interviews help with more accurate screening. The individual being interviewed is unable to provide false information during screening questions such as gender, age, or race.</li> </ul>	<ul style="list-style-type: none"> <li>✗ The verification of respondent identity is more difficult in the absence of visual contact with the respondent.</li> </ul>
<b>Complex questioning</b>	<ul style="list-style-type: none"> <li>✓ Face-to-face interviews are suitable for surveys with complex or lengthy questions, as interviewers can provide additional explanations or clarifications as needed.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Telephone interviews are less suitable for surveys with complex or lengthy questions, as respondents might find it challenging to follow intricate details without visual aids.</li> </ul>
<b>Non-verbal cues</b>	<ul style="list-style-type: none"> <li>✓ Face-to-face interviews allow interviewers to view non-verbal cues and the body language of the respondent, helping in understanding and interpreting responses.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Telephone interviews generally involve only voice contact with the respondent.</li> </ul>
<b>Trust building</b>	<ul style="list-style-type: none"> <li>✓ Building trust is often easier in face-to-face interactions, potentially leading to higher respondent cooperation and more reliable data.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Building trust over the phone can be more challenging.</li> </ul>
<b>Respondent attention</b>	<ul style="list-style-type: none"> <li>✓ The interviewer has greater control over the interview and can keep the respondent focused and on track until completion.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Telephone surveys may occur at a time when the respondent is facing distractions such as preparing meals, childcare, household chores, etc.</li> </ul>

<b>Budgetary requirements</b>	✘ Face-to-face interviews are typically more expensive and time-consuming than telephone interviews, as they involve travel, training, and on-site presence of interviewers.	✔ Telephone interviews are generally more cost-effective than face-to-face interviews, as they eliminate the need for travel expenses and on-site interviewers.
<b>Logistical challenges</b>	✘ Coordinating face-to-face interviews requires careful planning, and logistical challenges such as transportation and scheduling.	✔ It is often easier to schedule telephone interviews, as there is no need to coordinate physical meetings, making it more convenient for both interviewers and respondents.
<b>Safety concerns</b>	✘ In some cases, face-to-face interviews may pose safety concerns for interviewers and/or respondents, especially when dealing with sensitive topics like forced labour. During disease outbreaks such as COVID-19, face to face interviews involve a direct risk of contagion.	✔ Respondents may feel more comfortable and safer discussing sensitive topics such as forced labour over the phone, rather than face-to-face with an interviewer.

## ► 6.2 Recruitment and training of interview team

Given the sensitivity and complexity of forced labour, special attention must be given to the recruitment and training of interviewers. A carefully recruited and well-trained interviewer team is essential to the success and ethical integrity of a forced labour prevalence survey.

### 6.2.1 Recruitment

**Ethical considerations.** Ethical considerations are critical in recruiting interviewers due to their direct face-to-face interactions with the survey target population (see also section 8.2). When selecting the interviewer team, careful due diligence and screening is first required to ensure that applicants have no criminal connection to forced labour, no potential conflicts of interest and no potential biases or prejudices towards the target population that might influence the way they interact with survey participants or record information. Interpreters, when required, should be carefully screened along similar lines.

**Demographic composition of interviewer teams.** The composition of the teams of interviewers, including the ratio of women to men, must consider the type(s) of forced labour being addressed, the profile of the respondents (age, sex, ethnicity, religion, etc.) and the places where the interviews will be held. It is generally recommended that interviews on sensitive forced labour topics are conducted by members of the same sex as the respondent and take place in a setting that ensures confidentiality.

It is also critical that the interviewer teams are able to communicate in the local language/dialect.

**Recruitment area.** There is no strict rule in terms of where interviewers should be recruited from. In some circumstances, it is preferable that the interviewers are recruited from the area where the survey is taking place, as local interviewers are likely to be more attuned to local cultural nuances and norms and may be better placed to build trust and rapport with respondents. Interviewers familiar with the area are also better positioned to assess and address safety considerations for both interviewers and respondents. Yet in other circumstances, for example, when investigating topics about which there are local cultural sensitivities or social stigmas, an interviewer from the same community may be a source of unease for the respondent, and they may be more comfortable talking to someone external to their local reality. The risk of conflicts of interest may also be greater in the case of local recruitment. These pros and cons should be weighed carefully in consultation with local stakeholders before making a decision concerning local recruitment of interviewers.

## 6.2.2 Training

To conduct effective and ethical interviews, the interviewers should be trained not only on concepts being measured, but also on key ethical and cultural considerations, the flow and contents of the questionnaire, interviewing techniques, response recording and procedures for data quality assurance. They must also be familiarized with the logistical and administrative procedures for fieldwork and safety and security protocols. If the survey sampling method entails decision-making by the interviewer (such as, for example, “stopping rules” for snowball methods), training should also ensure that interviewers have a basic understanding of such statistical issues.

Respondents should be encouraged to reply in their own words and interviewers should be trained to code their answers correctly and to recognize and note down key words or expressions used by respondents. Training exercises should be organized in which interviewers practice coding responses to open-ended questions, for instance regarding aspects of involuntary work and coercion.

Role plays and mock interviews can help interviewers sharpen their interviewing skills and learn how to react should unexpected challenges arise, for example, if they receive a strong angry reaction from an employer, recruiter, local figure of authority or even worker, or if they are faced with respondents in distress and in need of urgent assistance.

Many surveys include a field test to assess fieldwork procedures and how the interviewers handle interviewing (see also section 6.3.2). This is the best way to discover whether interviewers have understood and are able to apply the training content. Even practice interviews with each other will not be as useful as a field test. Moreover, interviewers are often initially uncomfortable in the interview setting and the field-testing phase allows them to build comfort and confidence before the survey starts. Parts of the field test interviews should be observed by trainers or supervisors to assess how interviewers administer the questionnaire, including their ability to

establish rapport and handle sensitive topics with empathy, and to identify and address areas where interviewers are having problems.

Table 28 presents a sample curriculum covering core training items. The precise contents of a training curriculum for interviewers, however, should be adapted in accordance with the specific scope and design of the prevalence survey and the context in which it is being implemented.

► **Table 28. Sample curriculum for interviewer training**

Session	Contents
1. Introduction to forced labour and survey objectives	Overview of the concept of forced labour.
	Understanding the objectives and importance of the prevalence survey.
2. Ethical considerations	Informed consent procedures.
	Confidentiality and data protection.
	Respectful treatment of respondents.
	Recognizing signs of distress in respondents.
	Referral procedures for professional assistance when needed.
3. Cultural sensitivity and context	Understanding and respecting local cultural norms and traditions.
	Sensitivity to diverse backgrounds and experiences.
4. Understanding the survey instrument	Review of key questionnaire concepts and terminology.
	Review of overall questionnaire flow and skip patterns.
	Review of objectives and contents of each module.
	Review of each question and its purpose.
5. Sampling techniques (if relevant)	Understanding the sampling strategy employed in the survey.

6. Interview techniques (including through role play)	Effective communication skills.
	Active listening and probing techniques.
	Building rapport with respondents.
	Techniques for clear and concise communication.
	Addressing language barriers and ensuring accurate translation.
Handling unexpected challenges arise during interviewing	
7. Data quality assurance (including through response coding exercises)	Methods to ensure accurate data recording.
	Data validation procedures and quality control criteria.
	Procedures for coding open-ended questions, including relating to coercion, involuntary work and occupation.
	Recording verbatim answers, including through use of keywords.
	Training on electronic data entry (in case of CAPI survey)
Procedures for verifying respondent information.	
8. Safety and security protocols	Awareness of potential risks and safety concerns.
	Emergency protocols, referral mechanisms and emergency contacts.
9. Logistical and administrative procedures	Handling survey materials and equipment.
	Submission of completed surveys and data.
	Adherence to survey timelines and schedules.

Interviewers are often provided a printed interviewer manual as part of the training, for reference during the fieldwork. In addition to overall forced labour concepts and terminology, such a manual normally contains a list of all questions in the questionnaire and detailed instructions on how to ask and record the answers to each. This helps to promote uniformity in how the questionnaire is administered by different interviewers.

## ► 6.3 Translation and field testing of questionnaire

### 6.3.1 Translation of questionnaire

Forced labour prevalence surveys often involve diverse populations with varying cultural backgrounds and languages, and the accurate translation of the survey questionnaire is crucial for ensuring that respondents comprehend the questions in the intended manner. It helps avoid variations in interpretation that could introduce language-related biases or otherwise affect the data reliability. Research shows that interviewer errors are much higher when interviewers are asked to translate in the field while doing the interview instead of using a questionnaire that is already translated.

Accurate translation is particularly important in the context of forced labour measurement, as the forms of forced labour, and the means of coercion used to impose it, are often specific to the national or local context and need to be properly expressed in the local language to be effectively captured. The precise translation of the questionnaire into the local language(s) also ensures that it is culturally sensitive in its terminology and phrasing, which is especially important when investigating sensitive topics such as forced labour.

There may be instances where translation is not possible. The locally spoken languages may not have a written form or there may not be time in the schedule for translations. In these cases, a list of key words and phrases should be translated so that all interviewers use the same language to express the same concepts.

### 6.3.2 Field-testing of questionnaire

Field-testing helps ensure the questionnaire is optimised for responding to the research questions and fully adapted to the research setting. No untested questionnaire should be used in a forced labour prevalence survey. Table 29 lists some of the key criteria against which the adequacy of the questionnaire should be assessed during field testing.

► **Table 29. Field testing of questionnaires – key criteria**

Criteria	Detail
Comprehensiveness	Gaps in the information collected vis-à-vis the full range of information needed to answer the research questions.
Redundancies and irrelevant questions	Unnecessary redundancies in the questionnaire and information collected that is not strictly relevant to the research questions.

Comprehension	Comprehension issues, ambiguous language, or confusing wording. These can be identified through separate “cognitive interviews”, during which a sub-group of testers verbalize their thought processes as they respond to each question in the questionnaire.
Response variability	Questions for which there is a high variability in responses, potentially signalling ambiguous language or other comprehension issues.
Questionnaire structure	Incoherencies or confusion linked to the logical flow of the questionnaire, the sequencing of questions and skip patterns.
Non-responses	Questions for which a large number of respondents refuse or are unable to answer, which may need to be revised or removed.
Completion time and respondent fatigue	Problems linked to the (excessive) time required to complete the questionnaire, respondent fatigue, and specific “fatigue points” in the questionnaire where respondent attention lags.
Unintended consequences	Questions or topics inadvertently causing distress or discomfort to respondents.
Cultural sensitivity	Language or phrasing deemed culturally inappropriate, or otherwise potentially causing misunderstanding or offence.
Translation accuracy (if applicable)	Distorted meanings, insensitivities or confusion linked to inaccurate or imprecise translation.
Local relevance	Questions deemed not relevant or appropriate to the local context.

By systematically evaluating these criteria during field testing, including through feedback from both the interviewers and respondents, researchers can refine the questionnaire, making it more robust, culturally sensitive, and effective in responding to the research questions articulated during the preparatory phase of the survey process.

As discussed above, field testing is also critical in assessing fieldwork procedures and the capacity of the interview team to carry out effective and ethical interviews.



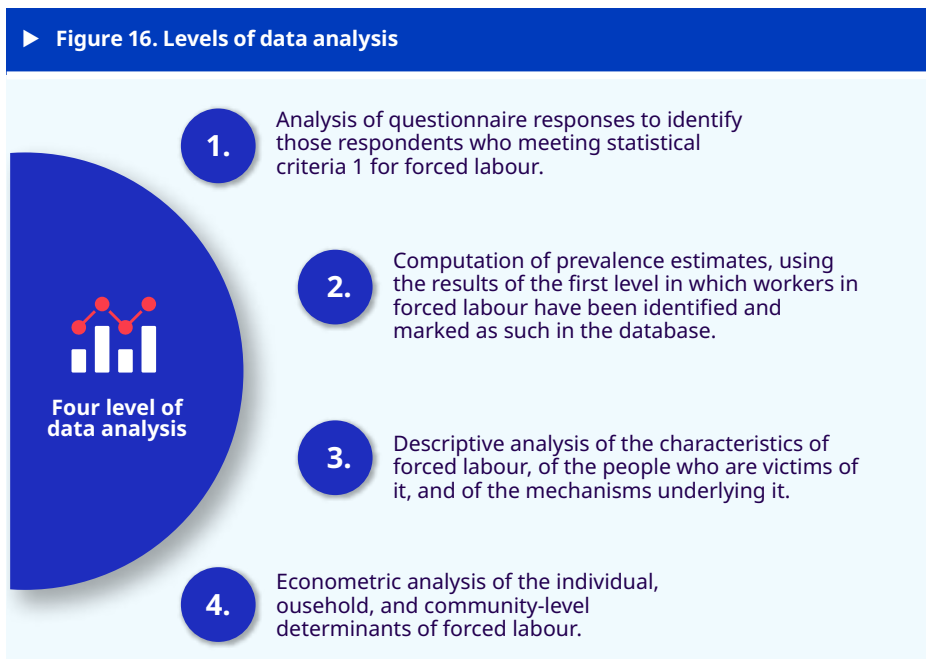


## ▶ 7. Data analysis

This stage of the survey process involves the analysis of the raw data collected by a forced labour survey. Data analysis should be directed towards answering the research questions posed during the preliminary phase of the survey process. In this manner, the results emerging from the data analysis should provide policy makers and key stakeholders with an improved understanding of the forced labour phenomenon and the evidence needed to construct effective responses to it.

Four levels of data analysis are normally utilized to address the research questions targeted by a forced labour survey (figure 16). The first level involves the analysis of survey responses to identify forced labour victims. The second level consists of computing prevalence estimates, using the results of the first level and information on duration. The third level involves descriptive analysis of forced labour and the fourth level involves econometric analysis of forced labour determinants.

Table 30 illustrates how these levels of data analysis map to the core research questions described in section 2.4. Each level is discussed in more detail in the following sections.



► Table 30. Levels of data analysis

		Levels of data analysis			
		Identification and marking in database of respondents in forced labour	Computation of prevalence estimates	Descriptive analysis	Econometric analysis
Core research questions	What is the extent of forced labour?	✓	✓	✓	
	What people and communities (and firms) are most affected?			✓	✓
	What are the characteristics of forced labour?			✓	
	What are the mechanisms underlying forced labour?			✓	✓
	What are the causes of forced labour?				✓

## ► 7.1 Identification of the victims of forced labour

The first step in data analysis is to identify the respondents that meet the statistical criteria for forced labour. Recall from section 1.2 of this handbook that the statistical definition of forced labour requires that two elements – involuntary work and coercion – are present. It is recommended that variables are created for both elements, so that the presence of involuntary work and coercion can be assessed separately for each respondent. Additional insight can also be gained by analysing separately the stage of employment in which the involuntary conditions arise.

Based on a simple decision tree and questions for identifying forced labour (section 5.2), the variables *Forced recruitment*, *Involuntary work*, *Coercion*, and, ultimately, *Forced labour*, can be created through logical “AND/OR” combinations of answers to multiple questions.

The process for creating these variables is illustrated below, with reference to the model questions presented in section 5.2. However, the precise process will vary

from one survey to another in line with the specific questions included in the questionnaire relating to involuntary work and coercion.

1. **Create variable for forced recruitment.** Forced recruitment refers to situations in which the elements of involuntary work and coercion are both present in recruitment. For example, cases in which a worker is made to take a job through physical force or through a threat levelled against them or their family.

<b>Forced recruitment=1</b>	IF	Practice of slavery or practice similar to slavery=1
	OR	Forced to take job because family member of someone in situation of slavery=1
	OR	Forced to take job under physical force or threat=1

2. **Create variables for involuntary work at each employment stage.** The work conditions or practices giving rise to involuntary work can differ considerably across the three stages of employment. Creating a variable for “possibly involuntary conditions” for *each* employment stage can therefore contribute to a more complete descriptive analysis of involuntary work (see section 5.2.2).

<b>Involuntary work conditions during recruitment stage=1</b>	IF	<i>Deceptive or fraudulent recruitment (INVOL2) =1</i>
	OR	<i>Recruitment linked to debt (INVOL3) =1</i>
<b>Involuntary work conditions during employment stage=1</b>	IF	<i>Hazardous or degrading work conditions (INVOL4) =1</i>
	OR	<i>Onerous working hours or work schedule (INVOL5) =1</i>
	OR	<i>Degrading living conditions (INVOL6) =1</i>
	OR	<i>Abusive additional demands (INVOL7) =1</i>
	OR	<i>Sexual abuse (INVOL8) =1</i>
<b>Involuntary work conditions during employment separation stage=1</b>	IF	<i>Inability to terminate work contract (INVOL9) =1</i>

3. **Create variable for coercion at each employment stage.** Coercion is the means used by a recruiter or employer to compel a worker to stay in a job they would otherwise quit and/or to endure work conditions that they would otherwise refuse.

<b>Coercion at recruitment stage =1</b>	IF	<i>Physical or sexual violence (COER1) =1</i>
	OR	<i>Abuse of isolation (COER2) =1</i>
	OR	<i>Restriction on movement and /or communication (COER3) =1</i>
	OR	<i>Retaining of cash, assets and/or personal documents (COER4) =1</i>
	OR	<i>Withholding of wages (COER5)=1</i>
	OR	<i>Abuse or manipulation of debt (COER6) =1</i>
	OR	<i>Abuse of vulnerability (COER7) =1</i>
	OR	<i>Induced addiction (COER8) =1</i>
<b>Coercion at employment stage =1</b>	IF	<i>Physical or sexual violence (COER1) =1</i>
	OR	<i>Abuse of isolation (COER2) =1</i>
	OR	<i>Restriction on movement and /or communication (COER3) =1</i>
	OR	<i>Retaining of cash, assets and/or personal documents (COER4) =1</i>
	OR	<i>Withholding of wages (COER5)=1</i>
	OR	<i>Abuse or manipulation of debt (COER6) =1</i>
	OR	<i>Abuse of vulnerability (COER7) =1</i>
	OR	<i>Induced addiction (COER8) =1</i>
<b>Coercion at employment separation stage =1</b>	IF	<i>Physical or sexual violence (COER1) =1</i>
	OR	<i>Abuse of isolation (COER2) =1</i>
	OR	<i>Restriction on movement and /or communication (COER3) =1</i>
	OR	<i>Retaining of cash, assets and/or personal documents (COER4) =1</i>
	OR	<i>Withholding of wages (COER5)=1</i>
	OR	<i>Abuse or manipulation of debt (COER8) =1</i>
	OR	<i>Abuse of vulnerability (COER7) =1</i>

4. **Create variable for forced labour.** Once the variables for *Forced recruitment*, *Involuntary work* and *Coercion* variables are created, the *Forced labour* variable can be constructed based on the statistical definition of forced labour, i.e., a work situation featuring *both* involuntary work and coercion. As noted above, situations of forced recruitment involve both involuntariness and coercion and therefore

constitute forced labour regardless of the presence of other forms of involuntary work and coercion across the employment cycle.

<b>Forced labour =1</b>	IF	<i>Forced recruitment=1</i>
	OR	<i>(Involuntary work at recruitment stage=1 AND Coercion at recruitment stage=1)</i>
	OR	<i>(Involuntary work at employment stage=1 AND Coercion at Employment stage=1)</i>
	OR	<i>(Involuntary work at employment separation stage=1 AND Coercion at Employment separation stage=1)</i>

## ► 7.2 Estimating the prevalence of forced labour

Once the respondents have been identified and marked in the dataset as victims of forced labour following the process described above, the extrapolation factors can be applied and estimates of prevalence generated. The calculation of extrapolation factors, and of the margin of sampling error, must adhere strictly to the statistical rules associated with the sample design and selection used for the survey (see section 4).

Depending on the design of the questionnaire, the reference period and the specific research question on prevalence, a number of measures of prevalence are possible. *Current point prevalence*, the *period prevalence over the reference period* and the *average point prevalence over the reference period* are three commonly used measures of forced labour prevalence. All three measures are potentially relevant, as they each provide a different insight into the total extent of the forced labour phenomenon.

The **current point prevalence** is simply the total number of people in forced labour at the time of the survey divided by the reference population. It is less reliable in practice because its measurement is generally based on fewer observations.

The **period prevalence** over the reference period is the total number of people who experienced at least one spell of forced labour during the reference period divided by the reference population. This is also referred to as a “flow” estimate. In practice, it is more reliable because its measurement is generally based on more observations but it may not produce internationally comparable data if the reference periods vary from one country to another.

The **average point prevalence** over the reference period is the average prevalence at any given point of time in the reference period. It is calculated by multiplying the total number of people who experienced at least one spell of forced labour in the

reference period by the average duration of a spell of forced labour (expressed as a fraction of the overall time period), and then dividing by the reference population. This is referred to as a “stock” estimate. It is, in practice, more reliable and also more comparable among countries and the concept used in the ILO Global estimation of forced labour.

Average point prevalence and period prevalence are linked by the following formula:

$$\text{Average point prevalence} = \frac{\text{period prevalence} \times \text{average duration in forced labour}}{\text{Total reference period}}$$

## ► 7.3 Descriptive analysis

The descriptive analysis of the victims of forced labour should cover, at a minimum, the first four of the five core research questions presented in section 2.4. Forced labour survey data typically enable the calculation of both the prevalence of forced labour and the percentage distribution of people in forced labour by key background characteristics, such as sex, migrant status or location of residence. Both prevalence and percentage distribution reveal important insights about people in forced labour, and both should preferably be included in the descriptive analysis (box 9).

► **Table 31. Core research questions covered by the descriptive analysis**

Core research question	What is the extent of forced labour?	✓
	What people and communities (and firms) are most affected?	✓
	What are the characteristics of forced labour?	✓
	What are the mechanisms underlying forced labour?	✓
	What are the causes of forced labour?	

When generating estimates for various disaggregations, it is crucial to account for the margin of sampling error associated with each estimate. The reliability of disaggregated estimates significantly depends on the number of observations available in the dataset. In cases where data is disaggregated into more granular categories, it might emerge that some categories lack sufficient observations to yield statistically robust estimates. Specifically, when estimates of proportions or levels are derived from fewer than 25 cases in the denominator, such estimates should be clearly marked and users should be advised to interpret these figures with caution due to the small sample size. Importantly, the 25-case threshold is not fixed and may need

adjustment based on the survey's design effect. This consideration ensures that the statistical integrity of disaggregated estimates is maintained while providing clear guidance on their interpretation.<sup>21</sup>

### Box 9. Prevalence and percentage distribution of forced labour by key background characteristics

Forced labour survey data typically enable the calculation of both the prevalence of forced labour by key background characteristics, such as sex, migrant status or location of residence and the percentage distribution of people in forced labour by similar background characteristics. Both indicators reveal important insights about people in forced labour, and both should preferably be included in the descriptive analysis if permitted by the number observations (see main text). However, their interpretation is different and they should be used for different purposes.

The prevalence of forced labour by sex, migrant status, or location of residence is calculated considering the prevalence of forced labour in the subsample of men, women, migrants, or urban/rural residents (or other subsamples). It captures the share of individuals in forced labour in this particular subsample of the population (the groups: men, women, migrants, or urban/rural residents). For example, the prevalence of forced labour among men can be calculated by dividing the number of male individuals in forced labour by the total number of male individuals. This indicator can help to understand which part of the population is at a high risk of forced labour, and amongst whom is forced labour prevalence especially high.

The second indicator, percentage distribution of forced labourers by key background characteristics, is useful to outline the profile of individuals in forced labour. Forced labour victims tend to have a different sex, migrant status, or residence distribution from the total population. The percentage distribution of forced labour victims is measured by the number of forced labour victims of a particular sex, migrant status, or residence over the total number of forced labour victims.

An example in the table below numerically illustrates the difference between the two types of indicators. The prevalence of forced labour in this case is 6 per cent in the male population, while it is 4.29 per cent in the female population, meaning that forced labour prevalence is higher for men than for women. However, if we look at the distribution of forced labour victims by sex, 50 per cent of them are men, and 50 percent of them are women.

	Total sample size	Prevalence of forced labour (%)	Number of observations	Percentage distribution of forced labour (%)
Male	500	6.00%	30	50%
Female	700	4.29%	30	50%
Total	1200	5.00%	60	100%

21 For more information on this principle and its application, refer to ILO, *Manual for child labour data analysis and statistical reports*, 2004, Appendix E.



*What is the extent of forced labour, and what people and communities (or firms) are most affected?*

This part of the descriptive analysis provides policymakers and other stakeholders with a detailed demographic and socio-economic profile of the people in forced labour in the context studied – who they are, where they live and under what conditions. It is based principally on the disaggregation of prevalence estimates by the individual, household and community characteristics collected from the “background characteristics” component of the survey questionnaire (see section 5.1).

It is important that results concerning the prevalence are broken down by sex, as gender considerations are often critical in determining which people are involved in forced labour and the nature of the work that they perform. Global research suggests that migrants who are unprotected in law and practice are especially susceptible to forced labour therefore the disaggregation of prevalence estimates by migrant status is also recommended where possible. Where the sample size permits, the results should also be disaggregated by other key background individual, household and community characteristics deemed important in the local context.

The *composition* of the forced labour population along key background variables can also be useful in drawing a profile of those in forced labour. How the forced labour population is divided between males and females, between migrants and non-migrants, or among people of different education levels, for example, can all provide insight into the forced labour phenomenon in a given context. The comparison of the profile of people in forced labour with that of other workers' labour can be useful in contextualising these results.

Examples of possible tabulations for this part of the descriptive analysis are presented in table 32.

▶ **Table 32. What is the extent of forced labour, and what people and communities (or firms) are most affected? Key tabulations**

- ▶ Current point prevalence of forced labour (% of people in forced labour at the time of the survey), by key background characteristics

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- ▶ Average point prevalence of forced labour (% of people in forced labour at any specific point in time over the reference period), by key background characteristics

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- ▶ Period prevalence of forced labour (% of people in forced labour at any time during the reference period), by key background characteristics.

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- ▶ Percentage distribution of people in forced labour by key background characteristics

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- ▶ Percentage distribution of people in forced labour and percentage distribution of other workers, by key background characteristics

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In the case of establishment surveys, this part of the descriptive analysis will draw a profile of the establishments that have the highest risk of forced labour violations and

how they differ from establishments where the forced labour risk is lower. They can also be used to improve understanding of some of the “demand-side” factors leading to recourse to forced labour on the part of firms.

### *What are the characteristics of forced labour?*

This part of the descriptive analysis focuses on the key characteristics of forced labour - the length of time people are trapped in forced labour, the sectors and occupations where it occurs, and the working conditions of its victims. The characteristics of forced labour can differ considerably by sex, and the results should, therefore, be reported and analysed separately for women and men in forced labour. Sample size permitting, a discussion of how forced labour characteristics differ by residence, age range, migrant status and other relevant background characteristics is also important. Examples of possible tabulations for this part of the descriptive analysis are presented in table 33.

The **duration of forced labour** refers to the amount of time (typically reported in weeks or months) that people are trapped in forced labour over a specified reference period. It provides critical information on the *degree of exposure to forced labour*. Duration can also be a useful indicator of the efficiency of detection and law enforcement efforts - the more effective these efforts, the shorter the duration of forced labour is likely to be. As discussed in section 5.4, duration may relate to a single spell of forced labour during the reference period (e.g., the most recent spell or the spell perceived as having been worst) or to all forced labour spells over the reference period.

Information on the **sectoral composition of forced labour** provides useful insight into *where* forced labour is most common in the economy and in the broader labour force. It constitutes a key starting point for the design and targeting of programmes aimed at combating forced labour in specific industries. Where possible, it is recommended to assess how the sectoral composition of forced labour compares with that of the overall employed population. This information can help in pinpointing the economic sectors where the *relative* risk of forced labour is highest, i.e., the sectors that account for larger shares of those in forced labour than of the overall employed population.

Information on **occupation** offers insight into the specific kind of work - i.e., the duties and tasks - carried out by people in forced labour. Again, assessing how the occupational composition of forced labour compares with that of the overall employed population can be useful in identifying the occupations where the relative risk of forced labour is highest.

Information on the **work conditions** offers further insight into the workplace realities of the forced labour victims, the abuses they must endure in the course of their work and the specific health and safety risks to which they are most susceptible. Table 22 (section 5.3.3) lists some common indicators of working conditions that are of potential relevance in this regard. These include indicators relating to OSH conditions, employment contracts, living conditions, working hours and leave, and remuneration. The precise indicators of work conditions collected, analysed and reported will be determined locally on the basis of the scoping study and stakeholder consultations (Chapter 2).

▶ **Table 33. What are the characteristics of forced labour? Key tabulations**

- ▶ Average duration of forced labour in months (most recent spell, worst spell or all spells over reference period), by key background characteristics.
- ▶ Average duration of forced labour in months (most recent spell, worst spell or all spells over reference period), by sector.
- ▶ Prevalence of forced labour, by sector of economic activity.
- ▶ Prevalence of forced labour, by occupation.
- ▶ Percentage distribution of forced labour population, by sector of economic activity and key background characteristics.
- ▶ Percentage distribution of forced labour population and of other workers, by sector of economic activity.
- ▶ Percentage distribution of forced labour population, by occupation and key background characteristics.
- ▶ Percentage distribution of forced labour population and other workers, by occupation.
- ▶ Percentage distribution of forced labour population experiencing different work conditions (e.g., OSH conditions, employment contract, living conditions, working hours and leave, and remuneration).

### *What are the mechanisms underlying forced labour?*

This part of the descriptive analysis focuses on how people end up in forced labour and the coercive forces preventing them from leaving it.

Information about the **recruitment process** provides critical information to policy actors and other stakeholders on the precise paths and mechanisms through which people are recruited into forced labour. Table 23 (section 5.5) lists some specific areas of inquiry that are of potential relevance in this regard:

- ▶ **Work decisions:** who decides that the person should work?
- ▶ **Job choice:** who decides the specific job that the person takes?
- ▶ **Job search:** what is the principal source of job information?
- ▶ **Recruitment intermediaries:** what actors helped facilitate the recruitment process (e.g., who finds the job, negotiates contracts, arranges visa and travel, arranges accommodation on arrival, etc.)?
- ▶ **Movement:** what travel does recruitment entail?
- ▶ **Recruitment debt:** what are common reasons for debt incurred during recruitment?

Questions about who decides that a person should work and chooses the specific job they take, and about who helps arrange and facilitate the recruitment, are important in identifying the actors knowingly or inadvertently contributing to forced labour. Questions about sources of job information, and types of *misinformation*, can help to understand the decision processes of workers ending up in forced labour. Questions about travel entailed by recruitment and about a worker's ability to travel home can provide insight into a worker's degree of isolation and their susceptibility to control by traffickers or exploitative employers. Questions on recruitment costs and debt incurred during recruitment can be critical to understanding the origins of situations of debt bondage. Where relevant (and where sample size permits) questions should be analysed by sex, migrant status and other key background factors.

Information on **involuntary work** and **coercion** is not only critical for identifying cases of forced labour (see section 7.1) but also understanding its workings. Information on the first offers insight into the work conditions or abuses that give us to situations of involuntary work, while information on the second sheds light on the specific coercive forces, or combination of forces, exercised by employers or recruiters to compel workers to work involuntarily. A non-exhaustive listing of questions for assessing involuntary work and coercion is provided in table 20 (section 5.2).

The results of the analysis of these questions will provide an indication of the relative importance of each circumstance leading to involuntary work and of each form of coercion to the forced labour phenomenon in the study location. Expressed as a percentage of the forced labour population, the results are likely to sum to more than 100 percent, as people in forced labour commonly experience more than one circumstance leading to involuntariness and more than one form of coercion. Sample size permitting, results should be reported by sex and other background characteristics, and by sector of economic activity, as involuntary work circumstances and forms of coercion can vary widely for the different groups of people in forced labour.

Forced labour in many contexts involves the **manipulation of debt** and this form of coercion may merit separate, more in depth, analysis. Table 20 (section 5.2.3) lists some of the common mechanisms through which debt can be manipulated by recruiters or employers to control a worker:

- ▶ A worker is threatened with an increase in the amount they owed and/or with an increase in the rate of interest they are charged;
- ▶ A worker is put (further) into debt through not agreed to or excessive charges for food, housing, or other goods/services from employer;
- ▶ A worker is put (further) into debt through fines for supposed workplace violations or failure to meet production targets; or
- ▶ A worker is put (further) into debt through excessive interest charges.

As shown, coercion can take the form of a *threat* to increase a pre-existing debt, or the *actual* creation or increase in debt, which is then used as a pretext to prevent the worker from leaving. The results of an analysis of the manipulation of debt will shed

light on the relative importance of this form of coercion and on the most important ways in which debt is manipulated for coercive ends in the study location.

Examples of possible tabulations for this part of the descriptive analysis are presented in table 34.

► **Table 34. What are the mechanisms underlying forced labour? Key tabulations**

- Percentage of forced labour population affected by different recruitment parameters (e.g., person deciding the victim should work, person deciding victim's job, different sources of job information, recruitment intermediaries, movement, recruitment debt)
- Percentage of forced labour population experiencing different circumstances giving rise to involuntary work, by key background characteristics and sector of economic activity
- Percentage of forced labour population experiencing different forms of coercion, by key background characteristics and sector of economic activity
- Percentage of forced labour population coerced through the manipulation of debt, by specific means of debt manipulation and key background characteristics

## ► 7.4 Econometric analysis

### *What are the determinants of forced labour?*

Multi-variate analysis offers a means of investigating the relationship between forced labour and key background variables while keeping the effects of other related variables constant (*ceteris paribus*). This enables us to draw more robust inferences about the link between different background variables and forced labour – that is, about the factors affecting or causing forced labour – and, concomitantly, provides more solid grounds on which to base policy recommendations.

In more precise terms, econometric models can be used to investigate the direction and strength of the relationship between forced labour (dependent variable) and suspected individual, household and community determining factors (independent variables). These econometric results can play an important role in confirming or qualifying the results of the descriptive analysis.

Table 35 presents some of the key background household and community characteristics commonly collected in prevalence surveys and summarises what research and theory have to say about their relevance to forced labour. It should be stressed, however, that this list is not definitive or exhaustive; the specific characteristics included

in a survey and selected for analysis should be determined locally based on initial scoping studies and stakeholder consultations.


► **Table 35. Some key household and community factors of relevance to forced labour**

Household and community background characteristics	Relevance to forced labour
<b>Migrant status</b>	While migration has a largely positive impact at individual, household, community and societal levels, the global estimates make clear that under some circumstances – for example, when migration is irregular or poorly governed, or when recruitment practices are unfair or unethical, or when migrants are unprotected in law and practice – migration can create situations of vulnerability to forced labour.
<b>Indigenous status</b>	Discrimination in the labour market, on the grounds of indigenous status or other grounds, by excluding members of certain groups from work or impairing their chances of developing market-relevant capabilities, lowers the quality of jobs they can aspire to. This, in turn, enhances their risk of becoming or remaining poor, further reducing their ability to obtain jobs that can lift them out of poverty.
<b>Education level</b>	Forced labour is typically strongly negatively correlated with the education level, as more education empowers individuals with the human capabilities needed to secure decent work in the formal economy.
<b>Poverty and exposure to shocks</b>	Poverty limits the ability of workers to say no to jobs that are potentially abusive and to leave jobs that have become so. Exposure to individual shock (e.g., catastrophic illness or injury, job loss) or collective shocks (e.g., natural disasters, food price shocks, economic shocks) can increase levels of poverty and exacerbate overall socio-economic vulnerability.
<b>Individual and household debt</b>	Households can be forced to turn to forced labour to serve their debts, including debt linked to recruitment; in extreme circumstances, household debt can be associated with debt bondage involving children.
<b>Access to social protection</b>	Social protection is a primary means of mitigating the socio-economic vulnerability that underpins much of forced labour. It can also prevent the need for poor and credit-constrained people to resort to unscrupulous moneylenders to survive shocks such as sudden job loss or family illness, limiting their risk of falling into situations of debt bondage.

<b>Access to credit</b>	Access to credit through formal channels – including through social finance – helps reduce the dependence of individuals and families in situations of vulnerability on employers, recruiters, and other moneylenders for loans, in turn reducing their risk of falling victim to debt bondage. Access to credit through formal channels also enables families to hedge against some of the risks they face.
<b>Access to freedom of association and collective bargaining</b>	The freedoms of workers to associate and to bargain collectively enable workers to exert a collective voice to defend their shared interests: to bargain collectively for secure and decent work, including fair incomes, and to press public authorities to ensure that legal protections in the world of work are enforced, thus creating workplaces that are inimical to forced labour and workers who are resilient to its risks.
<b>Informality</b>	Informal economy workers are, inter alia, commonly exposed to inadequate and unsafe working conditions, have less certain, less regular and lower incomes than those in the formal economy, suffer an absence of collective bargaining and representation rights, are excluded from social protection and labour protection legislation. All of these characteristics of the informal economy run contrary to the concept of decent work and increase susceptibility to forced labour. A lack of a written contract is often suggestive of informality, while written contracts are more likely to be associated with more stable jobs in the formal economy.





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- ▶ **8. Ethical considerations for conducting a survey on forced labour**

Ethical considerations should be at the forefront when conducting research on sensitive issues such as forced labour. At its most basic level, ethical research requires adherence to the principle of “do no harm”. This means ensuring that no one involved in the research is made worse off because of their involvement. But, ethical research in a broader sense also means that the research serves to help improve the circumstances of the population under study. Research for its own sake is not enough. Ethical research on forced labour, it follows, should not only do no harm but also inform efforts to prevent forced labour and respond to survivor needs.

Due consideration to ethical concerns is critical throughout the survey process, from survey design, preparation for survey implementation, fieldwork and finally, to data analysis and the validation of results. In this chapter, key ethical considerations are discussed and key ethics checklists are presented for each of these stages of the survey process.<sup>22</sup>

## ► 8.1 Ethical considerations in survey preparation and design

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### *Establish survey ethics and safety protocol*

It is incumbent on the research team to work proactively to assess and mitigate risks of harm and implement measures to protect survey participants, research team members, and the community that is under study. This starts with the development of an ethics and safety protocol that either accompanies or is built into the survey design document. This protocol should provide clear and detailed instructions for the research team on how to ensure that the survey is undertaken in accordance with the highest standard of ethics and safety for both research participants and the research team itself.

The protocol should reflect the unique vulnerabilities and risks associated with the specific survey target population and location. Local input to the development of the protocol can help ensure its relevance and efficacy. In this regard, the engagement of stakeholders, such as with trade unions, NGOs, civil society organisations, employers' organisations, survivor's groups, and local authorities, is not only critical for research design (see section 2.1), but also critical for guidance on the safe and ethical conduct of a study, and on ensuring viable options for referral services for survey participants in case of need (see below).

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<sup>22</sup> For further detail, see: ILO, *Ethical guidelines for research on forced labour*, 2024.



### Checklist 1. Development of a survey ethics and safety protocol

- ✓ Adequately account for the development of the ethical and safety protocol when setting the research timeline and delivery milestones
- ✓ Develop survey ethics and safety protocol providing clear and detailed instructions for ensuring the safe and ethical conduct of the survey.
- ✓ Draw on previous ethical and safety protocols from studies conducted in the country, in similar contexts, or on related subjects.
- ✓ Adapt all protocols to the local context to the appropriate extent, ideally with the help of local partners, including survivor groups, to ensure that it reflects the unique vulnerabilities and risks associated with the specific survey target population and location.

### *Ensure review and approval by an ethics review board*

The research design and accompanying ethics protocol should be subjected to a robust country-level review and approval process to ensure consistency with ethics and safety benchmarks for research in the subject area. International or national ethics review board procedures can be identified through local research institutes, academic institutions, or government departments, particularly ministries of health. In countries lacking review bodies, researchers can establish a local ethics review committee. This body might include senior academics or local experts in the subject area, representatives of local or international organizations familiar with the topic, or government representatives with jurisdiction over the topic.



### Checklist 2. Ensuring review and approval by an ethics review board

- ✓ Identify local ethics review procedures and mechanisms.
- ✓ Establish a local ethics review committee if no review bodies exist in the country
- ✓ Submit and obtain approval for the survey ethics and safety protocol from a formal institutional or governmental ethics board.

### *Ethical considerations in survey design*

Ethical and safety considerations should be central to decisions concerning the specific survey target population, the data collection modality, the survey instrument and other key research design elements (see also Chapters 3 and 4).

**Selection of respondents** (see also section 3.3). Surveys on forced labour can include research subjects who are at risk of forced labour, currently in situations of forced labour or survivors of forced labour, or some combination of these groups. Other surveys include household heads or another well-informed household member, or all household members. In the case of enterprise surveys, employers and often workers are targeted. An assessment should be made of the risks associated with including subjects from each of these groups and the selection of respondents and survey design informed accordingly. If, for example, an assessment indicates that a survey

targeting current victims of forced labour raises particular ethical or safety concerns, then consideration should be given to changing the survey design to collect the information from survivors instead.

**Selection of survey type** (see also section 3.1). Some data collection methods may be more conducive to protecting study participants and research team members than others, depending on the setting and the target population. Research teams should account for potential ethical and safety risks associated with different survey types and select the one that will pose the *least* risk for researchers and research participants while meeting the survey objectives at the same time. For example, enterprise surveys that include interviews with workers at their workplace may arouse suspicion on the part of employers, with potential negative repercussions for the worker-respondent. If this risk cannot be effectively mitigated in the survey design, then the research team will need to consider an alternative survey type.

**Development of survey questionnaire** (see also Chapter 4). When developing the survey questionnaire, a first rule is to only collect information that is essential for the research project. This means that when considering the inclusion of questions that are sensitive or potentially distressing, such as questions about sexual abuse, the essentiality of the information should be weighed against the risks to the study participants. The *wording* of questions included in the questionnaire should be screened for potentially accusatory or stigmatizing language. For example, phrasing such as “Why didn’t you leave?” places blame on the individual for not escaping, and could be rephrased, for instance, to “What prevents or prevented you from leaving?” The phrasing of questions should also be reviewed to minimise the risk of triggering stressful memories or re-traumatizing study participants.

During the interview, workers may sometimes start talking freely about their experience of forced labour and may describe means of coercion, threats or penalties that are not listed in the questionnaire. It is very important to let workers talk like this and to note down these aspects discreetly.



### Checklist 3. Ethical considerations in research design

- ✓ In the selection of the survey target population, consider the relative ethical and safety risks associated with surveying persons at risk of forced labour, in forced labour or survivors of forced labour.
- ✓ Consider the relative ethical and safety risks associated with different data collection methods when selecting the method used for the survey.
- ✓ Avoid collection of unnecessary information. When considering the inclusion of questions that are particularly sensitive or potentially distressing, such as questions about sexual abuse, the importance of the information should be weighed against the risks to the study participants.
- ✓ Include warning phrases before sensitive questions. If sensitive questions are included, they should be introduced with statements that alert study participants that the following questions may be difficult to answer and that remind them that they can choose to skip them.
- ✓ Use non-stigmatizing and non-accusatory language in the formulation of questions.
- ✓ Conduct pilot interviews and check local terminology with the target population to learn about and use respectful terms.
- ✓ Undertake cognitive testing of questionnaire to ensure appropriate phrasing and terminology (Benes and Walsh 2018).

## ► 8.2 Ethical considerations in preparation for fieldwork

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### *Ethical considerations in the recruitment of interviewers (and interpreters)*

Ethical considerations are critical in the recruitment of interviewers due to their direct face-to-face interactions with the survey target population. When selecting the interviewer team, careful due diligence and screening are first required to ensure that applicants have no criminal connection to forced labour, no potential conflicts of interest and no potential biases or prejudices towards the target population that might influence the way they interact with survey participants or record information. Interpreters, when required, should be carefully screened along similar lines. The selection process for screened candidates should consider not only knowledge and understanding of forced labour concepts, but also interviewing skills and capacity to establish trust and rapport with the survey participants. Where the plan is to recruit interviewers and/or interpreters from the same community as the respondents, consideration should also be given to any potential sensitivities or unease this may create among the respondents, and the recruitment zone should be adjusted accordingly.



#### **Checklist 4. Ethical considerations in the recruitment of interviewers (and interpreters)**

- ✓ Recruit interviewers (and interpreters) through job advertisements and referrals from trusted groups or individuals
- ✓ Screen applicants for any connection with forced labour or human trafficking, examining national and international databases of offenders, where possible and relevant.
- ✓ Check for potential conflicts of interest and potential ethnic, religious, or other forms of tension between the interviewer (and interpreter) and survey participants.
- ✓ Screen potential interviewers for potential biases or prejudices regarding the target population (Zimmerman and Watts 2003).
- ✓ Assess the understanding of forced labour, and forced labour concepts and terminology, amongst potential interviewers.
- ✓ Assess interviewing skills, including the ability to conduct interviews in sensitive, non-stigmatizing, and empathetic ways.
- ✓ Include interpreters in fieldwork training to ensure they understand project objectives and the appropriate language to be used.
- ✓ Assess potential sensitivities or unease on the part of survey participants associated with speaking in front of local community members.

### *Integrating ethical research principles into training of survey team*

The training of interviewers and other members of the survey implementation team should include the core principles of ethical research, to ensure ethical and safe

conduct on their part throughout research implementation. Training should cover, among others, national laws relating to forced labour and trafficking, complaints procedures and victims' rights, informed consent processes, ensuring confidentiality, anonymization, signs of trauma and distress, and referral procedures. Interviewers themselves must have the option to withdraw from the survey at the end of the training period without suffering any penalty if they feel that the task may be too risky for them or if they are otherwise uncomfortable with proceeding.



#### Checklist 5. Integrating ethical research principles into training of survey team

- ✓ Integrate ethical and safety concerns (associated with research on the specific target population) into training for interviewers.
- ✓ Design practical scenarios and use case studies during training to highlight common ethical dilemmas and problem-solving strategies.
- ✓ Include in training: national laws relating to forced labour and trafficking, especially with regard to complaints procedures and victims' rights.
- ✓ Include in training: how to conduct informed consent processes in non-coercive ways.
- ✓ Include in training: measures to ensure safety and protect confidentiality and anonymity during interviews, and the importance of non-disclosure of any study information outside the study team, even in the form of anonymous quotes or stories.
- ✓ Include in training: how to detect and respond to trauma and psychological distress.
- ✓ Include in training: how to identify situations in which an interview should be discontinued (e.g., when a participant is exhibiting signs of distress or re-traumatization).
- ✓ Include in training: how to respond to unexpected reactions or interruptions (Easton and Matthews 2015, 11-32).
- ✓ Include in training: referral procedures, including in cases of imminent danger to survey participants.

### *Ethical compensation of study participants*

Clear rules regarding the compensation of respondents need to be laid down prior to survey implementation and strictly and consistently adhered to by researchers in the field. In some cases, it may be important to compensate individuals for their time to avoid recreating situations of exploitation and to demonstrate appreciation for the value of their time. Survey participation can sometimes entail lost income or other costs such as childcare or transportation that it is reasonable for the research to cover. Compensation should not, however, act as an undue inducement to take part in the survey. And under no circumstances should compensation lead to further risk to the participant.<sup>23</sup> Consultation with local actors – including, critically, potential participants themselves – is often useful for determining the most appropriate

<sup>23</sup> For example, as outlined in the 2003 WHO guidelines for interviewing trafficked women, undeclared money found by employers, traffickers, or procurers can endanger a study participant. Source: Zimmerman, Cathy and Charlotte Watts, *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women* (World Health Organization, 2003).

remuneration levels and safest remuneration modalities. Compensation to intermediaries for facilitating survey participation should be avoided whenever possible, and never provided to perpetrators of forced labour.



#### Checklist 6. Ethical compensation of study participants

- ✓ Establish clear rules regarding the compensation of respondents prior to survey implementation.
- ✓ When determining rules regarding compensation, consult local actors.
- ✓ Include details and a justification for compensation in ethical review board proposals.
- ✓ Ask respondents about the safest and most useful forms of compensation from a set of options.
- ✓ Maintain transparency when discussing compensation with study participants and research team members.
- ✓ Avoid compensation to intermediaries and never engage or compensate perpetrators of forced labour.

#### *Ensuring confidentiality*

Robust safeguards must be in place to ensure the confidentiality of information provided by study participants. All research team members, including interpreters, regardless of whether they are in direct contact with survey participants, should sign a confidentiality agreement before beginning fieldwork. In some cases, confidentiality may become compromised if some members of the research team, like interpreters, are excluded from such agreements. Strict procedures should also be established for data security and the anonymization of study participant data, and all team members should be trained in their implementation. In addition to protecting information collected *following* interviews, measures are needed to ensure confidentiality *during* interviews, including, for example, choosing interview locations where interviews cannot be overheard or interrupted.



### Checklist 7. Ensuring confidentiality

- ✓ Require all research team members, including interpreters and team members who may not be directly interacting with study participants, to sign a confidentiality agreement.
- ✓ Choose research sites free from potential interruption, e.g., avoiding public locations or those where children may be present.
- ✓ Stop the interview if either the interviewer or participant feels the interview location has become unsafe and reschedule or cancel the interview until a more secure site is identified.
- ✓ Inform respondents of their right to request the destruction of data pertaining to them at any time.
- ✓ Establish strict processes for data security and data anonymization, and ensure all research members are familiarised and trained on their implementation.
- ✓ Ensure removal of any personal, organization, company, place, or institution names, and assign codes to all study participants.
- ✓ Determine the level of re-identification risk to study participants and consider removing “quasi-identifiers,” such as: locations; event dates; and the gender, age, ethnic origin, religious affiliation, income, or profession of study participants (Information and Privacy Commissioner of Ontario 2016, 9).
- ✓ Store code keys or code links to participant information in a password-protected system with limited access to only necessary personnel. Encrypt files to add an extra layer of security.
- ✓ Avoid using third-party platforms, such as transcription or coding services, that store data on another server
- ✓ Destroy data and information as soon as it is no longer needed, ideally when the analysis is complete.

### *Protocols for the safety of survey team*

Fieldwork can involve significant safety risks to survey team members, even when experienced, well-trained, and supported by other stakeholders. Before fieldwork, key potential safety risks specific to the survey target population and location should be identified and safety and security procedures for survey team members should be developed accordingly. The training of the survey team should include procedures for immediately leaving an area in case of danger. All team members should be equipped with mobile or satellite phones to be able to seek assistance at any point during their fieldwork.





### Checklist 8. Ensuring the safety of survey team members during fieldwork.

- ✓ Identify key potential safety and security risks to the survey team in survey location.
- ✓ Develop safety and security procedures for survey team based on identified risks.
- ✓ Ensure the entire survey team is aware of the safety and security procedures, including through discussions of safety and security procedures in field worker training sessions.
- ✓ Distribute emergency contact information to all field workers.
- ✓ In high-risk situations, ensure fieldworkers are experienced and knowledgeable of the local context.
- ✓ Establish check-in procedures with survey field teams to monitor their well-being, for example, through a field log or through simple cell phone check-in upon arrival and departure from a survey location.
- ✓ Consider designating a safe word with other team members that field workers can use when they are in uncomfortable or potentially dangerous situations while in the field.
- ✓ If possible, avoid interviews in areas with no phone signal
- ✓ For both security and confidentiality, do not undertake interviews in the presence of an unauthorised third party.

## ▶ 8.3 Ethical considerations during fieldwork

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### *Ensuring informed consent*

All potential survey respondents must provide their informed consent prior to their participation. Procedures for obtaining consent must ensure that participants fully understand the consent language, know that participation is voluntary – they can decline for any reason, and are aware of their right to withdraw their consent at any time without giving a reason and without concern of repercussions. Given the topic's sensitive nature, many survey participants will be wary of attaching their name, signature, or biometric data to a physical consent form - verbal consent alone is a viable alternative to paper consent forms in such contexts. Verbal consent should in any case always be obtained, even where written consent is provided.

**Checklist 9. Ensuring informed consent**

- ✓ Use clear and appropriate consent language, tailored to the age, education, and developmental level of study participants and the local context.
- ✓ Consider the safest, most ethical way to document consent: verbally, with a signature, or through fingerprints.
- ✓ Encourage questions from study participants and ensure that the processes of providing pre-interview information and obtaining consent are not rushed.
- ✓ Prior to beginning an interview, ensure that the participant understands the following: the content and purpose of the interview; the potential risks and benefits to participating; why they have been selected; how the information will be used; their right to refuse to answer questions and stop the interview at any time without fear of consequence; and their right to restrict the ways in which any information they shared is presented or disseminated.
- ✓ Assure respondents that their consent or responses will not affect their eligibility for services to which researchers may refer them.
- ✓ Choose data collection sites where adult study participants and researchers are alone during the informed consent procedure.
- ✓ Include consent procedures in the training of fieldworkers.
- ✓ Test consent language and consent procedures during piloting.

*Ethical considerations during interviewing*

Interviewers must make absolutely sure that survey respondents are not in any way endangered by their participation in the survey. They should not conduct the interview if there is any risk of negative repercussions.

Ethical and safety considerations should be prioritised in both the set-up and conduct of survey interviews. The interviewer must find a safe, neutral place for the interview. The adult respondent should normally be alone; they may feel more able or more at ease to answer questions truthfully without witnesses, as even close relatives may be unaware of the real working conditions. However, if the worker asks for others to be present, the interviewer should agree. It is essential to ensure that no employer, supervisor or guard can overhear the interview; if this is not possible, the interviewer can skip potentially sensitive questions or forego the interview altogether.

Research teams should ask the participant whether they would prefer to be interviewed by a man or a woman if both options are available, and in what language. Due consideration should also be given to where study participants will be interviewed, the length of time needed, and the effects these choices might have on factors such as safety, anonymity, childcare needs and foregone wages. In any event, the duration and timing of the interview should cause the least disruption possible to the work or daily schedule of the respondent.

Special approaches are often required for interviews with persons who are in high-risk circumstances, such as homeless persons, those affected by humanitarian crises, or those forced to participate in criminal activities. Each of these circumstances can affect decisions about safe locations for an interview, consent procedures, how questions are asked, and how an interviewer assesses the safety and well-being of the

survey participant. Increased attention to the “do no harm” principle is critical when interviewing high-risk groups.



#### **Checklist 10. Ethical considerations during interviewing**

- ✓ Carefully assess the safety of the would be survey respondent; do not need to proceed with an interview if it is likely to endanger the respondent in any way.
- ✓ Consider where study participants will be interviewed, the length of time needed for the interviews, and the effects these choices might have on their safety, anonymity, childcare needs, and income.
- ✓ Ensure a safe, neutral place for the interview.
- ✓ Ensure no employer, supervisor or other workplace authority is present at or can overhear the interview.
- ✓ Respect the respondent’s preferences regarding the gender of the interviewer.
- ✓ Respect the respondent’s preferences regarding the interview language.
- ✓ Set the duration and timing of the interview to minimize the disruption to the respondent.

#### *Detecting and acting on signs of distress during interviews*

It is common for current victims and survivors of forced labour and human trafficking to suffer adverse psychological effects, including post-traumatic stress disorder, anxiety and depression. Interviews can exacerbate these symptoms by evoking painful memories or drawing out new memories of upsetting events. Following the principle of “do no harm,” the survey team should be trained in detecting signs of distress in an interviewee, and in knowing when an interview should be discontinued and the interviewee referred to the appropriate referral or psychological support service. It is important that the survey team understand the importance of referral in such situations, and that they lack the necessary expertise to act alone.



#### **Checklist 11. Detecting and acting on signs of distress during interviews**

- ✓ Design and distribute a checklist to research team members on signs of distress and trauma.
- ✓ Based on the checklist, train all interviewers and interpreters on signs of distress and trauma during interviews and appropriate ways to respond.
- ✓ Ensure the research team understands the limits of what they can and cannot do to respond to trauma and distress, emphasising the importance of referral procedures.

#### *Ensuring referral to victim support services*

Referrals to relevant services should always be offered to survey participants who have experienced or are currently in situations of forced labour and/or human trafficking. Prior to fieldwork, simple, easy to implement, referral procedures should be developed along with an accompanying list of reliable referral services (including

shelters, psychosocial care, legal aid, health services, and trustworthy law enforcement contacts). All listed referral services should be aware of and agree to these procedures. All interviewers and interpreters should be trained on the referral procedures. Training should include action to be taken in cases of imminent danger.

Survey participants should never be referred without their consent, but if an individual requests or accepts a referral, the interviewer should make every effort to facilitate it. Interviewers should have cards providing the addresses and phone numbers of referral services with them that are easy to distribute discreetly. The survey team should go beyond simply providing written information wherever possible, for example, by contacting the referral service on the participant's behalf when they provide approval to do so.



#### Checklist 12. Ensuring referral to victim support services

- ✓ Develop written referral procedures – including for cases of imminent danger.
- ✓ Create a list of referral services, including shelters, psychosocial care, legal aid, health services, and trustworthy law enforcement contacts.
- ✓ Ensure all referral services are aware of and agree to the referral procedures.
- ✓ Equip all research team members with the list of referral services and train all team members on referral procedures.
- ✓ Provide explicit guidance and practice sessions during training sessions on how to respond to study participants in imminent danger. Include role-play exercises to practice responding to such scenarios.
- ✓ Translate referral information into relevant languages and produce it in a format for distribution to participants that is accessible and discreet.
- ✓ After explaining available referral options, enquire about what the participant would like to do, what kind of help they prefer and how they want to access the selected support.
- ✓ Do not take action or contact authorities such as police or immigration services without a participant's explicit permission.
- ✓ For individuals who do not want immediate help, offer the participant referral information for possible future use.

## ► 8.4 Ethical considerations during data analysis

### *Validation of findings and recommendations*

Ethical considerations do not end once the information is collected. Ethical research also requires that this information is analysed and presented in a manner that accurately represents the situation, avoids any negative repercussions, and informs policies and programmes addressing forced labour.

All data should be fully anonymised before data analysis starts. To ensure findings and recommendations are as context-relevant as possible, the research team should involve local stakeholders and research partners in their development and validation. Local validation is also critical to ensuring that the findings are not framed in a manner that inadvertently reinforces negative stereotypes of marginalized groups, leads to local backlash, or contain phrases or interpretations that could cause harm to survey participants or the communities they come from.

Last but not least, during the data analysis phase and finalization, data must be securely stored on computers to prevent any unauthorized access.



### Checklist 13. Data analysis and validation of findings

- ✓ Establish (and budget for) a validation process with local stakeholders, community members and research partners
  - Anonymize data before data analysis start
  - Store data in a safe and protected environment
- ✓ Share preliminary survey findings and recommendations with local stakeholders, community members, and research partners in formats and languages they can understand.
- ✓ Validate findings with local stakeholders, community members and research partners to ensure their accuracy and policy relevance and avoid language or interpretations that could stigmatize certain groups or communities or otherwise cause harm.
- ✓ Hold briefings for government officials on key findings and their implications for policy.
- ✓ Avoid political pressures in decisions concerning what findings to release and how they are interpreted (e.g., out of fear of offending a government or donor group).
- ✓ Discuss the dissemination plan with local stakeholders, community members and research partners to ensure safety considerations are upheld during dissemination.





▶ **9. Measurement of state-imposed forced labour**

State-imposed forced labour refers to forms of forced labour imposed by state authorities, agents acting on behalf of state authorities, and organizations with authority similar to the state. It is prohibited by Conventions Nos. 29 and 105, subject to certain exceptions.

This chapter discusses the measurement of state-imposed forced labour, with specific reference to four broad categories: the abuse of military conscription; the exaction of work beyond “normal civic responsibilities”; the abuse of compulsory prison labour; and forced labour for the purpose of economic development and other abuses of compulsory labour not involving prison labour. Research in these areas remains in its infancy, and more work is needed to develop methodologies to produce robust evidence of their prevalence and characteristics.

### *Defining state-imposed forced labour*

While it is recognized that States have the power to impose compulsory work on citizens and non-nationals, Convention No. 29 severely limits the scope of this prerogative to the five specific circumstances listed in table 36. Convention No. 105 supplements Convention No. 29 by providing five additional conditions under which States are explicitly barred from making use of compulsory labour, even if it results from a conviction by a court of law, also listed in table 36. Taken together, these provisions from the ILO forced labour Conventions provide the broad legal confines for what for the purposes of the handbook is termed “state-imposed forced labour” (SIFL), i.e., the *prohibited* exaction of compulsory labour by the State.

► Table 36. Defining state-imposed forced labour	
Circumstances in which States can legally impose compulsory work on citizens	Reference
Any work or service exacted in virtue of compulsory military service laws for work of a purely military character;	C29, Art. 2.2(a)
Any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;	C29, Art. 2.2b()
Any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;	C29, Art. 2.2(c)
Any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; and	C29, Art. 2.2(d)



Minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.	C29, Art. 2.2(e)
<b>Circumstances in which States are explicitly barred from imposing compulsory work</b>	<b>Reference</b>
As a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;	C105, Art. 1(a)
As a method of mobilising and using labour for purposes of economic development;	C105, Art. 1(b)
As a means of labour discipline;	C105, Art. 1(c)
As a punishment for having participated in strikes; and	C105, Art. 1(d)
As a means of racial, social, national or religious discrimination.	C105, Art. 1(e)

Over the course of several decades, ILO supervisory body comments have progressively developed more detailed explanations to clarify divergent understandings of the Conventions by exercising its supervisory functions and examining various forms of forced labour susceptible to being imposed by the state.<sup>24</sup> The ILO supervisory bodies have also been critical in highlighting the enduring relevance of the Conventions in light of new forms of state-imposed forced labour emerging from a changing political, economic and social environment.

### *General research considerations*

In contrast to most forms of forced labour, state-imposed forced labour operates through a pervasively coercive wider social context marked by a general lack of civic freedoms and a state apparatus that generates powerful coercive pressures through an extensive grassroots apparatus consisting of state and non-state institutions. Non-cooperation entails a systemic risk that is often more implicit than overt. Those who fail to comply risk a broad range of ramifications by the state, including loss of income, harassment, violence or detention.

Research on non-internment state-imposed forms of forced labour should take into account that this form of forced labour is:

<sup>24</sup> For example, several General Surveys dedicated specifically to the theme of forced labour published in 1962, 1968, 1979, 2007, 2012, and 2019. ILO, *General Surveys – Reports by Theme*.

- ▶ more readily assessed as a systemic risk than a specific instance, given that this form of forced labour creates an environment that renders its victims much less likely to speak freely;
- ▶ must take into account the fundamental preconditions for this form of forced labour, such as an overall coercive environment (police state), a comprehensive mechanism for pressure-driven grassroots mobilization, and a state policy mandating work or production targets for targeted populations;
- ▶ best assessed during mobilization (recruitment, training, transfer);
- ▶ leverages people's vulnerabilities (lack of alternative livelihood opportunities), but is not always economically-exploitative when political aims are primary;
- ▶ operates not only through labour mobilization mandates but also through agricultural production and procurement requirements.

The presence of forced labour is evinced by established indicators of involuntariness and coercion (penalty, penalization) at various stages of the employment cycle or, more broadly, in various situations where work is performed. These indicators do not distinguish according to the source or vector (private or public) of involuntariness and coercion and, as such, may make certain forms of forced labour more difficult to detect.

They may, therefore, be complemented with indicators revealing state leverage in the imposition of forced labour:

- ▶ evidence of a state policy or state-sanctioned custom, as expressed in laws, high-level policy documents, administrative instructions or institutional mandates that directly or indirectly legitimizes the use of involuntariness or coercion (alternatively: coercive pressures by state authorities) in human resource allocation;
- ▶ evidence of a state policy that instrumentalizes employment or work for political objectives such as aligning political views with those of the established political, social or economic system, altering the population composition in particular areas or enhancing national security;
- ▶ evidence of a state policy that restricts job or geographical mobility for economic, social, cultural or political purposes;
- ▶ the presence of a coercive environment (a significantly reduced civic space manifested in systemic restrictions of fundamental freedoms and enhanced surveillance), a comprehensive mechanism for pressure-driven labour mobilization, or a state policy mandating work or production targets for targeted populations;
- ▶ evidence of a state policy or state-sanctioned practice that causes or perpetuates the disadvantaged position or vulnerabilities of racial, social, national or religious groups.

Undertaking research on state-imposed forced labour poses a number of unique practical challenges. As the State itself imposes this category of forced labour, States may have little incentive to collaborate with or facilitate the work of researchers wishing to shed light on it. Information access can be problematic. Even in more open States, governments can be reluctant to disclose information about certain target groups, such as public servants, military service, or political prisoners, which is considered classified. Violations can also be deliberately obscured by State authorities, for example, by using common penal offences to conceal the punishment of people exercising their civil, political, economic, social or cultural rights. Poorly documented trial proceedings and court decisions can also make it difficult to identify violations. Collecting information can be even more challenging when compulsory labour is imposed by States extra-judicially, as records may be non-existent.

For all these reasons, the various reports and information published by the supervisory bodies of the ILO and other UN human rights agencies can be especially important sources for researchers investigating state-imposed forced labour. These reports are based on recognised and authoritative international mechanisms to examine the conformity of states' laws and practices with international law. They are based on information collected by observers from sources and materials that may be restricted or inaccessible for other actors in the international human rights community. Reviewing these reports and sources should be a starting point for determining whether a form of compulsory labour imposed by the State constitutes a violation of international law.

## ► 9.1 Abuse of military conscription

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### 9.1.1 What is it?

This form of state-imposed forced labour occurs when conscripts subject to compulsory military service laws are required to perform work not of a "purely military character."<sup>25</sup> The relevant provision in Convention No. 29 is aimed specifically at preventing the call-up of conscripts for public works or development purposes (ILO 2007, para 94), such as reviving transport infrastructure, generating green energy, or other national development objectives requiring large-scale labour mobilisation. The abuse of conscription is therefore generally linked with the broader prohibition of the use of forced labour for purposes of economic development<sup>26</sup> (see below).

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<sup>25</sup> Prohibited under Article 2.2 (a) of Convention No. 29.

<sup>26</sup> Prohibited under Article 1(b) of Convention No. 105.

Another form of state-imposed forced labour occurring in military contexts involves the denial of the right of career military personnel to resign in peacetime after a reasonable period of notice. In keeping with a view consistently held by the supervisory bodies over the decades, the General Survey of 2012 on the Fundamental Conventions recalls that under the ILO Forced Labour Convention, 1930 (No. 29), career military personnel and other persons in the service of the State, who have voluntarily entered into an engagement, should have the right to leave the service in peacetime within a reasonable period, either at specified intervals or with previous notice. The provisions of the Convention relating to compulsory military service *cannot* be invoked to deprive career military personnel of the right to leave within these conditions.

### 9.1.2 Identification

The process of identifying state-imposed forced labour linked to the abuse of conscription is illustrated in figure 17.

For conscripts, identification consists of determining whether or not the work they perform is of a purely military character and, in cases where *non*-military work is performed, determining whether or not this work fits within one of the exceptions in the Conventions to the prohibition on non-military work. As shown, these exceptions include work in situations of genuine emergency, work linked to vocational training, and building roads and bridges as a part of military training for conscripts performing their service in engineering or similar units. Non-military work performed by conscientious objectors in lieu of military service is another category of work falling outside the scope of the Conventions.

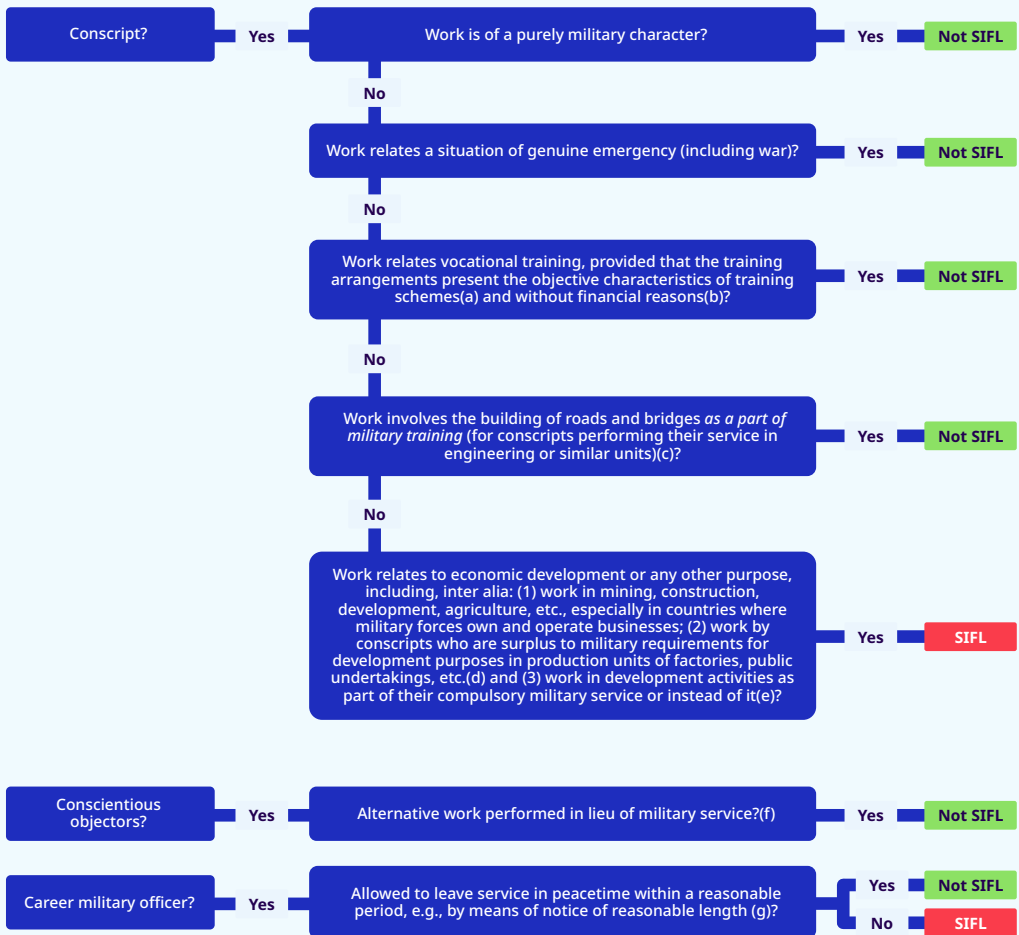
Beyond these and other limited exceptions, non-military work performed by conscripts violates the Conventions. Examples of violations include the assignment of conscripts to work in mining, construction, development, agriculture or other businesses owned and operated by the armed forces, and the exaction of labour from conscripts who are surplus to the requirements of the armed forces to build public infrastructure or support production in state-owned factories, enterprises or other public undertakings. Sometimes, development work or other non-military work is not performed in lieu of but in addition to military work, and both are compulsory for conscripts.

For career military personnel, identification of engagement in forced labour revolves around their ability to resign from their service in peacetime within a reasonable period, as discussed above.

### 9.1.3 Research considerations

A critical initial choice for researchers in designing a quantitative survey on the abuse of conscription is whether the survey is current or retrospective in focus, i.e., whether it targets current conscripts or former conscripts who have completed their compulsory military services and returned to civilian life.

► Figure 17. Identifying state-imposed forced labour relating to abuse of conscription



Sources: (a) 1968 General Survey, para. 26 and 33; (b) 1962 General Survey, para. 80; (c) 2007 General Survey, para. 44; (d) 2012 General Survey, para. 289; (e) 1979 General Survey, para. 49; (f) 2012 General Survey, para. 275; and (g) 2007 General Survey, para. 46.

To survey current conscripts, a research team first requires information on the total number of conscripts in the country, lists of military bases and barracks, and of the conscripts housed there, for sample design purposes (see Chapter 4). Survey implementation then requires that the research team has physical access to these military premises and face-to-face time with the individual conscripts selected for interviews. As information about military operations is almost always sensitive or classified, a survey of current conscripts is generally not possible without the approval and close

► **Table 37. Abuse of military conscription: key research questions and associated information requirements and research methods**

Research questions	Priority information requirements	Research sources/methods
<b>Violations in law: is national legislation governing the work performed by conscripts in conformity with the forced labour Conventions?</b>	<ul style="list-style-type: none"> <li>► Existence/conformity (with the forced labour Conventions) of legislation governing the work performed by conscripts</li> <li>► Existence/conformity of legislation governing the ability of career military personnel to resign</li> <li>► Existence/conformity of exceptions to scope of forced labour Conventions relating to “cases of emergency”</li> </ul>	<ul style="list-style-type: none"> <li>► Review of national legislation, including constitutional provisions, penal laws, administrative laws and labour laws</li> <li>► Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies</li> <li>► Reviews of non-governmental submissions to ILO supervisory bodies and other UN human rights monitoring bodies</li> </ul>
<b>Violations in practice: extent of presence or prevalence of abuses of conscription?</b>	<ul style="list-style-type: none"> <li>► Number of conscripts</li> <li>► Evidence of conscripts performing non-military work</li> <li>► Number/percentage of conscripts performing non-military work</li> <li>► Number of career military personnel</li> </ul>	<ul style="list-style-type: none"> <li>► Reviews of reports on human rights, media reportage, other research</li> <li>► Consultations with prisoners' rights experts and advocates</li> <li>► Administrative data from military authorities or departments of defence (for information on military bases and barracks, numbers of conscripts and career military personnel)</li> </ul>
<b>What are the characteristics of abuses of conscription?</b>	<ul style="list-style-type: none"> <li>► Types of non-military work performed (e.g., public works, construction, agriculture, raw material extraction, production in state-owned or private enterprises, etc.)</li> <li>► Working conditions (e.g., hours, OSH conditions, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>► Key informant interviews with current and/or former conscripts</li> </ul>
<b>What are the population groups most affected?</b>	<ul style="list-style-type: none"> <li>► Population groups disproportionately affected by military conscription (e.g., people in situations of economic difficulty, members of ethnic or religious minorities, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>► <b>Military camp-based quantitative survey of current conscripts</b></li> <li>► <b>Household-based quantitative survey of former conscripts</b></li> </ul>
<b>What are the underlying economic or structural factors?</b>	<ul style="list-style-type: none"> <li>► Type of production in which conscript labour occurs (i.e., domestic production or export bound production linked to global supply chains)</li> <li>► Domestic and foreign market penetration of products produced by conscript labour</li> <li>► Local labour market supply and demand factors</li> </ul>	

collaboration of the government and military authorities. Even with the full cooperation of the authorities, ensuring conscripts can talk freely, confidentially and safely in what is typically a tightly controlled, highly regimented environment can be a significant challenge.

A retrospective survey targeting ex-conscripts who recently (e.g., in the last five years) completed their military services can be an alternative option in contexts where collaboration with military authorities is problematic or where there are safety and confidentiality concerns associated with interviewing active conscripts. In civilian life, free from the military setting and its associated constraints, former conscripts are likely to be freer to talk about their military service and the nature of the work they performed as part of this service. A quantitative retrospective survey of ex-conscripts requires screening questions in the household survey to identify men and women released from military service over the selected reference period (e.g., in the last five years). Ex-conscripts would then be selected and interviewed through a household survey methodology.

Again, the estimation of prevalence will normally be situated within a broader mixed methods research effort. This effort aims to assess the conformity of the legal framework governing military conscription with the ILO forced labour Conventions (i.e., violations in *law*), and to characterise the nature of non-military work performed by conscripts, affected population groups and key economic and structural factors driving the use of conscripts for non-military work. Table 37 lists key research questions and some of the associated information requirements and research methods for answering them.

## ► 9.2 Exaction of work beyond normal civic obligations

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### 9.2.1 What is it?

Three categories of “normal civic obligations” are specifically mentioned in Convention No. 29 as *exceptions* from its scope, namely: compulsory military service (subject to the condition that it is used “for work of a purely military character” (see section 9.1) work or service in cases of emergency and work in “minor communal services” (ILO 2007, para 47). The forced labour Conventions and subsequent ILO supervisory body comments make clear that these exceptions should be understood in a very restricted manner - they cannot be invoked to justify recourse to forms of compulsory service which are contrary to the letter and the spirit of the other provisions of Convention No. 29 and Convention No. 105. Moreover, any form of work imposed by the State on citizens ostensibly as part of their normal civic obligations that falls *outside* these three exceptions is prohibited by the forced labour Conventions.

Common abuses of the obligation to work as part of normal civic obligations include, *inter alia*:

### *Abuse of the obligation to work in cases of emergency*

Compulsory labour can be imposed in a situation of emergency *only if* the situation constitutes a genuine emergency, or force majeure, i.e., “any circumstance that would endanger the existence or the well-being of the whole or part of the population”,<sup>27</sup> and only for work that is strictly required to counter an imminent danger to the population (ILO 2007). In all cases, recourse to compulsory labour should continue only as long as strictly required to meet the emergency situation, and then (unless automatically limited in duration) should be terminated by a formal and public decision or declaration (ILO 2007, para 64). Violations occur when situations of emergency are defined more broadly than considered necessary and proportionate by the ILO supervisory bodies. This overly broad definition is invoked to justify compulsory labour for circumstances that extend well beyond genuine emergencies, for example, for road building in response to an “emergency” lack of transportation infrastructure. As discussed in section 9.3, this overly broad definition of emergency can also be invoked to justify penalties involving compulsory labour for participation in strikes or for breaches of labour discipline.

### *Exaction of work beyond minor communal services*

States or local authorities can mandate minor communal services *if* these are performed in the direct interest of a community and by members of the benefiting community. The services must be “minor” – of small scale and short duration (ILO 2007) – and members of the community or their direct representatives have the right to prior consultation about the need for the services (ILO 2007, para. 63(e)). The work should not impinge upon the performance of ordinary employment (para. 66). Examples of acceptable minor communal services might include community clean-up days or the maintenance of community footpaths, parks, gathering places and cemeteries, provided they meet these conditions. Any exaction of work ostensibly as a minor communal service that violates any of these conditions is prohibited by Convention No. 29. Violations generally involve the assignment of work that is too long in duration or too onerous to be “minor,” or unilateral decisions on the work to be performed without proper consultation of the affected population.

## 9.2.2 Identification

The process of identifying state-imposed forced labour linked to the exaction of work beyond normal civic obligations is illustrated in figure 18.

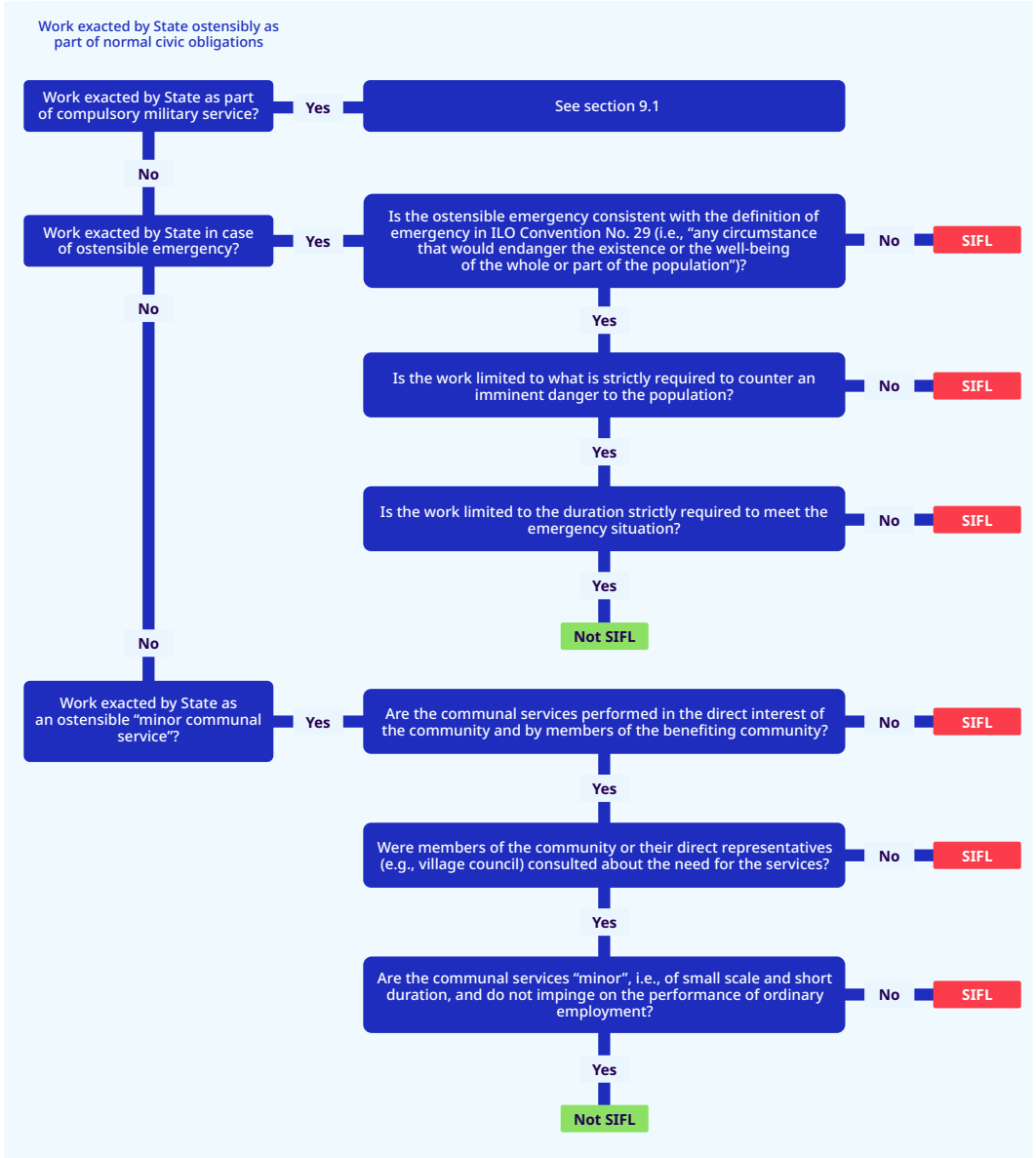
First, if the work relates to compulsory military service, identification should follow the process described in section 9.1. The identification of state-imposed forced labour

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<sup>27</sup> ILO Convention on Forced Labour, 1930 (No.29), Article 2.2 (d).



► **Figure 18. Identifying State-imposed forced labour relating to exaction of work beyond normal civic obligations**



is more difficult when the State invokes minor communal services to justify it. In these circumstances, identification requires assessing whether the actual nature of the ostensible minor communal services is consistent with the conditions set forth in the Convention – i.e., whether it is performed by and for the members of the community, whether community members were consulted and whether the work is truly “minor” in scale and duration. Any work *not* meeting one or more of these conditions constitutes state-imposed forced labour.

### 9.2.3 Research considerations

The exaction of work beyond normal civic obligations can be measured using a standard household survey methodology, as described in previous chapters of this handbook. Depending on the research scope, such a household survey could be based on a sample of the general population or a sample of a particular population group of interest such as persons belonging to a specific minority group deemed at special risk. As with other forms of state-imposed forced labour, the estimation of prevalence will normally be situated within a broader mixed methods research effort aimed also at assessing the conformity of the legal framework governing normal civic obligations with the ILO forced labour Conventions (i.e., violations in *law*). This effort will seek to characterise the nature of violations, population groups most affected, the means of coercion used by the State to compel work beyond normal civic obligations and key underlying economic and structural factors drivers. Table 38 lists key research questions and some associated information requirements and research methods for answering them.

► **Table 38. Exaction of work beyond normal civic obligations: key research questions and associated information requirements and research methods**

Research questions	Priority information requirements	Research methods
<b>Violations in law: is national legislation governing normal civic obligations in conformity with the forced labour conventions?</b>	<ul style="list-style-type: none"> <li>► Existence/conformity (with ILO forced labour Conventions) of legislation governing compulsory labour in cases of emergencies</li> <li>► Existence/conformity of legislation relating to compulsory work in “minor community services”</li> </ul>	<ul style="list-style-type: none"> <li>► Review of national legislation, including constitutional provisions, penal laws, administrative laws and labour laws,</li> <li>► Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies</li> </ul>
<b>Violations in practice: presence or prevalence state-imposed forced labour relating to the abuse of normal civic obligations?</b>	<ul style="list-style-type: none"> <li>► Evidence of abuse of the obligation to work in cases of emergency</li> <li>► Percentage/number of people affected by the abuse of the obligation to work in cases of emergency</li> <li>► Evidence of state-imposed forced labour beyond minor communal services</li> <li>► Percentage/number of people in state-imposed forced labour beyond minor communal services</li> </ul>	<ul style="list-style-type: none"> <li>► Reviews of non-governmental submissions to ILO supervisory bodies and other UN human rights monitoring bodies</li> <li>► Reviews of reports of human rights organisations, media reportage, other research reports</li> </ul>
<b>What are the characteristics of the state-imposed forced labour relating to the abuse of normal civic obligations?</b>	<ul style="list-style-type: none"> <li>► Types of communal services performed</li> <li>► Information on why work is beyond minor communal services (e.g., not performed by or for community, lack of community consultation, work is too onerous or time-consuming, work interferes with regular job)</li> </ul>	<ul style="list-style-type: none"> <li>► Informant interviews with legal specialists.</li> <li>► Reports by human rights organisations.</li> <li>► Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies</li> </ul>
<b>What are the population groups most affected?</b>	<ul style="list-style-type: none"> <li>► Groups that are most affected (e.g., civil servants, members of specific marginalised groups or communities, persons living in poverty and unable to pay their way out of performing minor communal services)</li> </ul>	<ul style="list-style-type: none"> <li>► <b>Household survey based on sample of general population or sample of a specific population group of interest</b></li> </ul>
<b>How is state coercion exercised?</b>	<ul style="list-style-type: none"> <li>► Forms of coercion used to compel work beyond normal civic obligations (e.g., threat of dismissal from regular job, wage deduction or other financial penalty, detention)</li> </ul>	
<b>What are the underlying economic or structural factors?</b>	<ul style="list-style-type: none"> <li>► State corruption</li> <li>► Economic incentives (e.g., export earnings requirements, production quotas in agricultural settings)</li> <li>► Local labour market supply and demand factors</li> </ul>	

## ► 9.3 Abuse of compulsory prison labour

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### 9.3.1 What is it?

Compulsory labour in prison can only be imposed on prisoners who meet certain conditions: they must be convicted of a crime in a court of law following due process, but must *not* have been convicted of: committing a non-violent political offence; breaches of labour discipline; peaceful participation in strikes; or, as a means of racial, social, national, or religious discrimination. Furthermore, compulsory prison labour must be supervised by public authorities and must not be for private individuals, companies, or associations unless a number of additional conditions are met (see below). Imprisonment involving compulsory labour that does *not* meet these conditions is prohibited under Conventions Nos. 29 and 105, and therefore constitutes state-imposed forced labour.

There are a number of distinct categories of abuses of compulsory prison labour, including, *inter alia*:

#### *Compulsory labour imposed on persons in administrative detention*

Compulsory labour cannot be imposed on people in administrative detention in any circumstances. It is a violation of Convention No. 29 and additionally of Convention No. 105 if detainees are among the groups protected by Articles 1(a) to 1(e). A common violation is the imposition of compulsory labour on those detained by law enforcement authorities but never meant to be tried by an independent judiciary because they have committed “minor offences” – those that are not serious enough to be subject to criminal prosecution but deemed errant enough to qualify for “re-education.” Other cases involve the imposition of compulsory labour on detainees in administrative detention centres established for drug users, beggars, sex workers, vagrants, street children, and other marginalised groups, again often ostensibly for re-educational or rehabilitative purposes. Still other cases involve persons arbitrarily detained without charge as a means of political coercion or pressure.

#### *Compulsory labour on persons in pre-trial or pre-conviction detention*

Compulsory labour cannot be imposed in any circumstances on people in pre-trial or pre-conviction detention. Again, it is a violation of Convention No. 29, which only permits compulsory labour because of a *conviction* in a court of law, and additionally a violation of Convention No. 105 if detainees fall in one of the groups protected by Articles 1(a) to 1(e). For example, pre-trial detention laws in some countries are used to imprison activists and political dissidents indefinitely, often mixed with the prison

population at large<sup>28</sup> and subject them to compulsory labour. In many countries, the pre-detention period can last weeks or months. In extreme cases, detainees may be held for multiple years without ever having been charged with a crime, often due to an overabundance of cases in inefficient judicial systems.

### *Abuse of compulsory prison labour for the benefit of private parties*

Prison labour can be used for the benefit of private individuals, companies, or organizations *only if* several additional requirements are met.

- ▶ The prisoner must consent to the work and must not be threatened with a penalty (such as loss of privileges) for refusing.
- ▶ The conditions of work offered by the employer must be proximate to those that would be offered to other workers in the labour market.
- ▶ Prisoners must receive similar wages as other workers, daily working hours must conform with labour laws, health and safety measures must be in place in accordance with legislation, and any standard safeguards available to other workers must be present.
- ▶ Work must additionally be carried out under the supervision and control of a public authority - a public authority to inspect the premises periodically is considered insufficient to meet the requirements of Convention No. 29 (ILO 2007).

Any instances of compulsory prison labour for the benefit of private parties *not* meeting these conditions are prohibited. Violations typically involve the assignment of prisoners to work for private interests without obtaining consent and/or without remuneration. In several countries, prisoners freely consented to work for private enterprises but were either not paid or were paid only nominal wages.

### *Compulsory prison labour imposed on persons convicted for the reasons prohibited by Convention No. 105*

The imposition of compulsory labour is prohibited under Convention No. 105 for persons convicted for committing non-violent political offences, for breaches of labour discipline, peaceful participation in strikes, or as a means of racial, social, national, or religious discrimination. It is important to bear in mind that there are also forms of forced labour prohibited under Convention No. 105 *not* involving prisons or detention.

- ▶ **Compulsory prison labour imposed on persons convicted of** non-violent political offences. One of the most common violations of the rules on prison

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28 See Principle 8, UN 1988: "Persons in detention shall be subject to treatment appropriate to their un-convicted status. Accordingly, they shall, whenever possible, be kept separate from imprisoned persons.": UN (United Nations) *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* A/RES/43/173 (1988).

labour is the imposition of compulsory work on people who express political views or peacefully oppose the established political, economic, or social system. In many cases, provisions of the national criminal code (e.g., relating to defamation, organising or participating in a prohibited public assembly, organising group actions violating public order, hooliganism, libelling or insulting officials, disseminating “fake news” or inflaming national, racial or religious enmity) are worded in terms broad enough to lend themselves to application as a means of suppressing and punishing political dissent, or to restrict the exercise of freedom of expression or religion, particularly by journalists and human rights defenders or of freedom of association or peaceful assembly. Other cases involve the use of anti-terrorism laws or the guise of national security concerns to impose prison sentences for the expression of political opinions or the exercise of independent civil society activity. As discussed above, people may also be arbitrarily detained without charge or held indefinitely in administrative detention as a means of political coercion or pressure.

- ▶ **Compulsory prison labour imposed on persons convicted for breaches of labour discipline.** Convention No. 105 covers compulsory labour of persons sentenced to imprisonment for breaches of labour discipline, as well as other forms of forced or compulsory labour that could be used as a means of labour discipline. The latter may include penalties imposed to enforce labour discipline stemming from a violation of company rules, simple failure to meet production quota or even failure to participate in “volunteer work” (typically organized by trade unions).

Violations linked to the imposition of penal sanctions involving compulsory labour for breaches of labour discipline often relate to an overly broad definition of essential services. Violations occur when service providers – typically but not always public service providers – are subjected to compulsory labour for wilful breaches of their contract of employment that affect the operation of services that do *not* meet the threshold of “essential” services as defined by the ILO supervisory bodies. Penal sanctions involving forced labour are only permitted for the interruption of services upon which the life, personal safety, or health of the whole or part of the population depends.

Other related violations of the ILO forced labour Conventions involve general restrictions on the ability of public servants to resign from their positions and penalties involving forced labour for transgressions. While public servants (and some private sector employees) may be prevented from leaving their employment in genuine emergency situations (i.e., when the existence or wellbeing of the whole or part of the population is endangered), outside of an emergency, public servants, even if bound by a contract of indefinite duration or even if the interruption of their services would damage the economy and prejudice the higher interests of the nation, should be allowed to terminate their contract at any time by giving reasonable notice.

Several countries have laws imposing sentences of imprisonment on seafarers, or fines or forceful return to their ships, for breaches of labour discipline such

as refusal to obey orders or absence without authorisation. The ILO allows the imposition of proportional sanctions for actions that would endanger the ship or the life or health of persons on board. Otherwise, all sanctions involving compulsory labour should be abolished under Convention No. 29, Convention No. 105 and the Maritime Labour Convention.

- ▶ **Compulsory labour, including prison labour, imposed on persons convicted for peaceful participation in strikes.** Another frequent violation is the imposition of labour on prisoners incarcerated for their peaceful<sup>29</sup> participation in strikes. Authorities should not have recourse to penal sanctions involving compulsory labour (either in the form of compulsory prison labour or community work) for those who organize a strike or participate in it peacefully.
- ▶ **Compulsory labour imposed on persons as a means of racial, social, national, or religious discrimination.** Cases of abuse of compulsory prison labour falling under this category can take a number of forms. In some instances, sanctions involving compulsory prison labour are meted out disproportionately to certain groups defined in racial, social, national or religious terms. There are also many forms of forced labour that groups identified in racial, social, national or religious terms may be subject to without involving prisons or detention. For example, the large-scale transfer, internment and subjection to forced labour of specific groups on the basis of their ethnic or religious identity, rather than because of a conviction in a court of law for having committed a crime (see section 9.4). In such cases, there is a high risk of involuntary recruitment, hence of forced labour.

### 9.3.2 Identification

The process of identifying state-imposed forced labour relating to the abuse of compulsory prison labour is described in figure 19. Starting with the detention of a person by a state authority, state-imposed forced labour occurs when no charges are brought and a person is subjected to compulsory labour in administrative detention, or when a person is formally charged and enters into the court system and is subjected to forced labour prior to conviction.

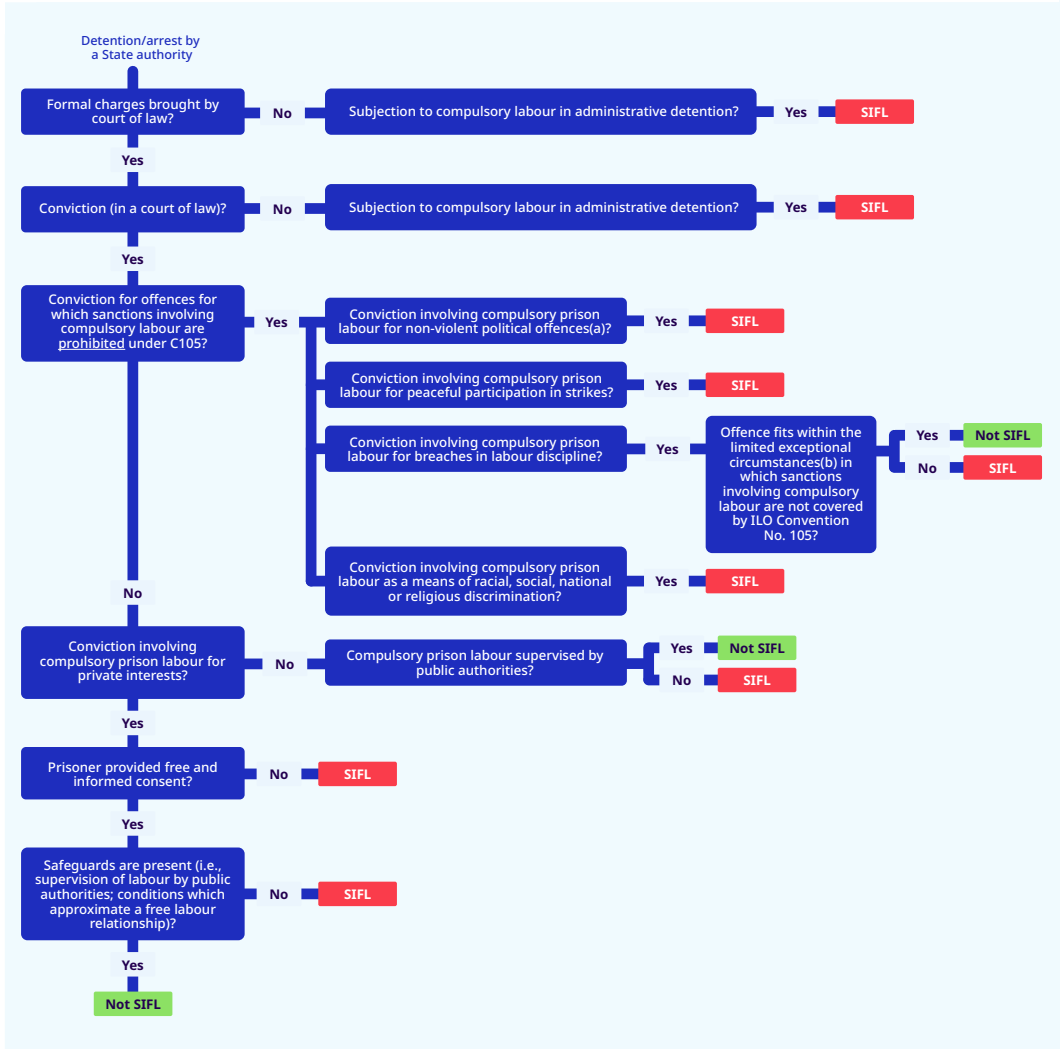
For those convicted in a court of law, state-imposed forced labour occurs when the conviction involving compulsory labour relates to offences covered under Convention No. 105, except in limited exceptional circumstances in which sanctions involving compulsory labour are not covered by the Convention.

For convictions for offences not covered by Convention No. 105, state-imposed forced labour occurs when compulsory labour is undertaken for private interests in the absence of the prisoner's consent, or when compulsory labour for private interests is undertaken without public supervision and without the presence of adequate

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<sup>29</sup> Strike action may be prohibited, and penal sanctions involving forced labour imposed where participation in strikes involves recourse or incitement to violence.

► **Figure 19. Identifying state-imposed forced labour relating to the abuse of compulsory prison labour**



**Notes**

(a) Refers to sanctions involving compulsory prison labour as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system. (Source: Convention No. 105, Art. 1(a)).

(b) These limited circumstances include: i) strike action involving breaches of public order (i.e., involving acts of violence, assault or destruction of property committed in connection with the strike). (Source: ILO 2007, para. 182); ii) strike action involving the interruption of essential services in the strict sense of the term (i.e., those services the interruption of which would endanger the life, personal safety or health of the whole or part of the population) (Source: ILO 2007, para. 185); and iii) strike action in cases of force majeure in the strict sense of the term (i.e., when the existence or well-being of the whole or part of the population is endangered) and only provided that the duration of the prohibition of the right to strike is limited to the period of immediate necessity. (Source: ILO 2007, para. 183).



safeguards, even when the prisoner has consented. Finally, state-imposed forced labour occurs when the compulsory labour is for public interest but is undertaken without public supervision.

### 9.3.3 Research considerations

Research teams will rarely have direct access to detainee facilities and prisons, meaning that it is generally not possible to employ quantitative survey methods to generate robust estimates of the total number of people affected by abuses of compulsory prison labour.

Rather, any insight into total prevalence will need to rely on an indirect estimation approach. For example, in many contexts, it is possible to obtain administrative data on the total number of detainees and prisoners, which could then be matched with descriptive information on abuses obtained from expert informants (e.g., ex-detainees, ex-convicts or prisoners' rights groups) to provide a general picture of the extent of abuses of compulsory prison labour.

In the case of the abuse of compulsory prison labour for the benefit of private parties, sometimes the researcher's starting point will simply be the public knowledge that prison administration is privatized. Anyone found working in a privately administered prison without proof that the working conditions approximate those on the labour market is automatically a victim of forced labour. In this instance, it is state-imposed forced labour because it is the State that is responsible for the detention and the employment outside the parameters of the forced labour standards.

Efforts to assess prevalence will normally be situated within a broader mixed methods research effort aimed also at assessing the conformity of the legal framework governing compulsory prison work with the ILO forced labour Conventions (i.e., violations in *law*), and at characterising the nature of violations, population groups most affected, and key underlying economic and structural driving factors. Table 39 lists key research questions and some of the associated information requirements and research methods for answering them.

► **Table 39. Abuse of compulsory prison labour: key research questions and associated information requirements and research methods**

Research questions	Priority information requirements	Research methods
<p><b>Violations in law: is national legislation governing compulsory prison labour in conformity with the forced labour Conventions?</b></p>	<ul style="list-style-type: none"> <li>▶ Existence/conformity (with the forced labour Conventions) of legislation governing administrative detention.</li> <li>▶ Existence/conformity of legislation governing detention prior to and during trial.</li> <li>▶ Existence/conformity of national legislation regarding the definition and scope of essential services, and of exceptions to scope of forced labour Conventions relating to essential services.</li> <li>▶ Existence/conformity of national legislation regarding the definition and scope of emergencies, and of exceptions to scope of forced labour Conventions relating to cases of emergency.</li> <li>▶ Existence/conformity of legislation governing compulsory prison labour for private interests.</li> <li>▶ Power accorded in law and in practice to administrative organs; presence of a judicial review channel.</li> <li>▶ Alternative punitive options for minor offences (e.g., fines).</li> <li>▶ Existence/conformity of legislation governing strike action, breaches of labour discipline, political offences.</li> <li>▶ Existence of legislation and measures to counter potential biases in sentencing affecting certain groups defined in racial, social, national or religious terms.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Review of national legislation, including constitutional provisions, penal laws, administrative laws and labour laws.</li> <li>▶ Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies regarding conform.</li> <li>▶ Reviews of non-governmental submissions to ILO supervisory bodies and other UN human rights monitoring bodies.</li> <li>▶ Reviews of human rights reports published by UN bodies on specific human rights themes, including torture, arbitrary detention, freedom of expression, freedom of association and collective bargaining, situation of human rights defenders, etc.</li> <li>▶ Reviews of reports of human rights organisations specialised in prisoners' rights, media reportage, other relevant research on prison labour.</li> </ul>
<p><b>Violations in practice: presence or prevalence of abuses of compulsory prison labour?</b></p>	<p><b>Administrative and pre-trial detention</b></p> <ul style="list-style-type: none"> <li>▶ Number of people in administrative detention.</li> <li>▶ Motives for detention.</li> <li>▶ Evidence of administrative detainees performing compulsory labour.</li> <li>▶ Number/percentage of administrative detainees performing compulsory labour.</li> <li>▶ Number of people in detention pre and during trial.</li> <li>▶ Evidence of people in detention pre and during trial performing compulsory labour.</li> <li>▶ Number/percentage of people in detention pre and during trial performing compulsory labour.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Consultations with prisoners' rights experts and advocates.</li> <li>▶ Review of administrative data from justice system (for information on numbers of administrative detainees, pre-conviction detainees and of prisoners convicted in a court of law).</li> </ul>

**Conviction for offences for which sanctions involving compulsory labour are prohibited under C105**

- ▶ Number of persons in prison after conviction in court of law for offences covered by C105 (i.e., political offences, for purposes of economic development, breaches of labour discipline, participation in strikes, or on the basis of their racial, social, national or religious identity).
- ▶ Evidence of people in prison for C105 offences performing compulsory labour.
- ▶ Number/percentage of people in prison for C105 offences performing compulsory labour.

**Conviction involving compulsory prison labour for private interests prohibited under C29**

- ▶ Number of prisoners performing compulsory labour for private interests.
- ▶ Presence or number/percentage prisoners performing compulsory labour for private interests in circumstances that are not in conformity with ILO forced labour Conventions.

▶ Review of trial records and court decisions (for information on trial proceedings, convictions and appeals).

▶ Key informant interviews with ex-detainees and ex-convicts (e.g., identified through prisoners' rights groups).

▶ **Matching of administrative data on numbers of detainees and prisoners with descriptive information from key informants to produce general estimate of prevalence of abuses.**

**What are the characteristics of compulsory prison labour?**

- ▶ Types of compulsory prison work (e.g., public works, construction, agriculture, raw material extraction, production in state-owned or private enterprises, etc.).
- ▶ Working conditions (e.g., hours, OSH conditions, etc.).

**What are the population groups most affected?**

- ▶ Population groups at particular risk of compulsory labour in administrative detention (e.g., drug users, beggars, sex workers, vagrants, street children, and other marginalised groups, political or labour activists, journalists, etc.).
- ▶ Information on the population groups at particular risk of abuses of compulsory prison labour (e.g., irregular migrants, members of ethnic or religious minorities, etc.).

**What are the underlying economic or structural factors?**

- ▶ Type of production in which compulsory forced labour for private interests occurs (i.e., domestic production or export bound production linked to global supply chains).
- ▶ Domestic and foreign market penetration of products produced by prison labour.
- ▶ Local labour market conditions.

## ► 9.4 Compulsory labour for the purpose of economic development

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### 9.4.1 What is it?

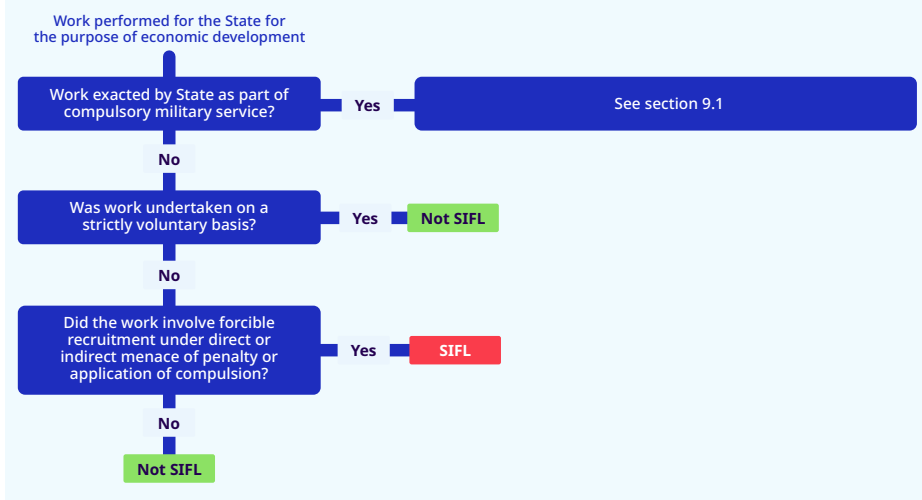
Compulsory labour for the purpose of economic development occurs when a state uses compulsory labour to promote economic development. It is specifically prohibited under Convention No. 105, Article 1(b). This prohibition applies even when recourse to compulsory labour as a method of mobilizing and using labour for economic development is of a temporary or exceptional nature. A common example of this form of state-imposed forced labour is the forced participation of employees from the public and private sector in public works or agricultural harvests, almost always for little or no compensation, under threat of dismissal from their regular jobs or substantial fines for refusal. Workers can be requested to participate in economic development work *but only on a voluntary basis*, without the menace of penalty or application of compulsion. Another common example is using the labour of people who have been mobilised under national service obligations for economic development rather than purely military service, as described in section 9.1. Groups that are especially susceptible to this form of state-imposed forced labour include conscripts, public sector workers (e.g., teachers, health professionals, support staff in schools and public health facilities), students and members of marginalised groups.

Still other cases of compulsory labour for the purpose of economic development involve large-scale labour transfer schemes, where workers belonging to certain ethnic or religious minority groups must – under the force of coercion including menace of penalty – relocate to another geographical area to work. Such schemes can result from the combination of various methods of compulsion to work: measures of general nature involving compulsion in the recruitment, assignment and transfer of labour, used in conjunction with other restrictions on freedom of employment, such as preventing workers from terminating their employment contracts or compulsorily extending contracts, penal sanctions for breaches of contract or as a means of maintaining labour discipline, restrictions on freedom of movement or on the possession and use of land, or abusive application of vagrancy laws (ILO 2007, para 107). These large-scale labour transfers frequently involve elements of compulsory labour “as a means of political coercion and education” and compulsory labour “as a means of racial, national, social or religious discrimination”, which are also prohibited under Convention No. 105, Articles 1(a) and 1(e) respectively.

### 9.4.2 Identification

The basic process of identifying forced labour for the purpose of economic development is illustrated in figure 20. First, if the work relates to compulsory military service, identification should follow the process described in section 9.1. For other cases, identification hinges on whether the work is undertaken on a strictly voluntary basis, in

► **Figure 20. Identifying compulsory labour for the purpose of economic development**



which case it is not state-imposed forced labour, or if it involves forcible recruitment, in which case it does constitute state-imposed forced labour.

### 9.4.3 Research considerations

The measurement of Compulsory labour for the purpose of economic development can be undertaken using a standard household survey methodology, as described in previous chapters of this handbook. Depending on the research scope, such a household survey could be based on a sample of the general population or a sample of a particular population group of interest, for example, persons belonging to a specific minority group deemed at special risk. As with other forms of state-imposed forced labour, the estimation of prevalence will normally be situated within a broader mixed methods research effort aimed also at assessing the conformity of the legal framework governing normal civic obligations with the ILO forced labour Conventions (i.e., violations in *law*), and at characterising the nature of violations, population groups most affected, the means of coercion used by the State to compel work beyond normal civic obligations and key underlying economic and structural factors driving these practices. Table 40 lists key research questions and some of the associated information requirements and research methods for answering them.

► **Table 40. Compulsory labour for the purpose of economic development: key research questions and associated information requirements and research methods**

Research questions	Priority information requirements	Research methods
<b>Violations in law: is national legislation governing normal civic obligations in conformity with the forced labour conventions?</b>	<ul style="list-style-type: none"> <li>► Existence/conformity of legislation prohibiting compulsory mobilisation for the purpose of economic development</li> </ul>	<ul style="list-style-type: none"> <li>► Review of national legislation, including constitutional provisions, penal laws, administrative laws and labour laws,</li> <li>► Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies</li> </ul>
<b>Violations in practice: presence or prevalence state-imposed forced labour relating to the abuse of normal civic obligations?</b>	<ul style="list-style-type: none"> <li>► Evidence of people in state-imposed forced labour for the purpose of economic development</li> <li>► Percentage/number of people in state-imposed forced labour for the purpose of economic development</li> </ul>	<ul style="list-style-type: none"> <li>► Reviews of non-governmental submissions to ILO supervisory bodies and other UN human rights monitoring bodies</li> </ul>
<b>What are the characteristics of the state-imposed forced labour relating to the abuse of normal civic obligations?</b>	<ul style="list-style-type: none"> <li>► Type of compulsory labour undertaken for the purpose of economic development (e.g., agricultural harvest, public works, work in State undertakings, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>► Reviews of reports of human rights organisations, media reportage, other research reports</li> <li>► Informant interviews with legal specialists.</li> </ul>
<b>What are the population groups most affected?</b>	<ul style="list-style-type: none"> <li>► Groups that are most affected by state-imposed forced labour for the purpose of economic development (e.g., teachers, health professionals, support staff in schools and public health facilities), students, members of specific ethnic or religious groups)</li> </ul>	<ul style="list-style-type: none"> <li>► Reports by human rights organisations.</li> <li>► Reviews of reports of ILO supervisory bodies and other UN human rights monitoring bodies</li> <li>► <b>Household survey based on sample of general population or sample of a specific population group of interest</b></li> </ul>
<b>How is state coercion exercised?</b>	<ul style="list-style-type: none"> <li>► Forms of coercion used to forcibly recruit people in to compulsory labour for the purpose of economic development (e.g., threat of dismissal from regular job, wage deduction or other financial penalty, detention)</li> </ul>	
<b>What are the underlying economic or structural factors?</b>	<ul style="list-style-type: none"> <li>► State corruption</li> <li>► Economic incentives (e.g., export earnings requirements, production quotas in agricultural settings)</li> <li>► Political considerations</li> <li>► Local labour market supply and demand factors</li> </ul>	

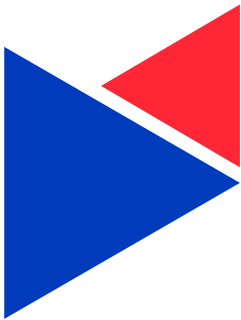


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**Fundamental Principles and Rights at  
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