Migrants and forced labor in supply chain

With globalization and the development of subcontracting and sourcing, migrant workers situation in supply chains have become in the past decade an increasingly important concern for both the responsible companies and the public.

Over the past few decades, emerging economies have been more and more attractive to migrant workers than migration to industrialized countries. According to a recent study, the south-south labor migration flows represents a non-negligible proportion of workers leaving the origin countries. For instance, from India, the figures are effective with 362,591 Indian who migrate to Jordan, 139,716 to Malaysia, 79,825 to Oman, 2,171,421 to the United Arab Emirates; from Bangladesh, 62,764 migrate to Jordan, 58,878 to Malaysia, 111,968 to Oman, 24,041 to the United Arab Emirates.

For host countries, in turn, migrant workers represent a large number of their workforce as for example they represent 94 percent of Qatar workforce, 34 percent of Singapore workforce, 25 to 35 percent in Malaysia.

Migrant workers find themselves usually in unskilled or low-skilled jobs and are needed for selected industries such as manufacturing, agriculture (fishing, food processing, palm oil industries), construction, electronic goods and service industries (hotels).

For host countries, the migration for labor often brings an invaluable contribution to their economies as labor migrants workforce fulfill unwanted positions or to fill local labor shortages and present a lot of economic benefits such as lower wages, limited taxes and social security payments, a reduced likelihood of absenteeism and low turnover, and a willingness to work overtime. Their migration policies focus on the increase or reduction of legal migration to meet current business needs, with a focus on managing temporary migration.

On the migrant workers’ side, the migration is seen as a mean to have a job, to earn money, and therefore to improve their families’ living conditions.

Migrant workers contribute also significantly to the economies of their home countries by sending remittances to their countries of origin, this is the reason why origin country migration policies are generally aimed at increasing the numbers of migrants going abroad for benefits and then reduced pressure on domestic unemployment.

Nevertheless, besides all these economic benefits for all sides, this article is here to spotlight on the issue of South-South migrant workers as they often find themselves in extremely vulnerable situations, with little protection of their rights, little access to justice, and little support. This leads to numerous abuses that can be as severe as forced labor, human trafficking and that, in extreme cases, lead to deaths. Civil society, trade unions and international organizations frequently criticize in reports on migrant workers’ working conditions, the lack of protection and effective regulation they face.

Our mission in forced labor

RHIF implements pilot projects by finding and mobilizing stakeholders for the project due to its network and vice-presidents installed in Africa, America, Asia and Europe. These projects respond to the improvement of human rights in the workplace through the development of activities in the long term, innovative and shared by all actors in the supply chain.

Draw my rights against forced labor

In order to resolve the problem of the multiple languages and dialects spoken and written, we plan to develop a competition of drawings to give migrants simple explanations of their basic human rights. The explanation will be displayed in the dormitories of the employees or the workplaces.

For More information about drawing project
What is forced labor?

Forced labor is defined by International Conventions as “any form of involuntary work imposed under the threat of penalty.” This definition includes both inmates of labor camps that debt bondage or workers whose employers retain wages or identity papers.

According to the ILO report, entitled “A global alliance against forced labor”, is generally equated with forced labor “a long and painful labor, performed under harsh and very low pay conditions. It must be executed without the consent and under the threat of punishment. The latter may consist of physical violence - beatings, torture, sexual abuse - or psychological - confiscation of identity papers, threat of expulsion. “

If, for the most part, forced labor in the private sector is an illegal activity, it creeps into the mainstream economy through subcontracting, the general trend is to minimize the cost of labor for increasing competitiveness. Forced labor and may fit into the supply chain of private groups, including multinational groups.

An ILO report points to the role of migration, particularly illegal, and emphasizes that inadequate recruitment agencies and subcontracting systems controls, and the weakness of the labor inspectorate to promote forced labor.

The most vulnerable to forced labor categories are women, racial or ethnic minorities, migrants, children, the poor people.

The ILO defines 7 main forms of forced labor in the world. Below are the definitions of the ILO as known to allow such practices:

- Slavery
- Debt Bondage
- Trafficking in persons
- Prison labor
- Compulsory labor
- Military work
- Abuse of homeworkers

International Labour Standards

Selected relevant ILO instruments

Up-to-date instrument

1. **C029** - Forced Labour Convention, 1930 (No. 29)
2. **C105** - Abolition of Forced Labour Convention, 1957 (No. 105)
3. **R035** - Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)

Other instruments on forced labour

Withdrawn instrument

1. **R036** - Forced Labour (Regulation) Recommendation, 1930 (No. 36)

For More Information

Those who exact forced labour generate vast illegal profits.

Domestic work, agriculture, construction, manufacturing and entertainment are among the sectors most concerned.

Migrant workers and indigenous people are particularly vulnerable to forced labour.

« Facts and figures by ILO »
Interview with Irene Fernandez

Our partner in the drawing competition project. Mrs. Irene Fernandez received the Alternative Nobel Prize in 2005. She founded and directs the organization of human rights Tenaganita. She talks about migrants and the conditions of forced labor workers in this video.

FORCED LABOR IN THE WORLD

Malaysia

In Malaysia, several practices and conditions put migrant workers in situations where they are very dependent on their employer, and where it is difficult for them to leave this employer. This creates conditions for potential debt bondage and forced labor.

Employment Agencies are responsible for many aspects of migrants' life and work: they provide the job, accommodation, food, transportation, medical care and they fix and pay the wages. They can take disciplinary measures on behalf of employers. They deal with work permit and pay for workers' visas. Companies remain responsible for working conditions, working hours and safety in the workplace. The outcome of this hiring system is that migrant workers are highly dependent on employment agencies, and that companies contracting with these employment agencies are losing control on many working and living aspects of the migrant workers, thus letting risks of human rights violations uncontrolled (discrimination vs. other company workers, forced labour, poor working conditions etc...).

According to several investigations carried by the NGOs and independent social audits, the forced labor is quite common in Malaysia: the passports of the migrants are withheld, and the bank accounts are controlled by the agencies. These migrants are placed to work in physical or social isolation, and are also vulnerable to physical or verbal abuse and discrimination.

What's more, the rights of the temporary workers and trade union to demand and negotiate with the companies are very limited. Especially, while the major parts of temporary workers are migrants, they are not independent from the outsourcing agencies. The freedom of movement is strictly controlled by the agents, and they have to work to pay the debt, which is obviously forced labor for these migrant workers.

Today, contract workers, made up of both local and migrant workers, and are found in all sectors and most workplaces, in some factories they currently make up about 50% cent of the total workforce.

FORCED LABOR AND CORPORATE SOCIAL RESPONSIBILITY (CSR)

Criteria of analysis Vigeo (Rating agency)

FOR MORE INFORMATION

« ILO – Strengthening action to end forced labour »

DOWNLOAD THE REPORT

OPINIONS OF MULTI-STAKEHOLDERS

"Upon arrival in Malaysia, the workers’ descent into forced labor is often reinforced through additional burdens, such as the withholding of passports; levying deductions and withholdings that further diminish the worker’s take-home pay and ability to pay off debt; taking control of bank accounts; placing the worker in physical or social isolation; and subjecting the worker to threats of deportation. While at the workplace, migrant workers are also vulnerable to physical or verbal abuse and discrimination, and their freedom of movement may be strictly curtailed."

Verite.org

ANY QUESTIONS ?
CLICK THE ICONE TO CONTACT US
China

China is a source, transit, and destination country for men, women, and children subjected to forced labor, even if China addresses different aspects of forced labor in both its criminal and its labour legislation.

However, the implementation of the labour contract law did not constrain the labour dispatch system which remains the norm on the labour market. The Chinese law limits the labour dispatch work in “temporary, auxiliary or replacement” posts and prohibits different treatment between labour dispatch workers and permanent workers.

According to studies carried out in Shenzhen, the labour dispatch workers are much less paid than the permanent workers, and their working conditions are more difficult. Many labour dispatch workers work are on their posts for more than the legal limit. The record of service of dispatch workers to the employing enterprise can be completely false, and their length of service is forever starting anew.

Furthermore, it has been observed that most of the posts they occupy are fixed and essential rather than temporary and auxiliary. Most of the companies that use labour dispatch workers are considered as “renowned companies” or “high benefits companies” in sectors such as telecommunications, finance, banking, railways, petroleum and other state-owned or international companies.

Moreover, the rights of trade union or staff representative are limited in China for either local or internal migrant workers.

On the other hand, the law stipulates that rural workers (internal migrant) who move to urban areas to seek employment shall enjoy equal labour rights to urban workers and shall not be subjected to discriminatory restrictions. However, the Hukou system implies that when they leave their registered place of residence, they lose access to social benefits. The internal migrant workers less often have a formal labour contract. They have poor living conditions, are more vulnerable to health problems, more exposed to crime.

Taiwan

Taiwan remains a destination and transit territory for men, women and children subjected to sex trafficking and forced labor. Most trafficking victims in Taiwan are migrant workers from Vietnam, Thailand, Indonesia, China, Cambodia, the Philippines, Bangladesh and India. Moreover, these migrant workers are recruited by the recruitment agencies, which trapped them into exploitative conditions aboard.

According to the Trafficking in Persons Report of U.S Department of State in 2013, they are caught in a trap set by recruitment agencies and brokers to perform low-skilled work in Taiwan’s manufacturing and fishing industries and as home caregivers and domestic workers. Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers who force workers to perform work outside the scope of their contract, often under exploitative conditions. Migrant workers are reportedly charged up to the equivalent of approximately $7,700 in recruitment fees, typically in their home countries, resulting in substantial debts that may be used by brokers or employers in Taiwan as tools of coercion to obtain or retain a migrant’s labor. This is debt-bondage.

It is a rather common practice for employers to withhold employees’ payment until the contract is terminated, and to withhold several months of wages to unskilled workers. Some employers of foreign domestic workers and home caregivers forbid their employees to leave their residences, making them unable to seek help, which could indicate that they are at risk of being subjected to forced labor; it prevents workers from leaving their job freely.

FORCED LABOR | Nº 1

OPINIONS OF MULTI-STAKEHOLDERS

“Trafficking is pronounced among China’s internal migrant population, estimated to exceed 236 million. Forced labor remains a problem, including in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax labor supervision. Forced labor, including forced begging by adults and children, took place throughout China in 2012. Some evidence of child labor has been reported by media outlets, but the government has published only limited data on the subject. During the reporting period, some children in “work-study programs” supported by local governments were forced to work in farms and factories. In 2012, instances of schools forcing students to work in factories were reported. In November 2012, police rescued 11 mentally disabled men from a car wash in Tianjin, where the men had been beaten and not paid. Girls from the Tibet Autonomous Region are reportedly trafficked to other parts of China for domestic servitude and forced marriage.”

Human Trafficking report 2013 (U.S Department of State)

WITNESS

“After graduating from college, Benny struggled to find a job that could sustain him and his family so he went to Taiwan. After working for 3 years, 12 to 17 hours a day. 6 to 7 days a week, Benny returned home with no savings and had barely managed to pay off his recruitment debt. Benny had to pay forced saving of 30% of his salary, which was later used for his plane ticket back to Philippines. After deduction for several monthly fees, Benny earned half of his promised salary. It took Benny 21 months to pay back the recruitment fees. Benny was never reimbursed for his tax deduction. Benny’s passport was held by the broker, limiting his freedom of movement.”

Verité.org

FOR YOUR REFERENCE

“Migrant workers’ rights in Taiwan” click here

An article presents the rights and information for all migrant workers (Caregivers, Domestic Workers, Factory/ Construction Workers, Nursing Home & Fishermen).
Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and forced labor. Vietnam’s labor export companies, most of which are affiliated with state-owned enterprises, and unlicensed intermediary brokers have been known to charge workers in excess of the fees allowed by law for the opportunity to work abroad. Vietnamese men and women also migrate through informal labor recruitment companies in the construction, fishing, agriculture, mining, logging, and manufacturing sectors primarily to South Asia and Middle East.

Some of these workers subsequently face conditions of forced labor. Through unlicensed intermediary brokers, Vietnamese workers incur some of the highest debts among Asian expatriate workers, making them highly vulnerable to forced labor, including debt bondage. Upon arrival in destination countries, some workers find themselves compelled to work in substandard conditions for little or no pay despite large debts and with no credible avenues of legal recourse.

Some recruitment companies reportedly did not allow workers to read their contracts until the day before they were scheduled to depart the country, and workers also reportedly signed contracts in languages they could not read. There also have been documented cases of recruitment companies being unresponsive to workers’ requests for assistance in situations of exploitation.

What’s worse, there are also reports of some Vietnamese men, women, and children subjected to forced labor within Vietnam as well as abroad. The Vietnamese trafficking victims are trafficked to other countries for sexual exploitation or forced labor. In both sex and labor trafficking, debt bondage, confiscation of identity and travel documents, and threats of deportation are commonly used to intimidate victims.

In a report of Human Rights Watch in 2011, it figures that the workers who refuse to work are beaten with truncheons, given electric shocks, locked in isolation, deprived of food and water, and obliged to work even longer hours.

**WITNESS**

“Hung, 35, from Ha Tay Province has just returned from Korea. In 1999 he was honored by the Korea Business Association for several initiatives bringing benefit to his employer, Busan Shipbuilding Company. He is in good health, enthusiastic, disciplined, and can speak Korean and English fluently. Hung is the fifth child in an 11-member family. His elderly brothers and sisters all have their own families, while his younger brothers farm and go to school. The VND500mil he sent from Korea now seems to be insufficient for his big family. Hung decided to keep VND500mil for himself to look for a job after he returned home; However, no enterprise or state agency have employed him, reasoning that he is only a senior high school, though Hung has acquired good experience, and language skills. After six months of unemployment, Hung decided to buy a motorbike to work as a motorbike taxi driver in Van Dinh town.”

Source: Viet Nam Trade Catalog (2006)

Indonesia is a major source country and to a much lesser extent a destination and transit country for women, children, and men who are subjected to sex trafficking and forced labor. According to U.S Department of State, a significant number of Indonesian migrant workers face conditions of forced labor and debt bondage in Asia and the Middle East, particularly Saudi Arabia, the United Arab Emirates, Qatar, Taiwan, Singapore, Oman, and Hong Kong.

The recruitment company operates to trafficking rings, leading male and female workers into debt bondage and other trafficking situations. Licensed and unlicensed companies used debt bondage, withholding of documents, and threats of violence to keep Indonesian migrants in situations of forced labor.

Internally, in Indonesia, many outsourced workers are not contracted by a written agreement: although the article 65 states that the outsourced worker shall be employed by a written agreement of certain period work (PKWT). The agreement between User Company and outsourcing worker must be agreed by the agency as well. Also, the contract and agency workers were more likely to be exploited by factory management, and were most likely to suffer from lower wages, forced overtime, intimidation and higher production targets. For the wage, workers-outsourcing contracts have limitations in terms of wage structure and pay scales. The scale and salary structure are prepared based on job analysis, job descriptions and job evaluations. However, as temporary workers only perform tasks at a certain time, temporary, the company reserves the right to limit the structure and wage scale for such workers.

What’s more, the employment agencies were taking a cut of at least 10% before paying agency workers their wages, meaning that many of these workers were thus receiving less than the legal minimum wage.

It is estimated that 72.14% of the estimated total 29.8 million people in modern slavery are in Asia.

Source: Global Slavery Index 2013
Thailand

Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. There are an estimated two to three million migrant workers in Thailand, they are mostly employed on temporary contracts. The bulk of whom are from Burma and Myanmar and some agencies are specialized in workers from this country.

The report of U.S Department of State noted prevalent forced labor conditions, including debt bondage, among Cambodian and Burmese individuals recruited—some forcefully or through fraud—for work in the Thai fishing industry. According to the report, Burmese, Cambodian, and Thai men were trafficked onto Thai fishing boats that traveled throughout Southeast Asia and beyond, where they remained at sea for up to several years, not paid, forced to work 18 to 20 hours per day for seven days a week, and threatened and physically beaten. Migrants remain particularly vulnerable to trafficking due to their lack of legal status, low economic position, lack of education, language barriers, and failure to understand Thai law.

Recent changes in the law (2010) have strengthened legal requirements in order to better protect temporary workers and as a result the flexibility has decreased for the last two years. Temporary workers should now receive “the same and fair benefits” as permanent workers. According to the Law, there must be “objective and material reasons” for using a fixed term contract. But, there is no limitation on the maximum number of successive fixed term contracts but the maximum cumulative duration of successive fixed term contract is 2 years.

According to the ITUC, the laws do still not effectively protect for example, migrant workers, various ethnic groups, indigenous people or stateless people from forced labour and human trafficking that in practice, are significant problems. Pay and conditions of work all too often fail to meet the minimum legal standards. For the wage, the subcontracted workers are paid less than regular workers even though they perform core business activities like them, and there is a major problem often ineligible for basic protections and benefits. What’s more, Agency workers are more likely to suffer workplace accidents as they are assigned to carry out those tasks that are more hazardous and risky. For the worse, the agency workers were not allowed to join the established union because their work was classified as that of service providers. This is in spite of the fact that the agency workers are doing the same jobs as the regular workers. The Commission found that foreign workers would often be laid off, stripped of their work permits and sent back home if they tried to protect their own rights and called for better wages and overtime pay.

India

India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. The forced labor of an estimated 20 to 65 million citizens constitutes India’s largest trafficking problem; men, women, and children in debt bondage are forced to work in industries such as brick kilns, rice mills, agriculture, and embroidery factories. A common characteristic of bonded labor is the use of physical and sexual violence as coercive means.

In the report of U.S Department of State, a growth in a number of industries that use forced labor such as construction, textiles, cable, biscuit factories, and floriculture. An increasing number of job placement agencies lure adults and children for sex trafficking or forced labor, including domestic servitude, under false promises of employment.

For temporary or contract workers, according to Indian legislation, they may be engaged for work which is essentially of a temporary nature likely to be finished within a limited time. Exceptions exist for some industries (information technology and business processing outsourcing) and export processing and special economic zones in some states. There is no limit for successive fixed term contract (initial + renewals and/or prolongation). There is no maximum cumulated duration of fixed term contract.

However, from a study of four electronics manufacturers who recruited contract workers, the workers of these companies were frustrated with the employment system built upon contract labour and trainee systems. The workers said they were not informed about the lengthy process to become a regular employee. The contract labour and trainee systems put them in an unfair and exploitative position. Workers shared that they arrived at the factories of the multinational companies with the expectation of good salaries and employment benefits, but they are met with low wages and job insecurity. There is a significant difference in wage levels between permanent and contract workers.

Unfair treatment applies also to freedmen of association; these contract workers are considered as employees of the labour agency which makes it nearly impossible for contract workers to bargain collectively or to join a union.

What’s worse, the contract workers work in bad working condition. For protective equipment, such as clothing, boots, gloves and masks, is supplied to permanent employees, while the temps get only a helmet and a pair of safety shoes.

WITNESS

Fifetten-year-old Rani was a 10th grade dropout from Kammalapatti, India. When Rani was 13 years old, she was recruited to work in a spinning mill in Irupur in India. Rani ran away because of the harsh treatment and lost her US$756 lump sum payment.

The lack of worksite health and safety left Rani with burns on her skin due to the harsh chemicals. Unfortunately, medical express were not covered above US$4. Rani was not allowed to go anywhere unattended, and rarely allowed to leave her hostel. She was instructed not to speak to anyone, including her family, without an “escort”. She was subjected to harassment and abuse in the factory and in the hostel. Rani was told the employer would terminate her work contract and withhold all the lump-sum payment that had accrued if she complained.

Verité.org
Qatar

Foreign migrant workers comprised more than 90% of Qatar’s workforce. ITUC has based the estimate on current mortality figures for Nepalese and Indian workers who form the bulk of Qatar’s 1.2 million-strong migrant workforce, the large majority of whom are builders. However, according to U.S. Department of State, these expatriate workers from nations throughout Asia and parts of Africa are routinely subjected to forced labor. Most of these people voluntarily migrate to Qatar as low-skilled laborers or domestic servants, but are subsequently subjected to conditions indicative of involuntary servitude.

Some of the more common labor rights violations include forcing workers to accept worse contract terms than those under which they were recruited, beatings, withholding of payment, charging workers for benefits which are nominally the responsibility of the employer, severe restrictions on freedom of movement (such as the confiscation of passports, travel documents, or exit permits), arbitrary detention, threats of legal action, mental and sexual assault. The Guardian newspaper published claims that at least 44 foreign workers have died due to poor work conditions in the past three months alone.

Many migrant workers arriving for work in Qatar have paid exorbitant fees to recruiters in their home countries. The 2009 Sponsorship Law, which has been widely described as akin to “modern-day slavery”. The sponsors may restrict workers’ movements and workers may be afraid to report abuses or claim their rights, which contribute to their forced labor situation. Besides, the migrant workers were specifically excluded from the 2004 Labour Law, exposing them to greater labour exploitation and abuse, including sexual abuse.

Qatari laws against forced labor are rarely enforced, and that labor laws often result in the detention of victims in deportation centers, pending the completion of legal proceedings. The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking. The government did not demonstrate evidence of significant efforts to punish traffickers or proactively identify victims.

The ITUC said the promised raids and checks did nothing to abolish the Qatari system which strips migrant workers of their passports, renders them powerless to complain about conditions, and traps them in Qatar, unable to leave. Government workers and non-Qatari nationals are not allowed to join unions. Migrant workers, who make up 85%-95% of the workforce, are frequently mistreated, with reports of deaths at work and in the camps where they live.

Saudi Arabia

Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women from Bangladesh, India, Sri Lanka, Nepal and many other countries voluntarily travel to Saudi Arabia as domestic workers or low-skilled laborers, and many subsequently face conditions indicative of involuntary servitude, including nonpayment of wages, long working hours without rest, deprivation of food, threats, physical and sexual abuse, and restrictions on movement such as the withholding of passports or confinement to the workplace.

Although many migrant workers sign contracts delineating their rights, some report work conditions that are substantially different from those described in the contract. Other migrant workers never see a contract at all, leaving them especially vulnerable to forced labor, including debt bondage.

In the sponsorship system, a company, a private person or an administration can be the “sponsor”. The company, as a sponsor, has a great responsibility towards the authorities, especially within the framework of the Saudization policy. Recruitment agencies play a major role in the placement of workers in a host of occupations in Saudi Arabia. Due to this system, Saudi Arabia’s requirement that foreign workers receive permission from their employer to obtain an exit visa before they are able to leave the country, migrant workers report that they are forced to work for months or years beyond their contract term because their employer will not grant them an exit permit.

Recruitment agencies in Saudi Arabia itself are sometimes used for placing expatriates in temporary work or for expatriate wives wishing to take up local employment. There are numerous regulations controlling the employment of spouses, and separate work visas are needed; the agent handles the details. Local agents are also used if expatriates change jobs. This, however, is uncommon, as expatriates are normally sent to Saudi Arabia under contract and job changes are restricted by their employers.

It is estimated that 2.54% of the estimated total 29.8 million people in modern slavery are in the Middle East and North Africa.

Source: Global Slavery Index 2013

WITNESS

“Ahmend is a 40-year-old driver from a small village in Kerala. Job opporuntity are very limited in his village so he decided to look for work in the Middle Est. There Ahmed work 12 to 14 hours days, 6-7 days per week and received no pay. He returned home after eight months still owing his broker debt of US$1,340.”

Verité.org
Bulgaria

Bulgarian women and children are subjected to sex trafficking within the country, particularly in resort areas and border towns. Labor trafficking victims are predominantly exploited in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children are particularly vulnerable to becoming trafficking victims due to social marginalization, and represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft in foreign countries, and Bulgarian women and girls with mental disabilities are increasingly subjected to sex trafficking.

The unfavorable economic situation in the country continues to stimulate the migration of potential and actual victims of human trafficking in the EU and the non-European countries.

However, according to the human trafficking report of U.S. Department of State, the Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; the government prosecuted slightly fewer cases against alleged trafficking offenders, and the majority of convicted offenders did not receive a sentence requiring time in prison. However, the government is making significant efforts to do so.

Romania

Romania is a source, transit, and destination country for men, women, and children subjected to forced labor. Romanian men, women, and children are subjected to forced labor in agriculture, domestic service, hotels, and manufacturing, as well as forced begging and theft in European countries.

Children likely represent at least one-third of Romanian trafficking victims. A large proportion of the children forced to beg in Western European countries were Romanian victims of Roma ethnicity. Traffickers who recruit and exploit Romanian citizens are overwhelmingly Romanian themselves, typically seeking victims from the same ethnic group or within their own families.

In Romania, identification of forced labor is very difficult, due to illegal migration. So far, Romania tends to remain a country of origin and transit, rather than a destination country.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to identify a large number of victims and coordinated a national referral mechanism to ensure that police refer victims to appropriate care.

It is estimated that 1.82% of the estimated total 29.8 million people in modern slavery are in Europe.

Source: Global Slavery Index 2013

Other Witness

Malaysia

“Eric was a 23-year-old farmworker from the Philippines who decided to pursue employment as an overseas foreign worker in Malaysia. Eric total loss was US$2,859 and he received no pay during his stay. He was unable to begin repaying his loan to his uncle. The recruiter offered Eric a plantation job that paid US$444 per month, including meals and accommodation, with potential for overtime. His work visa would be on-site upon arrival.

Workers had a quota of 150 fruit bunches per day. If workers didn’t meet the quota, they had to continue working, miss their ride and walk 1.5 hours home. Food and water was inadequate—Eric had to buy canned food on credit and boil rain water for drinking and cooking. Eric never received his work visa. He was not paid at the first plantation and left after two weeks for another plantation with poorer living conditions. When work conditions did not improve at the second plantation, a group of workers objected. In response, the labor contractor had the workers arrested for improper visas. Eric was taken to a detention center for deportees, where he spent almost three months. Up arrival, Eric’s passport was taken. He was housed with 9-12 workers per bedroom. Eric was charged US$10 a week for food (almost two days of work). Eric had no access to even basic services, such as portable water.”

Verité.org
Taiwan

“Two migrant workers related their sad experience working in the country in a press conference held by Chinese Nationalist Party (KMT) Legislator Joanna Lei,” said “A-ming,” an alias used by a caretaker from Vietnam. Weeping, A-ming said she could hardly survive on her meager salary of NT$2,500 per month, not to mention repay her broker’s fee and send money back home. The caretaker came to Taiwan as a migrant worker through the introduction of a legitimate broker, but she was asked to work for employers who have no permit to hire foreign caretakers. “They told me that I can’t go out, saying that I would be seized by the police, and asked me to work every day. The work is hard,” she said.

Lee Li-hua, a social worker with the Catholic Hope Workers Center, said at the press conference that two Filipinos who were hired to work in a paper factory in Taoyuan County recently died of overwork. Lee also added that the Filipino workers were forced to work more than 16 hours a day and were not allowed any days off in an entire year.

“The foreign labor broker’s system has a lot to do with the trafficking problem in Taiwan,” Lei said, urging the government to abolish the broker system. While the Council of Labor Affairs has said that brokers are allowed to charge the worker’s first month’s salary as the broker’s fee, Lei said that “this is not the real situation.” “I know that some migrant workers use the first three months of their salary to pay their brokers. Some even pay up to 20 months of their salary,” Lei said. “Many brokers also ‘detain’ the migrant workers’ identification cards on the pretext that this is a safeguard to prevent them from running away,” Lei said.

Adapted from: “Migrant workers relate stories of abusive system.”

Qatar

“We undertook research in Qatar over 5-and-a-half week period. We made two visits, in October 2012 and March 2013. We interviewed about 250 workers in the construction sector. What we found is that there are systemic problems with migrant workers in Qatar. Many of them are subjected to labor exploitation...In some circumstances people were in conditions that were equal to forced labor,” Elsayed-Ali, head of refugee and migrant rights at Amnesty International, said.

“We found groups of workers who had been stuck in the country and were trying to leave but couldn’t because there employer would not give them an exit permit, which is required under Qatari law,” says Elsayed-Ali.

“This is extremely problematic. We found many people who are trapped in situations where they have not been paid for months, they’re trying to leave, they’re desperate, in some cases even suicidal, but they’re not able to leave the country because their employer will not give them an exit permit. So one of our main calls is for the government of Qatar to cancel the exit permit, and also to reform the sponsorship system, substantially.”

Adapted from “No exit: Qatari migrant workers face harsh forced labor conditions”

Other opinions of stakeholders

International Trade Union Confederation (ITUC) Qatar

Employers often confiscate migrant workers’ passports to make sure they do not leave the country before the end of their contract, even if the terms of the contract are violated. Withholding passports has been illegal since 2009 if it exceeds the time needed to obtain a residence permit, but the local press reported, in March, the results of a survey among Asian migrants: 88% of them said they had had to hand their passport over to their employer.

Amnesty International Qatar

Following their release, Abdullah al-Khawar and Salem al-Kawari alleged that while detained without charge or trial as security suspects in 2011, they were beaten, suspended by their limbs and made to remain standing for hours at a time, deprived of sleep, held in solitary confinement in tiny cells, and subjected to cold temperatures for long periods while interrogators sought to obtain “confessions” from them. The authorities took no steps to investigate their allegations or bring the perpetrators to justice.

Fair Labor Association (FLA) Malaysia

“migrant workers (pay) Significant sums of money in advance (often to origin-country brokers, who work closely with Malaysian Outsourcing firms), mortgaging homes and property, and taking loans from underground lenders (loan-sharks), in order to migrate for work in Malaysia. Facing extremely high interest rates and financial pressure on their families, they are fearful and easy to intimidate, and desperate to earn money to repay their debts in the origin country.”

Irene Fernandez (NGO Tenaganita) Malaysia

“It’s common practice for employers (whether labor recruitment companies or factories where the migrant works) to seize migrant workers’ passports. This restricts migrant workers’ ability to move as it is forbidden for them to be in the street undocumented.”

Sources: Nombre de victimes du travail forcé par région - ILO

International Labor Organization (ILO) Vietnam

“Human trafficking became a serious problem in Viet Nam in the mid-1990’s when women and children were taken to China and Cambodia for arranged marriages or sexual exploitation (or sent from rural to urban areas within the country to fuel the prostitution industry). As a result, there is now an organised network of human traffickers who deceive victims with promises of a better life, employment, high salaries, or marriages to rich men. Upon arrival in the foreign destination many of the victims find themselves indebted to the trafficker and this debt forces the victims to dependancy. As exploitation is the principal element of human trafficking victims often find themselves undertaking forced labour to repay their debts. Children are particularly vulnerable to the deceptive nature of human traffickers.”
Vietnam

“Studies have found that many Vietnamese migrants who go abroad for work face high recruitment fees that put them in a state of debt bondage for years; the majority of those who return to Vietnam early—after one to two years—are unable to earn enough to pay off those debts. (...)Vietnamese and Chinese organized crime groups are involved in the forced labor of Vietnamese children on cannabis farms in the UK, where they are subject to debts up to the equivalent of approximately $30,000 each. Reports indicate that many of these Vietnamese victims fly with an agent to Russia and then are transported via trucks through Ukraine, Poland, the Czech Republic, Germany, and France before arriving in the UK. (...)According to a 2012 UNICEF-funded survey on the commercial sexual exploitation of children, Vietnam is a destination for child sex tourism with perpetrators reportedly coming from Japan, South Korea, China, Taiwan, the UK, Australia, Europe, and the United States.”

Human rights Watch (HRW)

India

“India, the world’s most populous democracy, has significant human rights problems despite making commitments to tackle some of the most prevalent abuses. The country has a thriving civil society, free media, and an independent judiciary. But corruption and lack of accountability for abusive practices foster human rights violations. Government initiatives, including police reform and improved access to health care and education, are poorly implemented. Women, children, and minority groups are marginalized. Abuses committed by security forces in Jammu and Kashmir go unpunished. Resource extraction and infrastructure projects often have deleterious environmental and economic impacts, and may infringe upon the rights of affected communities.”

Environmental Justice Foundation

Thailand

“Thailand’s seafood exports are the third most valuable in the world, supplying markets in the US, Europe and Asia but far from the attention of consumers vulnerable migrants in search of a better future are being trafficked, exploited, abused and even murdered aboard Thai fishing vessels. EIF’s investigation exposed the brutal trade in modern-day slaves.

It exposes severe human rights abuses associated with human trafficking in Thailand’s fishing industry and documents the testimonies of Burmese workers, as young as 16, who were forced onto fishing vessels for many months and subjected to arduous, often violent, working conditions without pay.”

China

“Workers say they feel like they are in prison, as security guards patrol the lines as if they were police, sometime beating the workers. Workers are body-searched on the way in and out of the factory.

Bathroom breaks are strictly monitored. According to the workers, the factory cafeteria food is “awful.” Indeed, pictures smuggled out of the factory show coarse yellow rice and visibly rotten potatoes being served.

Eight workers are housed in each primitive dorm room. They sleep on narrow plywood bunk beds, often without mattresses. “It’s filthy, like living in a pigsty,” workers told us. To wash, workers must fetch hot water in small plastic buckets to splash on themselves.

Management hands out “Employee Criminal Records” to punish workers who make a mistake on the production line, which can lead to 29 hours wages being docked from their pay.”

China Labour Watch

China

“CLW claimed Pegatron was winning business from Foxconn because its factories all “use the labour violation advantage”. Among other things, this meant forcing employees to do overtime, and in some cases threatening to withdraw it for a month if they refused to work whenever asked to. Average working weeks were 66 hours, with six 12-hour days.

Twenty minutes of that day was unpaid; the rest was $1.50 (€1) an hour before overtime. That is less than half the average local monthly income of $764 and far below the basic living wage in Shanghai.

Conscious of the rules on overtime, managers forced workers to sign forms showing their hours were less than the actual levels, the report alleged.”

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U.S Department of State

Taiwan

“Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers, who force workers to perform work outside the scope of their contract and often under exploitative conditions. (...)Some women and girls from China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking and forced labor.”

Institute for global labour and human rights

Bulgaria

“ Forced labour practices occur in all nine countries studied, but reliable studies measuring the size of the problem are rare. The International Labour Office (ILO) has estimated that 880,000 workers are subject to forced labour in Europe. Forced labour relates to workers who cannot freely choose to leave an abusive employer. In much of Europe, however, the term is associated with trafficking and unlawful cross-border mobility. Migration is a major source of the vulnerability which can end in forced labour, notably for migrants from Bulgaria, Poland and Romania (within the EU), and China, Morocco and Turkey (from outside the EU). However, forced labour does not always involve migrants.”

JRF - Joseph Rowntree Foundation (JRF)

Romania

“According to data from the General Department for Fighting Organized Crime and Drug Consumption, theft and begging were the most common activities among repatriated unaccompanied children acknowledging having been trafficked for forced labor. Parents are normally directly or indirectly involved in trafficking of young children for forced labor.”

Unicef

Saudia Arabia

At the U.N. Human Rights Council, Britain called for abolition of the Saudi system of male guardianship for women and was joined by the United States in raising cases of forced labor imposed on migrant workers. Britain and the United States, strategic allies of Riyadh, raised alleged cases of forced labor among 9 million migrant workers employed by firms or as domestic workers in the deeply conservative Muslim state, whose total population is 28 million. They included a ban on outdoor work in the heat between mid-day and 3 p.m. from June to August, when temperatures are usually higher than 40 degrees Celsius (104 Fahrenheit) and can soar to 50 degrees.

Reuters

ANY QUESTIONS ?

CLICK THE ICONE TO CONTACT US
Our Projects

“A drawing to understand your rights at work”

In our previous missions to South East Asia, we found that local businesses rely on the employment of workers called ‘temps’ mainly migrants from Nepal, Indonesia and Burma. These workers are forced to pay excessively high fees to recruitment agencies for employment in neighboring countries. Since the fees charged by these intermediaries often reach the equivalent of several months’ wages, workers accumulate huge debts even before they started work. They are forced, therefore, a lot of overtime (12 to 15H/day, 7 days out of 7) to deliver all of their salary recruiters to repay their debt.

These workers have no knowledge about the basic labor rights and they are harassed by their employers and employment agencies. In most cases, these workers do not speak the language of the host country thus illiterate. These companies are often subcontractors for occidental clients.

To overcome the problem of the multiplicity of languages and dialects spoken and written, we plan to develop drawings to give migrants simple explanations of their basic rights. The explanation will be displayed in the dormitories of the employees or the workplaces.

As the concept of forced labor is difficult to understand even for the clients of multinational companies, our project is based on the pedagogy of information to all those affected by the outsourcing Malaysia (public contracting authorities, private subcontractors, institutions, clients and designers). We chose the design for the migrants who don’t have access to internet.

An educational film, in this context, can present concepts in a pedagogical way and thus a message to launch the contest. The film is based on the study to be published in October CSR and developing countries with HRWB on the issue of migrants in South East Asia.

By this action, on the one hand, we practice directly into the values that we hold. Furthermore, we educate both clients and subcontractors on Corporate Social Responsibility and respect for human rights at workplace. Finally, the workers who directly addresses will also be informed of their rights clearly. Because information on the human rights of workers in the form of drawings eliminates the written and oral. These migrants are often illiterate and do not speak the language of their employer.

This project targets migrant workers in Malaysia and the third world counties directly, but also indirectly to the French companies that deal in Malaysia and who are affected by the problem.

It is based on international law and on the fact that the migrants themselves choose the designs which they are better understood. The lack of writing (in language) allows a diffusion in other countries.

Through Tenaganita (partner NGO), IUF (International Union of Food based in Geneva) for workers, and Gilles WAELDIN, Vice President of the Chamber of Commerce Franco-Malaysian (MFCCI), they are very involved on the issue of migrants, we hope to reach all French companies operating in Malaysia, NIKE with whom we work on this issue for a year, and the Fair Labor Association affiliated companies.

250 French companies are located in Malaysia. We hope to reach at least a hundred French companies and their subcontractors.

Country Profile Cards

The Country Profile Cards established by HRWB that allow you to identify the social risks (forced labor, discrimination, health & safety, freedom of association ...) in several countries. Now we have the cards for China, Malaysia, Vietnam, Taiwan, Qatar, Bulgaria, Romania.

The country profile cards dedicate a special presentation for forced labor. You can find the local and international legislation in these countries, the opinions of multi-stakeholders and their contacts.

Contact us for more information about the Country Profile Cards
Publications

*Click to read the articles*

BIT – “Une alliance mondiale contre le travail force” (FR)

U.S Department of State – “Trafficking in Persons Report 2013” (EN)

Migration policy institute (MPI) – What we know about regulating the recruitment of migrant workers (EN)

BSR – Migrant worker management toolkit: A global framework (EN)

Verité & Manpower Group – An ethical framework for cross border labor recruitment (EN)

FLA – Scope Report “How a functioning grievance procedure may positively impact a factory’s performance” (EN)

ILO – Hard to see, harder to count “survey guidelines to estimate forced labour of adults and children” (EN)

Global Slavery index 2013 (EN, FR, ES)

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